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**BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.**

Joint Application of)
)
DELTA AIR LINES, INC.,)
SWISSAIR, SWISS AIR TRANSPORT)
COMPANY, LTD.,)
SABENA S.A., SABENA BELGIAN WORLD)
AIRLINES, and)
AUSTRIAN AIRLINES, ÖSTERREICHISCHE)
LUFTVERKEHRS AG)
)
For approval of and antitrust immunity for Alliance)
Agreements pursuant to 49 U.S.C. §§ 41308 and)
41309.)

Docket OST-95-618 -- 23

**ANSWER OF THE JOINT APPLICANTS TO
PETITION FOR RECONSIDERATION
OF TRANS WORLD AIRLINES**

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October 23, 1995

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.**

Joint Application of)
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DELTA AIR LINES, INC.,)
SWISSAIR, SWISS AIR TRANSPORT)
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SABENA S.A., SABENA BELGIAN WORLD) **Docket OST-95-618**
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41309.)

**ANSWER OF THE JOINT APPLICANTS TO
PETITION FOR RECONSIDERATION
OF TRANS WORLD AIRLINES**

On October 20, 1995, Trans World Airlines, Inc. ("TWA") filed a Petition for Reconsideration of the Department's Scheduling Notice served October 16, 1995. TWA seeks to delay the date established by the Department for filing comments on the above-captioned Application for a minimum of two weeks but no earlier than two weeks after the Department acts on the Joint Applicants' Motion for Confidential Treatment.

The Joint Applicants strongly oppose TWA's Petition and urge that it be promptly denied.

1. There is no basis for TWA's request for additional time. TWA strains mightily to justify its position, but its arguments ring hollow. The schedule established

by the Department in the Scheduling Notice affords TWA a total of 56 days from the date the Application was filed to prepare comments. This is 35 more days than the Department provided in the Northwest-KIM case (Order 92-9-30) and five weeks more than the comment period provided for in the Department's Procedural Regulations (14 C.F.R. § 303.42). Indeed, it is longer than the 30-day extension requested by TWA in the Joint Motion filed on September 15, 1995. Contrary to TWA's claim, this case is not complex, although TWA would like to make it controversial. The policy and legal issues are clear and well-settled. Northwest-KLM, Order 92- 1 1-27, Order 93- 1- 11. Although TWA asserts that "each of the aspects of the agreement has a long regulatory history which will require thorough review", that review could and should have begun immediately after the Joint Application was filed on September 8, 1995 -- over six weeks ago. In addition, TWA claims that it needs more time because it is "considering" hiring an economist. TWA has already had six weeks from the date the Application was filed to retain an economist. TWA's decision to wait to make such a decision is not a sound basis to grant it more time. In short, TWA has been given more than ample time to prepare its position.

2. TWA's Petition is purely and simply a delay tactic by a carrier that has made it quite clear that it opposes the Joint Application. It is quite obvious that TWA will use all efforts to delay and obstruct the Joint Applicants' proposal to implement an Alliance that will enhance competition and produce substantial consumer benefits. This is evidenced by the fact that TWA waited four days **after** the Scheduling Notice was issued to file its **2½-page** Petition complaining about the Scheduling Notice (the Notice was issued Monday morning, October 16, 1995, and TWA filed its Petition at 4:35 p.m. Friday

afternoon, October 20). We note that this is the second time that TWA has asked for a delay in the filing of comments. The Department should not countenance these tactics.

3. The Department should promptly deny TWA's Petition. The Department indicated that it intends to consider the Joint Application expeditiously. The Joint Applicants urge the Department to indicate to all parties that it will not tolerate any further efforts to interfere with the expeditious consideration of the Joint Application.

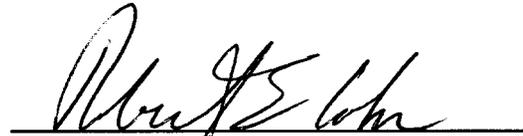
WHEREFORE, the Joint Applicants strongly oppose TWA's Petition and urge that it be promptly denied.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Answer of Delta Air Lines, Inc., Swissair, Swiss Air Transport Co., Ltd., Sabena S.A., Sabena Belgian World Airlines, and Austrian Airlines, **Österreichische Luftverkehrs AG** To Petition of Trans World Airlines, Inc. served this 23rd day of October, 1995, on all persons listed on the attached service list.



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