



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

Issued by the Department of Transportation on May 1, 2003

NOTICE OF ACTION TAKEN DISMISSING APPLICATIONS -- VARIOUS DOCKETS

This serves as notice to the public of the actions described below, taken on the date shown above by the Department official indicated (no additional confirming order will be issued in these matters).

The carriers listed below have applied for various forms of authority or relief under Title 49 of the United States Code in order to perform the air transportation activities described. Each application has either been withdrawn by the applicant or otherwise become moot. Therefore, we find that these applications should be dismissed, under authority assigned by the Department in its Regulations, 14 CFR §385.3 and §385.13.

Docket

Description of Application

**OST-1995-928
(formerly 42298)**

American Airlines, Inc., filed October 1, 2001. Renew exemption to engage in scheduled foreign air transportation of persons, property, and mail between Dallas/Ft. Worth, Texas, and Paris, France.¹ By Order 2002-5-25, the Department granted American broad U.S.-France certificate authority. By virtue of that certificate action, the point-specific exemption renewal request in Docket OST-1995-928 is now encompassed in the broad certificate authority and, thus, the exemption renewal application is moot.

**OST-1996-1109
(formerly 49493)**

American Airlines, Inc., filed February 28, 1996. Renew exemption to engage in scheduled foreign air transportation of persons, property, and mail between points in the United States and Nice, France, and to integrate such authority with the London/Europe authority American holds by separate certificate and exemption.² By Order 2002-5-25, the Department granted American broad U.S.-France certificate authority, including route integration authority. By virtue of that certificate action, the U.S.-Nice exemption renewal request (including the requested integration authority) in Docket OST-1996-1109 is now encompassed in the broad certificate authority and, thus, the exemption renewal application is moot.

¹ The authority, set to expire on December 6, 2001, has been kept in force pursuant to the automatic extension provisions of the Administrative Procedure Act (APA), 5 U.S.C. 558(c).

² The authority, set to expire on May 2, 1996, has been kept in force pursuant to the automatic extension provisions of the APA.

- OST-1997-1039** **Arrow Air, Inc.**, filed November 20, 2001. Renew two U.S.-Ecuador all-cargo frequencies to provide scheduled foreign air transportation of property and mail between the United States and Ecuador. On February 22, 2002, Arrow filed a motion for leave to withdraw its application in Docket OST-1997-1039. We will grant the motion.
- OST-2000-7525** **Emery Worldwide Airlines, Inc.**, filed June 15, 2000. Amendment of its U.S.-Mexico certificate of public convenience and necessity for Route 743 to incorporate all of its U.S.-Mexico exemption authority, and to integrate its amended Route 743 with Emery's other certificate and exemption authority. Subsequently, on August 13, 2001, Emery ceased all air transportation operations. On November 11, 2001, Emery's certificate for Route 743 expired automatically pursuant to the dormancy conditions in the certificate. Thus, Emery's application to amend Route 743 is moot.
- OST-1999-5286** **Federal Express Corporation**, filed June 29, 2001. Waiver from the dormancy condition for seven Russia overflight frequencies to operate all-cargo services between Paris, France, and Subic Bay, Philippines, via Tashkent. On March 22, 2002, Counsel for Federal Express orally advised the Department that Federal Express would not be using the frequencies after April 1, 2002, and therefore, the seven frequencies would automatically revert to the Department for reallocation.
- OST-2000-8551** **Southern Air, Inc.**, filed December 14, 2000. Exemption to provide scheduled foreign air transportation of property and mail between Anchorage, Chicago, Los Angeles, and New York (JFK), on the one hand, and Seoul, Korea and Taipei, Taiwan, on the other. By letter dated March 6, 2002, Counsel for Southern Air withdrew its application.
- OST-1997-3178** **United Parcel Service Co.**, filed June 25, 2002. Waiver from the dormancy condition for five U.S.-Thailand all-cargo frequencies. As the five frequencies here expired by their terms, the request for a waiver is therefore moot.