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March 18, 1996

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D. C.

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Joint Application of :  
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 :  
 AMERICAN AIRLINES, INC. :  
 EXECUTIVE AIRLINES, INC. :  
 FLAGSHIP AIRLINES, INC. :  
 SIMMONS AIRLINES, INC. :  
 WINGS WEST AIRLINES, INC. :  
 (d/b/a AMERICAN EAGLE) :  
 and : OST-95-792  
 CANADIAN AIRLINES INTERNATIONAL LTD. :  
 ONTARIO EXPRESS LTD. and :  
 TIME AIR INC. :  
 INTER-CANADIEN (1991) INC. :  
 (d/a/a CANADIAN REGIONAL) :  
 :  
 for exemption under 49 USC 40109 and :  
 for statements of authorization under :  
 14 CFR Parts 207 and 212 to offer code- :  
 sharing services (U.S.-Canada) :  
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JOINT APPLICATION OF AMERICAN AIRLINES, et al  
AND CANADIAN AIRLINES INTERNATIONAL LTD., et al  
FOR RENEWAL AND AMENDMENT OF CODE-SHARING AUTHORITY

American Airlines, Inc. and its regional affiliates  
Executive Airlines, Inc., Flagship Airlines, Inc., Simmons  
Airlines, Inc. and Wings West Airlines, Inc. (d/b/a American  
**Eagle**), and Canadian Airlines International Ltd. and its  
regional affiliates Ontario Express Ltd., Time Air Inc., and  
Inter-Canadien (1991) Inc. (d/b/a Canadian Regional) hereby  
apply for renewal and amendment of their statements of authori-  
zation under 14 CFR Parts 207 and 212 to offer U.S.-Canada

code-sharing services. This authority was initially granted by Order 95-5-23, May 18, 1995, for a period of one **year**.<sup>1</sup>

In filing this application, the joint applicants invoke the automatic extension provisions of the Administrative Procedure Act, 5 USC 558(c), as implemented by 14 CFR Part 377. The current authority would expire on May 18, 1996, absent this renewal application. This application is timely under Section **377.10(c)** since it is filed more than 60 days in advance of the expiration date in the case of American, et al, and prior to the expiration date in the case of Canadian, et al. The services at issue constitute "activity of a continuing nature" under 5 USC 558(c).

The joint applicants are providing important benefits to the public by exercising the code-sharing authority at issue, and renewal of their respective statements of authorization is clearly in the public interest. As the Department concluded in Order 95-5-23, "[w]e find that approval of the proposed code-sharing services is consistent with the public interest. Our recently issued statement on international

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<sup>1</sup>American and American Eagle are not seeking renewal of the exemption authority granted by Order 95-5-23 (p. 4, ¶ 1), since that authority is now moot. By Order 95-6-26, June 13, 1995, American was issued a certificate for Route 658, and American Eagle was issued a certificate for Route 661, authorizing service between any point in the United States and any point in Canada, subject to the phase-in provisions for Vancouver, Montreal, and Toronto.

aviation policy specifically addressed the advantages that can be derived from cooperative arrangements such as those in this application. The services planned here will significantly expand the service options to the public, offering U.S. and Canadian passengers nonstop and convenient online connecting services to all points in the United States and Canada served by the joint **applicants**" (p. 4).

The joint applicants also seek amendment of their authority so as to make it explicit that the **"AA"** designator code may be displayed on all transborder flights operated by Canadian, et al., and that the **"CP"** code may be displayed on all transborder flights operated by American, et al. In Order 95-5-23, the Department listed the carriers' respective **trans-**border services that were in operation at the time of last **year's** application. As new transborder services are added, the joint applicants should have the flexibility to engage in additional transborder code-sharing, consistent with the **U.S.-**Canada Air Transport Agreement, without the need to seek further authorization on a route-by-route basis.

For the foregoing **reasons, the Department should,** consistent with the public interest, renew and amend the statements of authorization granted to the joint **applicants** under 14 CFR Parts 207 and 212 to engage in U.S.-Canada **code-**sharing services.

Respectfully submitted,

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March 18, 1996

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document by first-class mail on all persons named on the attached service list.

  
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