



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

NOTICE OF ACTION TAKEN

DOCKET OST-98-4597

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.

Applicant: **Antonov Design Bureau**

Date Filed: October 16, 1998

Relief requested: Exemption pursuant to 49 U.S.C. section 40109(g) to operate two one-way emergency cabotage charter flights from Roosevelt Roads Naval Air Station, PR, to Charlotte, NC, during the period October 16-19, 1998, using its AN-124 aircraft, under contract with Podd & Associates, Inc. The flights are to return outsized FEMA and DOD mobile satellite units plus ancillary equipment that was used in hurricane relief activities following Hurricane Georges for immediate retrofitting and repositioning in the event of another emergency.

Applicant representative: Sheryl Israel 202-663-8312

Responsive pleadings: Antonov served its application on those U.S. carriers operating large all-cargo aircraft. Each carrier indicated that it did not have aircraft available to conduct the proposed operations, and that it had no comment or did not oppose grant of the requested authority.

DISPOSITION

Action: Approved

Action date: October 16, 1998

Effective dates of authority granted: October 16-19, 1998

Basis for approval: We found that the application met all the relevant criteria of 49 U.S.C. section 40109(g) for the grant of an exemption of this type, and that the grant was required in the public interest. Moreover, based on the representations of the U.S. carriers, we concluded that no U.S. carrier had aircraft available which could be used to conduct the operations at issue here. We also found that grant of Antonov's request would prevent undue hardship on FEMA and DOD.

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

Standard exemption conditions (attached) Foreign air carrier permit conditions (Order - -)

Special conditions: Antonov shall comply with an FAA-approved flight routing for the authorized flights, and obtain any requisite Department of Defense authorizations.

Action taken by: **CHARLES A. HUNNICUTT**
Assistant Secretary for Aviation
and International Affairs