

**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, DC**

Issued by the Department of Transportation on June 6, 2003

NOTICE OF ACTION TAKEN -- Undocketed

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Joint Request of Federal Express Corporation (FedEx) and United Air Lines, Inc. filed 6/5/03 for:

XX Temporary re-allocation to FedEx of one weekly U.S. carrier frequency, currently held by United, but which United has temporarily suspended.

The Joint Request states that FedEx will use the frequency to augment FedEx's current all-cargo service to China by adding flights between Shanghai and Anchorage on Saturdays or Sundays with MD-11 freighter aircraft. FedEx requests the authority immediately and requests that the temporary authority continues through September 4, 2003. The Joint Request also states that FedEx acknowledges that the frequency is to be operated on a temporary basis until United is able to recommence service and that FedEx will not object later to United's request to continue service using this frequency.

Applicant reps: Thomas F. Donaldson, Jr. (FedEx) (901)434-8586

Jeffrey A. Manley (United) (202)663-6000

DOT Analyst: Linda Senese (202) 366-2367

DISPOSITION

XX Granted (temporary reallocation of one United Air Lines China frequency to FedEx)

The above action was taken: June 6, 2003, and is effective for services during the period June 6, 2003, through September 4, 2003

**Action taken by: Paul L. Gretch, Director
Office of International Aviation**

XX The authority granted is consistent with the aviation agreement between the United States and the People's Republic of China.¹

Except to the extent exempted or waived, this authority is subject to the terms, conditions, and limitations indicated: **XX** Holder's certificates of public convenience and necessity

Remarks: On May 1, 2003, United temporarily suspended operations on nine of its 21 U.S.-China frequencies. By joint letter dated June 5, 2003, United and FedEx requested that FedEx be allocated one of United's suspended nine frequencies through September 4, 2003. United and FedEx polled the other two carriers designated for U.S.-People's Republic of China and by a further letter dated June 5, 2003, informed the Department that neither Northwest nor UPS objected to the joint request of United and FedEx. We,

¹ Under the U.S.-People's Republic of China Transport Agreement, the four U.S. designated carriers (United, Northwest, Federal Express, and UPS) may operate a total of 54 weekly frequencies. This Notice temporarily authorizes FedEx to use 1 of United's allocated frequencies.

therefore, acted on the joint request without awaiting completion of the answer period with the consent of all parties served.

We determined, consistent with our traditional approach of favoring maximum use of frequencies, that it was in the public interest to award FedEx the one frequency requested.

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; and (2) grant of the joint request was consistent with the public interest. To the extent not granted or denied, we denied all other requests. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within seven (7) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

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