

**BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.**

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Joint Application of )  
 )  
 )  
 UNITED AIR LINES, INC. )  
 And ) Dockets OST-97-3237  
 COMPANIA MEXICANA DE AVIACION, ) and  
 S.A. DE C.V.) OST-99-5582  
 )  
 for an exemption under 49 U.S.C. §40109 and a )  
 statement of authorization under 14 C.F.R. §212 )  
 (U.S.-Mexico code sharing) )  
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**ANSWER OF DELTA AIR LINES, INC.**

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**Dated: July 6, 1999**

**BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
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	)	

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**ANSWER OF DELTA AIR LINES, INC.**

Delta Air Lines, Inc. (“Delta”) hereby files this Answer to the Joint Petition of United Air Lines, Inc. (“United”) and Compania Mexicana De Aviacion, S.A. De C.V. (“Mexicana”) urging the Department to eliminate the anti-exclusivity condition on the United-Mexicana codeshare arrangement.

For the reasons contained in Delta’s own Petition for Reconsideration filed on June 22, 1999, there is no basis in law, policy or fact to support the Department’s imposition of a prohibition against exclusivity clauses in U.S.-Mexico codeshare arrangements. As Delta and United/Mexicana demonstrated, U.S.-Mexico is an extraordinarily open and competitive air transportation marketplace. Moreover,

codesharing under contracts which provide for exclusivity have been in the U.S.-Mexico marketplace for several years without any adverse competitive impacts.

On the basis of Delta's and United's Petitions, the Department should promptly reconsider and withdraw the anti-exclusivity condition on U.S.-Mexico codeshare authority.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Answer of Delta Air Lines, Inc. has been served this 6th day of July, 1999, via U.S. Mail, postage prepaid, on all persons listed on the attached service list.

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Helena Richardson

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