

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.**

November 24, 1999

Application of DELTA AIR LINES, INC. for an exemption pursuant to 49 U.S.C. § 40109 (United States – Points in Sub-Saharan Africa)	}	Docket OST-99-6559
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**APPLICATION OF DELTA AIR LINES, INC.
FOR AN EXEMPTION**

Delta Air Lines, Inc. ("Delta") hereby applies, pursuant to 49 U.S.C. § 40109 and Subpart D of the Department of Transportation's Procedural Regulations, for an exemption from 49 U.S.C. § 41101 to permit Delta to provide scheduled foreign air transportation of persons, property and mail between a point or points in the United States, on the one hand, and the following points in Africa, on the other hand: Lilongwe and Blantyre, Malawi; Maputo, Mozambique; Windhoek, Namibia; a point or points in Tanzania; Lusaka, Zambia; and Victoria Falls and Bulawayo, Zimbabwe.

Delta further requests route integration authority to permit Delta to combine the services authorized by this exemption with all other Delta services authorized by existing certificates and exemptions granted by the Department, to the extent permitted by applicable international agreements.

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Delta plans to operate the U.S.-Africa services that are the subject of this application on a third-country codeshare basis in conjunction with South African Airways (“SAA”). Delta and SAA plan to begin these services on or about January 31, 2000. Accordingly, in order to provide Delta with adequate time to effectively market and sell its new services, Delta respectfully requests that this exemption application be granted on or before December 3, 1999.¹ Delta requests that the authority remain in effect for a period of at least two years, or until 90 days after the Department’s final determination on Delta’s omnibus certificate application pending in Docket OST-99-6246, which includes the countries with respect to which authority is herein sought.

In support of this application, Delta submits the following:

1. Beginning on or about January 31, 2000, Delta and SAA plan to commence reciprocal codeshare operations, including third-country codeshare service to the following points in sub-Saharan Africa: Lilongwe and Blantyre, Malawi; Maputo, Mozambique; Windhoek, Namibia; Dar Es Salaam, Tanzania;

¹ Delta will conduct a poll of the U.S. carrier representatives listed on the attached service list to determine if there are any objections to this application and will advise the Department of the results as soon as possible.

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Lusaka, Zambia; and Bulawayo, Harare, and Victoria Falls, Zimbabwe.² Delta and SAA are today filing a joint application for a statement of authorization that would allow the carriers to operate these codeshare services.

2. In order to allow Delta to implement the third-country codeshare services covered by the Delta/SAA codeshare agreement, Delta is herein requesting an exemption authorizing it to engage in scheduled foreign air transportation of persons, property and mail, between a point or points in the United States, on the one hand, and Lilongwe and Blantyre, Malawi; Maputo, Mozambique; Windhoek, Namibia; a point or points in Tanzania; Lusaka, Zambia; and Victoria Falls and Bulawayo, Zimbabwe; on the other hand.

3. Delta is fully qualified to perform the proposed services. Delta holds exemption authority to serve multiple points throughout Africa. See Notices of Action Taken dated April 15, 1998 (Docket OST-98-3736), July 17, 1998 (Docket OST-96-1598), and September 3, 1998 (Dockets OST-98-3846 and OST-98-4296). Pursuant to these exemptions, Delta provides third-

² Delta already holds U.S.-Harare exemption authority. See Notice of Action Taken dated April 15, 1998 (Docket OST-98-3736).

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country codeshare services to several African points in conjunction with other foreign airline partners. Delta requests that the Department take official notice, pursuant to Rule 24 of the Department's Rules of Practice, of all other data on file with the Department necessary to establish Delta's fitness to conduct the operations proposed in this application.

4. The authority to provide U.S.-Tanzania service is consistent with the recently initialed open skies agreement between the United States and Tanzania. There are no bilateral agreements, however, between the United States and the other countries identified in this application. Grant of this application in the absence of governing bilateral agreements would be consistent with the Department's previous approval of exemption authority enabling U.S. carriers to serve multiple countries in Africa on a codeshare basis. Moreover, approval of Delta's proposed service would further the Administration's recent efforts to establish closer ties with African nations.

5. Approval of this application is in the public interest. Approval will allow Delta to offer its first online (and, in some cases, first U.S.-flag carrier) service between the United States and several points in Africa. With its extensive domestic route network, Delta will be able to offer passengers and shippers

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throughout the United States enhanced online service options between the United States and several under-served points in sub-Saharan Africa.

WHEREFORE, for the foregoing reasons, Delta respectfully requests that the Department expeditiously grant Delta an exemption authorizing it to engage in scheduled foreign air transportation of persons, property and mail between the United States and the points in sub-Saharan Africa identified herein, and grant such other and further relief as the Department deems to be consistent with the public interest.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Application of Delta Air Lines, Inc. for an Exemption has been served this 24th day of November, 1999, upon each of the following persons:

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