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

DEPARTMENT OF TRANSPORTATION  
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DOCKET SECTION

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Motion of )  
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 US AIRWAYS, INC. )  
 )  
 for confidential treatment of )  
 documents pursuant to Rule 39 )  
 of the Rules of Practice )  
 (Form 41, Schedule B-7) )  
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Docket OST-97-96-1826  
(former Docket 48735)

**MOTION OF US AIRWAYS, INC.  
FOR CONFIDENTIAL TREATMENT**

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**Counsel for US Airways, Inc.**

**May 12, 1997**

**BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
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<b>Motion of</b>	)	
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<b>US AIRWAYS, INC.</b>	)	
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<b>for confidential treatment of</b>	)	<b>Docket OST-97-</b>
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<b>of the Rules of Practice</b>	)	
<b>(Form 41, Schedule B-7)</b>	)	
	)	

**MOTION OF US AIRWAYS, INC.  
FOR CONFIDENTIAL TREATMENT**

Pursuant to Rule 39 of the Department's Rules of Practice (14 C.F.R. § 302.39), US Airways, Inc. hereby requests confidential treatment of certain information contained in US Airways' Form 41, Schedule B-7 (Airframe and Aircraft Engine Acquisitions and Retirements) filing for the quarter ended March 31, 1997. US Airway's Schedule B-7 is submitted separately under seal, marked with a request for confidential treatment pursuant to Rule 39. US Airways requests that this data be withheld from public disclosure for a period of at least ten (10) years. In support of this request, US Airways states as follows:

The Freedom of Information Act, 5 U.S.C. 552(b)(4), provides that privileged or

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confidential commercial and financial information obtained from a private person is specifically exempted from the requirements of public disclosure due to its business sensitive nature.<sup>1/</sup> The information for which US Airways requests confidential treatment is confidential and proprietary commercial and financial information, obtained from US Airways, a private party, the public release of which would cause substantial competitive and financial injury to US Airways. Accordingly, it should be withheld from public disclosure.

The information at issue is cost, amortization/depreciation and realization data relating to airframes and aircraft engines owned by US Airways as of March 31, 1997. This information is contained in columns 9, 10 and 11 of US Airways' Schedule B-7. In addition to filing this confidential Schedule under seal, US Airways is submitting to the Office of Aviation Analysis a redacted version of the Schedule, available for public inspection, which omits this confidential data.

The Department has previously determined that the confidential and competitively-sensitive data contained in US Airways' B-7 Schedule is entitled to confidential treatment. By letter of James W. Mitchell, Director, Office of Airline Statistics, the Department has granted US Airways' previous requests for confidential treatment of this information and

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<sup>1/</sup> Gulf & Western Industries, Inc. v. U.S., 615 F.2d 527, 529 (D.C. Cir. 1979).

Motion of US Airways, Inc.

has ruled that it be withheld from public disclosure for a period of ten (10) years. The Department's reasoning applies with equal force to US Airways' present submission.

WHEREFORE, US Airways respectfully requests that the confidential information contained in its Form 41, Schedule B-7 detailed above be withheld from public disclosure for at least ten (10) years.

Respectfully submitted,

By:



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