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August 31, 1998

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

**Re: Joint Application of Delta Air Lines, Inc. and
Transbrasil S/A Linhas Aereas (U.S.-Brazil Code-Sharing)**

Dear Mr. Gretch:

Pursuant to 14 C.F.R. Part 212, Delta Air Lines, Inc. ("Delta") and Transbrasil S/A Linhas Aereas ("Transbrasil") (together, the "Joint Applicants") hereby apply for a Statement of Authorization to permit Delta to display Transbrasil's "TR" designator code on flights operated by Delta between Atlanta, on the one hand, and Washington, D.C. and New York, on the other hand (on a blind-sector basis) for the carriage of Transbrasil's traffic moving between Brazil and the United States.

In light of Transbrasil's recent decision to discontinue service to New York and Washington using its own equipment, effective September 15, 1998, the Joint Applicants urgently request that the Department approve this application by September 4, 1998, so that service can continue without interruption.¹ The Joint Applicants request that this authority be effective for a period of indefinite duration, consistent with recent Department practice.²

¹ The Joint Applicants will conduct a poll of all carriers served with this application and will advise the Department of the results as soon as possible.

² See United/Varig, Notice of Action Taken dated June 11, 1998 (Docket OST-97-2358) and American/TAM, Statement of Authorization dated June 11, 1998.

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Transbrasil already holds the necessary exemption authority to provide scheduled service between Brazil, on the one hand, and Washington, D.C. and New York, on the other hand. See Notice of Action Taken dated May 12, 1997 (Docket OST-96-1229; renewal pending). Pursuant to this authority, Transbrasil provided service between Brazil and Washington, D.C. and New York using its own aircraft. Transbrasil has decided, however, to discontinue this service on September 15, 1998. Transbrasil intends to maintain a presense at New York and Washington by code-sharing on Delta's flights to New York and Washington via Atlanta.³ Accordingly, the Joint Applicants require a Statement of Authorization that would allow Delta to display the "TR" code on these flight segments.⁴

Grant of this authority is in the public interest because it will allow Transbrasil to preserve its competitive presense between Brazil, on the one hand, and Washington, D.C. and New York, on the other hand, and prevent any disruptions stemming from the discontinuation of Transbrasil's direct service. Moreover, the requested authority is fully consistent with the U.S.-Brazil Aviation Transport Services Agreement of 1989, as amended.

Delta hereby states that this application will have no impact on Delta's CRAF commitments.

³ The Joint Applicants have previously submitted their operative code-share agreement to the Department.

⁴ To the extent necessary, the Joint Applicants also respectfully request a waiver of the 45-day advance filing requirement with respect to applications for Statements of Authorization under 14 C.F.R. Part 212.

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WHEREFORE, Delta and Transbrasil respectfully request that the Department grant the Statement of Authorization described above by September 4, 1998, and grant such other and further relief as the Department determines to be in the public interest.

Respectfully submitted,

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