



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation on November 19, 1998

NOTICE OF ACTION TAKEN -- DOCKET OST 98-4687

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: MORNINGSTAR AIR EXPRESS, INC.

Date Filed: November 2, 1998

Relief requested: Exemption from 49 USC section 41301 to conduct, for a period of one year, all-cargo charter foreign air transportation, as follows: 1) between Canada and the United States; and 2) other charters to and/or from the United States, subject to 14 CFR Part 212.

If renewal, date and citation of last action: New authority.

Applicant representative(s): Aaron Perdue, 403-453-3022

Responsive pleadings: None.

DISPOSITION

Action: Approved

Action date: November 19, 1998

Effective dates of authority granted: November 19, 1998, through November 19, 1999.

Basis for approval (bilateral agreement/reciprocity): U.S.-Canada Air Transport Agreement.

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

Standard exemption conditions Foreign air carrier permit conditions

Special conditions/Partial grant/Denial basis/Remarks:

**Action taken by: Paul L. Gretch, Director
Office of International Aviation**

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) immediate action was required and was consistent with Department policy; (2) the applicant was qualified to perform its proposed operations; (3) grant of the authority was consistent with the public interest; and (4) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:
<http://dms.dot.gov/general/orders/aviation.html>.*