

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D. C.

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Application of :  
 :  
 DELTA AIR LINES, INC. : OST-1998-6210  
 : OST-1998-6284  
 for a dormancy waiver : OST-2002-11711  
 Atlanta-Rio de Janeiro :  
 Atlanta-Buenos Aires :  
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ANSWER OF AMERICAN AIRLINES, INC.

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February 19, 2003

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American Airlines, Inc. hereby answers in opposition to the captioned application submitted by Delta Air Lines, Inc. on February 10, 2003 seeking lengthy dormancy waivers for seven U.S.-Brazil and seven U.S.-Argentina weekly passenger frequency allocations in the two limited-entry markets.

Delta asks for dormancy waivers through December 31, 2003, alleging "adverse economic conditions" but without stating any firm plans to resume service. In these circumstances, the frequencies should be returned to the unallocated pool, where they will be available for other carriers to use them, free from any claim that the frequencies cannot be reassigned because they are tied up by an extended dormancy waiver. See, e.g., Denial of Dormancy Waiver to Continental (U.S.-Brazil and U.S.-Ecuador), Notice of Action Taken, OST-2002-11615, December 10, 2002 ("we find that the public inter-

est would be best served by reassigning these frequencies to the unallocated pool of frequencies so that whenever Continental or another carrier has firm plans to use them, it may apply for the frequencies accordingly"); Denial of Dormancy Waiver to Continental Micronesia (U.S.-Japan), Notice of Action Taken, OST-2002-11614, September 30, 2002 (same); Denial of Dormancy Waiver to Delta (U.S.-Japan), Notice of Action Taken, OST-2002-11706, September 30, 2002 (same).

In keeping with the Department's consistent policy on passenger frequencies in limited-entry markets,<sup>1</sup> Delta's application for dormancy waivers through December 31, 2003 for seven U.S.-Brazil and seven U.S.-Argentina weekly frequencies should be denied.

Respectfully submitted,



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CARL B. NELSON, JR.  
Associate General Counsel  
American Airlines, Inc.

February 19, 2003

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<sup>1</sup>Delta's reliance on a U.S.-Brazil dormancy waiver to Atlas Air (OST-2002-11985) is inapposite. That action involved all-cargo frequencies, not passenger frequencies; was unopposed; and was granted, as requested by Atlas Air, for a period of only three months, not 10 months as requested here by Delta.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document by email on the following persons:

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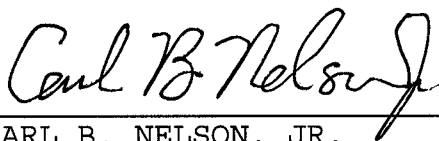
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February 19, 2003