



U.S. Department of
Transportation
Office of the Secretary
of Transportation

NOTICE OF ACTION TAKEN

DOCKET OST-96-1144

This serves as interim notice to the public of the action described below, taken orally by the Department official indicated; the confirming order or other decision document will be issued as soon as possible.

Applicant: **Kendell Airlines (AUST) Pty. Ltd.**

Date Filed: March 12, 1996

Relief requested: RENEW exemption from 49 U.S.C. 41301 and statement of authorization under 14 CFR 212 of the Department's Regulations to conduct code-share operations for United Air Lines, Inc., between Sydney and Canberra, Australia.

If renewal, date and citation of last action: March 29, 1996 (confirmed in Order 96-6-14)

Applicant representative: Jeffrey Manley

Responsive pleadings: None

DISPOSITION

Action: **APPROVED IN PART; REMAINDER DISMISSED**

Action date: **JUNE 6, 1997**

Effective dates of authority granted: **JUNE 6, 1997, thru JUNE 6, 1998**

Basis for approval (bilateral agreement/reciprocity): Reciprocity

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated:

Standard exemption conditions (attached)

Special conditions: The code-sharing operations authorized herein must comply with 14 CFR 399.88 of the Department's regulations and any amendments to the Department's regulations concerning code-share arrangements that may be adopted and are expressly conditioned upon the requirements that the subject foreign air transportation be sold in the name of the carrier holding out such service in the computer reservations systems and elsewhere, that the carrier selling such transportation accept all obligations established in its contract of carriage with the passenger (*i.e.*, the ticket), and that the operator shall not permit the code of its U.S. air carrier code-sharing partner to be carried on any flight that enters, departs, or transits the airspace of any area for whose airspace the Federal Aviation Administration has issued a flight prohibition

Partial grant/Remarks: The applicant requested that the authority be effective for a period of two years. We dismissed that portion of the carrier's application to conduct the operations beyond June 6, 1998, without prejudice to refile at a later date. The duration of this authority is consistent with our usual policy of granting interim exemption authority. (See, for example, Order 92-8-34.)

Action taken by: Paul L. Gretch, Director
Office of International Aviation
under assigned authority (14 CFR 385)

(Petitions for review may be filed from now until 10 days after the service date of the confirming order/letter. Filing of a petition shall not stay the effectiveness of this action.)