

61018



Order 99-8-5
Served: August 6, 1999

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

Issued by the Department of Transportation
on the 6th day of August, 1999

Joint Application of

ALITALIA-LINEE AEREE ITALIANE-S.p.A.
KLM ROYAL DUTCH AIRLINES
NORTHWEST AIRLINES, INC.

for approval of and Antitrust Immunity for
Alliance Agreements pursuant to 49 U. S .C. §§
41308 and 41309

Docket OST-19993674 - 25

ORDER

On July 28, 1999, the International Association of Machinists and Aerospace Workers, AFL-CIO ("IAM") requested an extension of time to file answers in this case until August 23, 1999.¹ The IAM notes that it and Alitalia-Linee Aeree Italiane S.p.A. ("Alitalia") are involved in an on-going labor dispute, and that they are currently in negotiations to resolve this matter.² The IAM states that, while it expects that these talks will resolve the labor issues, in the event that the matter is not settled, it wants an adequate opportunity to file comments with the Department in this proceeding.

On July 30, 1999, the Joint Applicants filed a response urging the Department to maintain the established procedural schedule. They argue that instead of granting IAM's request for a delay, the Department should enable the IAM to file a supplemental comment on or before August 13, 1999, if, after conclusion of the IAM-Alitalia negotiations, the IAM finds it necessary to do so.

We find it appropriate and in the public interest to grant the IAM's request. We also expect all other interested parties to file their responsive pleadings consistent with our Notice dated July 19, 1999, *i. e.*, answers must be filed no later than August 9³ and replies by August 18.

¹ By Notice dated July 19, 1999, the Department found that the record of this case was substantially complete, and it established procedural dates for the filing of answers and replies, August 9 and August 18, 1999, respectively.

² The record shows that negotiations are scheduled on August 5 and 6, 1999.

³ Upon conclusion of the negotiations, we direct the IAM to notify the Department, in the public record of this case, whether they intend to file an answer.

We are pleased to note that the **IAM** and Alitalia are taking steps now to attempt to resolve their labor-related issues. The **IAM** has stated that it expects to file comments only if the negotiations do not resolve the differences between it and Alitalia. Therefore, we find it appropriate to provide the **IAM** with this expanded opportunity in the interest of developing fully the record on these matters, if the parties are not able to resolve satisfactorily their labor dispute. We find that our actions here will not disadvantage the other interested parties, since we will also provide them, if necessary, with an opportunity to reply to any answer filed by the **IAM**.

Accordingly:

1. We grant, to the extent indicated in this order, the International Association of Machinists and Aerospace Workers' request for an extension of time to file an answer in the record of this case no later than August 23, 1999;
2. We direct interested parties to file replies to the answer provided for in paragraph 1 no later than September 1, 1999; and
3. We will serve this order on all persons on the service list in this docket.

By:

A. BRADLEY MIMS
Acting Assistant Secretary for Aviation
and International Affairs

(SEAL)

*An electronic version of this document is available on the World Wide Web at:
http://dms.dot.gov/reports/reports_aviation.asp*