

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

Application of)	
DELTA AIR LINES, INC.)	
for renewal of a waiver of the dormancy condition)	
applicable to its Portland-Osaka frequency)	
allocation)	

Docket OST-98-3419

**REQUEST OF DELTA AIR LINES, INC.
FOR RENEWAL OF A DORMANCY WAIVER**

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January 28, 2000

Notice: Under 14 C.F.R. § 302.6, answers to this request are due on
February 8, 2000.

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Delta hereby invokes and relies upon the automatic extension provisions of the Administrative Procedure Act, 5 U.S.C. § 558(c), as implemented by 14 C.F.R. Part 377, to continue its dormancy condition waiver in effect pending final Department determination on this renewal request. This request for renewal is timely filed pursuant to Section 377.10(c).

In support of this request, Delta states the following:

1. By Order 98-5-17, served May 18, 1998, the Department awarded Delta certificate authority and an allocation of frequencies with respect to several U.S.-Japan routes, including seven frequencies for Portland-Osaka. The frequencies are subject to the condition that they will revert automatically to the Department for reallocation if they are not used for a period of 90 days.

2. Due to unfavorable economic conditions affecting trade between the United States and Japan, Delta was unable to inaugurate Portland-Osaka service. The Department has previously found that a waiver of the dormancy condition applicable to Delta's seven Portland-Osaka frequencies is in the public interest. See Notices of Action Taken dated January 28, 1999, and September 27, 1999. The waiver is effective through March 28, 2000, meaning that, unless it is renewed or extended, the frequencies will automatically expire on June 26, 2000. Thus, in order to

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maintain the ability to provide Portland-Osaka service, Delta respectfully requests that it be granted a renewal or extension of this waiver.

3. For the sake of administrative convenience, Delta requests that the renewed dormancy waiver be granted indefinitely. As noted, there are no pending or presently foreseeable requests by U.S. carriers for authority to serve Japan. If the Department determines not to issue an indefinite waiver, Delta requests in the alternative that the waiver be granted for an additional six months, through at least September 28, 2000.

4. Grant of this limited waiver request is in the public interest. A waiver of the dormancy condition will allow Delta to begin nonstop Portland-Osaka services authorized by its Certificate of Public Convenience and Necessity for Route 754 as soon as market circumstances allow. In initially awarding Delta this certificate authority and the frequency allocations, the Department made the determination that implementation of Delta's proposed services would be in the public interest, providing the traveling public with enhanced competitive options.

5. Approval of this request would be consistent with Department precedent. The Department has previously granted waiver requests under similar circumstances with respect to Delta's U.S.-Japan frequencies, as well as those of Continental Airlines, Inc./Continental Micronesia, Inc. (Honolulu-Tokyo), American

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Airlines, Inc. (New York-Tokyo and Boston-Tokyo), Trans World Airlines, Inc. (St. Louis-Tokyo), and Hawaiian Airlines, Inc. (Maui-Tokyo). See Notices of Action Taken dated January 28, March 5, March 12, September 27, and September 30, 1999, and January 14, 2000, Docket OST-98-3419.

WHEREFORE, Delta Air Lines, Inc. respectfully requests that the Department grant this request for a renewal or extension of the waiver of the dormancy condition applicable to Delta's Portland-Osaka frequencies.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Request of Delta Air Lines, Inc. for Extension of Dormancy Waiver has been served by first class mail this 28th day of January, 2000, upon each of the following persons:

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