

LAW OFFICES

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ck# 6379  
\$ 39

W-05-026  
CNM 3/22/05

March 22, 2005. The waiver requested here is granted under assigned authority. We find that there are special and unusual circumstances and that the waiver is in the public interest. Review of this action may be sought within 10 days. The filing of a petition shall not preclude the action from becoming effective. See Part 388 of DOT's Regulations (14 CFR 388).

VIA HAND DELIVERY

Mr. Charles McGuire  
Chief, Special Authorities Division  
Department of Transportation  
400 Seventh Street, S.W.  
Room 6412  
Washington, D.C. 2000

*Charles W. McGuire*  
Director, Office of Aviation Analysis

Re: Air Atlanta Europe Waiver Request

W-05-026 3/22/05

Dear Mr. McGuire,

This action does not insulate the applicant from further investigation and possible enforcement action.

This is to request a waiver of the Public Charter requirements to the extent necessary for Air Atlanta Europe to operate up to three round trip charter flights (one daily flight) beginning Wednesday, March 23, 2005 in order to transport passengers that had been scheduled to travel on US Airways. The flights will be operated with a B767-300 aircraft over a London (LGW) - Philadelphia (PHL) - London (LGW) routing. This service is required because the US Airways aircraft scheduled to transport these passengers is unavailable due to unanticipated maintenance requirements and because US Airways has been unable to make alternative arrangement for the passengers.

The affected passengers will be notified that the flight will be operated as a public charter and will be offered a refund if they choose not to participate. Passengers will be protected under the public charter rules by either receiving the transportation they paid for or being refunded the amount of the ticket.

Enclosed is a check for \$39 covering the waiver request fee. Thank you for your assistance and please feel free to contact us if you require any further information regarding this matter.

Sincerely,

*Don Hainbach*  
*Erin M. Tallardy*

Don H. Hainbach  
Erin M. Tallardy

Enclosure