



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

Served: August 16, 2002

**In Re: COMPLIANCE WITH U.S. CITIZENSHIP
REQUIREMENTS of DHL AIRWAYS, INC.,
Third Party Complaint pursuant to 14 C.F.R. §302.404
Docket OST-2001-8736
and
PETITION OF UNITED PARCEL SERVICE CO.
TO INSTITUTE A PUBLIC INQUIRY INTO THE CITIZENSHIP
AND FOREIGN CONTROL OF DHL AIRWAYS, INC.
Docket OST-2002-13089**

**NOTICE CONSOLIDATING PROCEEDINGS
AND GRANTING EXTENSION OF TIME**

Summary

By this notice, for administrative convenience, we consolidate the filing by Federal Express Corporation ("FedEx"), dated August 7, 2002, in Docket OST-2001-8736 into Docket OST-2002-13089, a petition by United Parcel Service ("UPS") to institute an inquiry into the citizenship of DHL Airways, Inc. ("DHL Airways").

We also extend the deadline for answers to both filings to September 6, 2002.

Consolidation of Proceedings

On August 7, 2002, FedEx filed in Docket OST-2001-8736 a petition for reconsideration or, alternatively, review of staff action of the Department's approval of DHL Airways' corporate structure. Originally, this docket contained a third-party enforcement complaint by FedEx against DHL Airways which was dismissed by the Office of Aviation Enforcement and Proceedings on May 11, 2001 (Order 2001-5-11). That docket is thus closed and is not the appropriate forum in which to consider FedEx's petition.

On August 9, 2002, UPS filed a petition to institute a public inquiry into the citizenship and foreign control of DHL Airways. UPS filed this petition in a new docket (OST-2002-13089).

The filings in these two dockets present common issues and are interrelated. Both FedEx and UPS ask us for relief with regard to various issues involving the citizenship of DHL

Airways. Both parties also submit substantially similar information to support their requests.

We find that consolidation of these filings in Docket OST-2002-13089 will enable the Department and the parties to address these similar issues and information more efficiently. Thus, we find that the principle of administrative efficiency supports the consolidation of the two proceedings into one coordinated docket. The consolidation will not in any way prejudice any decision, substantive or procedural, made concerning these filings.

Extension of Time

In a letter of August 13, 2002, DHL Airways requested an extension of time until September 6, 2002 to respond to the UPS and FedEx petitions. In this letter, DHL Airways stated that UPS did not object. FedEx filed a Consent to Extension to Reply on August 14, 2002. For good cause shown, we believe that DHL Airways' request is reasonable, and we will grant it.

ACCORDINGLY,

1. We consolidate the above-captioned proceedings into Docket OST-2002-13089;
2. We grant the August 13, 2002 request of DHL Airways for an extension of time and give interested parties until September 6, 2002 to answer the petitions of FedEx and UPS in Docket OST-2002-13089.

By:

READ C. VAN DE WATER
Assistant Secretary for Aviation
and International Affairs

(SEAL)

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