

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Application of	:	
	:	
	:	
CONTINENTAL EXPRESS, INC.	:	Docket OST-00-7083
	:	
for an exemption from Subparts K and S of	:	
14 C.F.R. Part 93 pursuant to 49 U.S.C. § 41714	:	
(LaGuardia-Hartford/Springfield)	:	
	:	

APPLICATION OF
CONTINENTAL EXPRESS, INC.

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March 16, 2000

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APPLICATION OF
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Continental Express¹ applies under 49 U.S.C. § 41714(c), as amended by the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (“the Ford Act”),² for exemptions from 14 C.F.R. Part 93, Subparts K and S (“the High Density Airport Rule”), to provide five daily nonstop roundtrip flights between LaGuardia Airport and Hartford/Springfield using Embraer 135 regional jet

¹ Common names are used for airlines.

² All references hereafter to the provisions of 49 U.S.C. § 41714 et seq. are to those sections as amended by the Ford Act.

aircraft.³ The proposed Continental Express flights would serve the public interest by providing the only existing single-plane service between Hartford and LaGuardia, thereby enhancing the flow of traffic between Hartford/Springfield and New York and offering passengers new service options. Continental Express' proposed service also would benefit the public by providing alternative connections between Hartford/Springfield and 21 other smaller cities Continental Express intends to serve via LaGuardia.⁴

1. Continental and Continental Express have developed a strong base of support among New York City travelers who rely on their hub at Newark International Airport, and the proposed Continental Express service at LaGuardia will provide a complementary adjunct service that will allow it to meet a broader range of New Yorkers' travel needs.⁵ The Continental Express nonstop service between Hartford/Springfield and LaGuardia will fill the void in the Hartford/Springfield-New York service pattern by providing the only single-plane

³ Flight arrival and departure times are provided at Exhibit A.

⁴ Continental Express is submitting simultaneously an application for LaGuardia slots which will enable it to serve Albany, Birmingham, Buffalo, Burlington, Charleston, SC, Columbia, Dayton, Grand Rapids, Greensboro, Greenville/Spartanburg, Knoxville, Manchester, Martha's Vineyard, Myrtle Beach, Nantucket, Norfolk, Portland, ME, Richmond, Rochester, Savannah and Syracuse.

⁵ Continental and Continental Express will continue, of course, to develop their hub at Newark International Airport, although their efforts to offer and develop service between Newark International Airport and other cities close-by have been inhibited by air traffic control issues in the Newark area.

Hartford/Springfield-LaGuardia service, which will be of particular benefit to those travelers who prefer LaGuardia to other airports.

2. The proposed nonstop Continental Express flights will benefit the public by providing the only single-plane service between Hartford/Springfield and LaGuardia. The Department on numerous occasions has cited “the vital public interest objective of enabling qualified air carriers to fill voids in underserved markets.” (See, e.g., Order 99-3-12) Accordingly, the Department, in light of “compelling public interest considerations,” has granted slot exemptions to Simmons, an incumbent carrier, to provide nonstop, roundtrip service where none existed. (See Order 98-4-21 at 16-17); (see also Order 2000-1-3 (reallocating exemptions to, inter alia, American Eagle, after finding that such a reallocation served the public interest by maintaining direct air service in the city-pair markets at issue)) The proposed Continental Express flights will fill a gaping void in the current Hartford/Springfield-New York service pattern, increase the flow of passenger and cargo traffic between Hartford/Springfield and New York and promote business development in Hartford/Springfield by enhancing that city’s access to the nation’s leading business and cultural center.

3. In addition to increasing traffic flow between LaGuardia and Hartford, the new flights will also offer alternative connections between Hartford and the 21 smaller cities throughout the eastern United States that Continental Express expects to serve via LaGuardia. In all, 48 new connecting opportunities for

Hartford/Springfield travelers will be created at LaGuardia if all of the requested slot exemptions are granted.⁶

⁶ Since there is no competing United States manufacturer for Continental's Embraer 135 regional jet aircraft, § 41715 (c)(2), specifies that the provisions of § 41715 (c)(1), which require consideration of whether an applicant's proposal provides the maximum benefit to the United States economy, including the number of United States jobs created by the air carrier, its suppliers and related activities and "equal consideration to the consumer benefits" associated with the authority sought do not apply to this application. If such standards did apply, however, they would support the grant of this application. The additional service proposed will add new job opportunities in addition to the nearly 11,000 jobs already provided by Continental and Continental Express in the New York/Newark area, enhance the utilization of Continental's all-Boeing fleet as well as the Continental Express Embraer fleet, which contains numerous U.S. components, as well as providing enhanced service and price options for passengers and shippers for service between LaGuardia and Hartford/Springfield.

WHEREFORE, Continental Express respectfully asks the Department to grant its request for an exemption from 14 C.F.R. Part 93, Subparts K and S necessary for it to operate roundtrip service between LaGuardia and Hartford/Springfield.

Respectfully submitted,

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March 16, 2000

CERTIFICATE OF SERVICE

I certify that I have this date served a copy of the foregoing document on the following persons in accordance with the Department's Rules of Practice:

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March 16, 2000
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Proposed Hartford/Springfield-LaGuardia Schedules

BDL-LGA (arrival times at LGA)

0650-0750 (0730-0759 arrival)

0900-1000 (1000-1029 arrival)

1205-1305 (1300-1329 arrival)

1710-1810 (1800-1829 arrival)

1915-2015 (2000-2029 arrival)

LGA-BDL (departure times at LGA)

0730-0830 (0730-0759 departure)

0920-1020 (0900-0929 departure)

1520-1620 (1500-1529 departure)

1730-1830 (1730-1759 departure)

1955-2055 (1930-1959 departure)