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May 13, 1997

Mr. Paul L. Gretch, Director
Office of International Aviation
U.S. Department of Transportation
400 Seventh Street, S.W.
Room 6402
Washington, D.C. 20590

RE: Application of Aeroflot Russian International Airlines for a
Statement of Authorization (Shannon-Miami), May 7, 1997

Dear Sir:

United Air Lines, Inc. ("United") submits the following answer in opposition to the above-referenced application of Aeroflot Russian International Airlines ("Aeroflot") for a statement of authorization:

1. By its application, Aeroflot seeks authority to operate weekly charter flights between Shannon, Ireland, and Miami, Florida, beginning May 17, 1997.^{1/} These charter flights are not covered by the terms of the U.S./Russia bilateral air services agreement and U.S. approval is entirely discretionary.

2. United opposes any U.S. approval of discretionary U.S. operating rights for Aeroflot in circumstances where the government of Russia, Aeroflot's homeland, is denying United the right to operate code-share services to Russia in conjunction with Lufthansa German Airlines. The Department is well aware of Russia's actions which deny United a right which is guaranteed under the terms of the U.S./Russia bilateral agreement. Indeed, the Department has previously

^{1/} Aeroflot's cover letter indicated an intention to operate services from Dublin, Ireland, but its application refers to Shannon. The latter is the correct gateway, according to Aeroflot's U.S. counsel. In the event that services from Dublin are contemplated, additional issues would be raised, and United reserves the right to address those issues should Aeroflot change the Irish gateway at which it proposes to operate.

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refused to grant Aeroflot extrabilateral authority based on its homeland's violation of the U.S./Russia bilateral air services agreement:

We are particularly concerned by the difficulties facing United in its efforts to conduct bilaterally-authorized services. United has been precluded from operating its code-share service with Lufthansa, a right clearly contemplated by the Agreement.

Order 95-11-8 at 4.

The services for which Aeroflot seeks authority in its instant application are comparable to those previously denied by the Department. Ireland-U.S. charter flights are "outside the scope" of the U.S./Russia bilateral (*id.*) to the same extent as were the Miami-Lima services which were the subject of Aeroflot's previously denied application. The Russian government has made no move since that previous denial to approve United's code-share services and the instant application should be denied for the same reasons stated in Order 95-11-8.^{2/}

Respectfully submitted,

/s/ Joel Stephen Burton
JOEL STEPHEN BURTON
Counsel for
UNITED AIR LINES, INC.

cc: All Persons on Service List
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^{2/} Aeroflot refiled its application for Miami-Lima authority on March 15, 1996, in Docket OST-96-1157. The Department has taken no action on that application.