



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

Served: January 22, 2003

In the Matter of
Exemption Application of
Aerolane Lineas Aereas Nacionales del Ecuador S.A. d/b/a Lan Ecuador
Docket OST-2003-14291

NOTICE

On January 15, 2003, Lan Ecuador filed an application for an exemption to engage in scheduled foreign air transportation of persons, property and mail between Guayaquil and Quito, Ecuador, on the one hand, and Miami and New York, on the other hand.¹ Lan Ecuador requests expedited action on its request, asking that we establish January 23, 2003, as the due date for answers to its application. Lan Ecuador states that interested parties recently considered the relevant issues presented in its application in the context of the earlier request, and that prompt action on its present application would be reasonable and in the public interest. Answers to Lan Ecuador's application would normally be due January 30, 2003.

Continental Airlines, Inc. and Northwest Airlines, Inc. oppose any shortening of the answer period. They say they need the full 15-day answer period to analyze fully the new ownership and management structure of the applicant and to consider other matters raised by the request.

We have decided to grant Lan Ecuador's request for a shortened answer period in part. Specifically, we will shorten the period for filing answers to Lan Ecuador's application to January 27, 2003. We believe that this limited revision to the procedural schedule strikes an appropriate balance among the positions of the interested parties.

¹ We recently denied a previous Lan Ecuador exemption request for such authority. Order 2002-12-15. We determined that on the facts before us we could not find that grant of an ownership and control waiver was warranted. *Id.* at 4. Lan Ecuador's new application sets forth the carrier's description of its current ownership and control structure.

Therefore, acting under authority assigned to the Director, Office of International Aviation, 14 CFR 385, we modify the procedural schedule for responsive pleadings to Lan Ecuador's request, and require that answers be filed by January 27, 2003, and that reply comments be filed no later than January 29, 2003.

We will serve this notice by email and/or facsimile on all parties served with Lan Ecuador's request in Docket OST-2003-14291.

By:

A handwritten signature in black ink, appearing to read 'P. L. Gretch', with a long, sweeping horizontal flourish extending to the right.

PAUL L. GRETCH
Director
Office of International Aviation

(SEAL)

Dated: January 22, 2003

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