November 19, 2002

Dorothy Beard
Chief, Docket Branch
Department of Transportation
400 7th Street, S.W.
Room PL-401
Washington, D.C. 20590

Re: Joint Application of American Airlines and Swiss for Antitrust Immunity (OST-2002-12688)

Dear Ms. Beard:

American Airlines, Inc. and Swiss International Air Lines Ltd. d/b/a Swiss hereby state their agreement to the following conditions to the antitrust immunity (ATI) they are seeking in this docket.

(1) The ATI will not cover any activities of the joint applicants as owners or marketers of computer reservations system businesses.

(2) The applicants will resubmit their alliance agreements for review before five years from the date of issuance of the final order in this case.

(3) Each applicant will withdraw from participation in any IATA tariff conferences activities that discuss any proposed through fares, rates, or charges applicable between the United States and Switzerland, and/or between the United States and any other countries whose designated airlines participate in similar transactions with U.S. airlines or are subsequently granted antitrust immunity by the Department.

(4) Swiss will report full-itinerary Origin-Destination Survey of Airline Passenger Traffic for all passenger itineraries that include a U.S. point (similar to the O&D Survey data already reported by American). As in past proceedings, to prevent this reporting requirement from having anticompetitive consequences, the applicants request confidential treatment of Swiss Origin-Destinations reports. See, e.g., American/Finnair ATI, Order 2002-7-39, July 30, 2002, p. 12; Northwest/Malaysian ATI, Order 2000-10-12, October 13, 2000, p. 12.

(5) The applicants will submit any subsequent subsidiary agreements implementing their alliance agreements for prior approval consistent with standard requirements (see, e.g., Delta/Air France ATI, Order 2002-1-6, January 18, 2002, p. 7 n. 17).

(6) The applicants will obtain prior approval from the Department if they choose to operate or hold out service under a common name or use common brands.

American and Swiss submitted their joint application on June 28, 2002, and it is unopposed. We urge immediate issuance of a final order granting the ATI we have requested, consistent with the foregoing.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document by email on all persons named below.

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