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

Issued by the Department of Transportation on October 27, 2003

NOTICE OF ACTION TAKEN – DOCKET OST 2002-11962 – 9

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).

Applicant: QANTAS AIRWAYS LIMITED

Date Filed: July 3, 2003

Relief requested: Exemption from 49 USC section 41301 to permit Qantas Airways to continue to conduct foreign air transportation of persons, property and mail, between points in Australia, other authorized points, and Denver, Colorado, via authorized U.S. coterminal or "gateway" points that the applicant is authorized to serve pursuant to its foreign air carrier permit issued by Order 94-3-27. (Qantas states that it operates codeshare services to Denver under a codeshare arrangement on American Airlines flights between Los Angeles and Denver that connect with Qantas flights in Los Angeles.)

If renewal, date and citation of last action: July 25, 2002, in this Docket.

Applicant representative: Moffett B. Roller, 202-331-3300 DOT analyst: Allen F. Brown, 202-366-2405

Responsive pleadings: On July 17, 2003, US Airways filed a response indicating that it did not oppose the Qantas renewal request to conduct codeshare service to Denver, so long as it receives favorable treatment from Australian authorities on its proposal to conduct Los Angeles/San Francisco-Australian service by codeshare with United. On July 28, 2003, Qantas filed a response to the US Airways' pleading. By letter submitted to the Department on October 22, 2003, US Airways stated that it has received approval from Australia to codeshare with United for certain U.S.-Australia services, and, thus, has no opposition to the Department's acting favorably on the Qantas application.

DISPOSITION

Action: Approved.

Action date: October 27, 2003

Effective dates of authority granted: October 27, 2003, through October 27, 2004

Basis for approval: Reciprocity with Australia.

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: Standard exemption conditions and the other conditions delineated in the NOAT issued in this Docket on July 25, 2002.

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

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; (2) the applicant was qualified to perform its proposed operations; (3) grant of the authority was consistent with the public interest; and (4) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. 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*