



U.S. Department of
Transportation
Office of the Secretary
of Transportation

NOTICE OF ACTION TAKEN

RENEW

May 22, 1997

This serves as interim notice to the public of the action described below, taken orally by the Department official indicated; the confirming order or other decision document will be issued as soon as possible.

Application of American Airlines, Inc. filed 6/6/96 in Docket OST-95-660 for:

XX Renew for two years exemption under 49 U.S.C. 40109 to provide the following service:

Scheduled foreign air transportation of persons, property, and mail between Los Angeles, California, and Melbourne, Australia, via Auckland, New Zealand. American plans to operate this service pursuant to a code-share arrangement with Qantas Airways Limited.

Applicant rep.: Carl Nelson, 202-496-5647 DOT analyst: Sylvia Moore, 202-366-6519

DISPOSITION

XX Granted (Subject to conditions, see below)

XX Balance dismissed

The above action was effective when taken: May 21, 1997, through March 27, 1998

XX Under assigned authority (14 CFR 385) by:

Paul L. Gretch, Director
Office of International Aviation
(Petitions for review may be filed now until
10 days after the confirming order/letter issues.
Filing of a petition shall not stay the effectiveness
of this action.)

XX Authority granted is consistent with the aviation agreement between the United States and Australia and the United States and New Zealand.

Except to the extent exempted or waived, this authority is subject to the terms, conditions, and limitations indicated:

XX Holder's certificate of public convenience and necessity

XX Standard Exemption Conditions (attached)

Conditions: The code-sharing operations authorized herein must comply with 14 CFR 399.88 of the Department's regulations and any amendments to the Department's regulations concerning code-share arrangements that may be adopted and are expressly conditioned upon the requirements that the subject foreign air transportation be sold in the name of the carrier holding out such service in computer reservation systems and elsewhere, and that the carrier selling such transportation accept all obligations established in its contract of carriage with the passenger, (i.e., the ticket) and that the operator shall not permit the code of its U.S. carrier code-sharing partner to be carried on any flight that enters, departs, or transits the airspace of any area for whose airspace the Federal Aviation Administration has issued a flight prohibition.

(See Reverse Side)

Remarks: Consistent with our standard practice with respect to the American/Qantas code-share services, the authority granted is coextensive with the duration of the statement of authorization granted Qantas on March 27, 1997. We dismissed without prejudice to refiling American's request for longer-term authority (*i.e.*, for the second year).

The authority for which American requested renewal expired August 9, 1996, but had been kept in force pursuant to the provisions of the Administrative Procedure Act, 5 U.S.C. 558(c), as implemented by 14 CFR Part 377, pending action on American's renewal application.