

BEFORE THE
DEPARTMENT OF TRANSPORTATION
BUREAU OF TRANSPORTATION STATISTICS
WASHINGTON, D.C.

Motion of

FEDERAL EXPRESS CORPORATION
for Confidential Treatment of Documents
Under Rule 39 of the Rules of Practice of the
Department of Transportation,
14 CFR 302.39 (Form 41; Sched. B-7)

Docket OST-97-2494

MOTION OF FEDERAL EXPRESS CORPORATION
FOR CONFIDENTIAL TREATMENT
PURSUANT TO RULE 39

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FEDERAL EXPRESS CORPORATION

February 10, 1998

438230

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DEPARTMENT OF TRANSPORTATION
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 FEDERAL EXPRESS CORPORATION : Docket OST-97-2494
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Federal Express Corporation (Federal Express) hereby submits this motion to withhold from public disclosure certain information contained in its Form 41, Schedule B-7, Airframe and Aircraft Engine Acquisitions and Retirements Report for the quarter ending December 31, 1997, submitted herewith under seal pursuant to Rule 39 of the Rules of Practice of the Department of Transportation (the Department).^{1/}

By letter dated August 23, 1994 to counsel for Delta Air Lines, Inc. (Delta) from Mr. James W. Mitchell, former Director, Office of Airline Statistics,

^{1/} Concurrently herewith, Federal Express is submitting five copies of the same report to the Bureau of Transportation Statistics, Office of Airline Information, pursuant to Part 241 of the Economic Regulations, redacted to delete certain confidential financial information from the publicly-available copies of Federal Express' Schedule B-7 report.

Research and Special Programs Administration (RSPA), the Department determined that the financial information contained in air carrier Schedule B-7 and Schedule B-43 reports is confidential and contains competitively-sensitive data, and that withholding such confidential data from public disclosure is warranted by, and consistent with, Exemptions 3 and 4 of the Freedom of Information Act (5 U.S.C. § 552(b)(3) and (4)). In that decision, the Department has ruled that the confidential data contained in a carrier's Schedule B-7 and B-43 reports will be withheld from public disclosure for a period of ten (10) years from the date on which it is filed. The foregoing ruling applies with equal validity to Federal Express' Schedule B-7 Report for the quarter ended December 31, 1997.

WHEREFORE, Federal Express respectfully moves the Department to withhold the financial information contained in its Schedule B-7 Report for the quarter ended December 31, 1997, filed concurrently herewith under seal, from public disclosure for a period of ten (10) years, through December 31, 2007, pursuant to Rule 39 of the Rules of Practice.

Respectfully submitted,



Nathaniel P. Breed, Jr.

SHAW, PITTMAN, POTTS
TROWBRIDGE

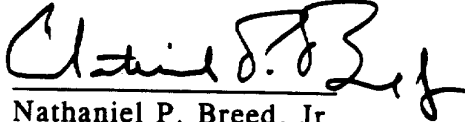
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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Motion of Federal Express Corporation by messenger, telecopier transmission or United States mail, properly addressed and with postage prepaid, upon each of the persons listed in the Service List attached hereto.


Nathaniel P. Breed, Jr.

Washington, D.C.
February 10, 1998