

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

Application of)
)
)

THE COMMUNITY OF)
SHREVEPORT, LA)
)

Docket OST-99-5614

for an exemption from 14 C.F.R. Part 93, Subpart)
K and S, 49 U.S.C. §41714 as to allow the)
continuation of non-stop service between)
Shreveport and O'Hare)
)

ANSWER OF UNITED AIR LINES, INC.

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DATED: May 17, 1999

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ANSWER OF UNITED AIR LINES, INC.

United Air Lines, Inc. ("United") hereby answers the application of Shreveport for an award of four exemption slots for service to O'Hare. United opposes this application.

1. As United has emphasized in prior pleadings, it well understands the desire of communities, Shreveport among them, for nonstop service to O'Hare, because access to O'Hare provides not just a link to Chicago but also a link to communities throughout the U.S. and around the world. It is because of that appreciation for the importance of service to O'Hare that United has worked closely with the several independent carriers that operate under the "United Express" service mark, and with numerous local communities, to assist these carriers in adding additional underserved communities to the United Express network at O'Hare. Nevertheless, United must oppose this application as it has opposed similar applications.

2. As United has already explained in detail in previous pleadings, the award of exemption slots directly to communities is unsound as a matter of policy and inconsistent with the

terms of the statute. See, e.g., United's filings in Dockets OST-98-3603 (Savannah/Hilton Head), OST-98-4604 (Virginia Peninsula), OST-98-5130 (Greenville/Spartanburg), OST-99-5475 (Sioux City), OST-99-5532 (Baton Rouge) and OST-99-5532 (Huntsville). United continues to believe that the service needs of communities such as Shreveport can be best addressed through cooperation between an eligible carrier and the community rather than through awarding slots directly to a community.

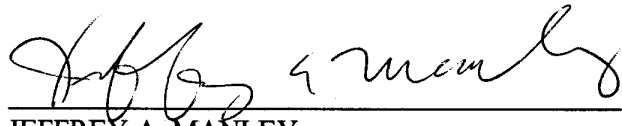
3. Also, again as United as emphasized in prior pleadings, developments since the Department launched its "one-time" experimental award of community slots in Order 99-3-12 demonstrate that the experiment simply should not be continued. See Answer of United in Docket OST-98-4604 (Apr. 22, 1999) at 2-4; April 16, 1999 Letter to Acting Assistant Secretary Mims filed in Docket OST-99-5475; Consolidated Answer of United in Dockets OST-99-5532 and OST-99-5533 at 3-5; and Answer of United in Docket OST-99-5587 at note 5. Continuation of the experiment would require further strained interpretations of the statutory exemption criteria. The flood of applications that has followed issuance of Order 99-3-12 and the increasingly outlandish "legal" and "policy" theories they urge on the Department indicate that the best choice for the Department is unequivocally to call a halt to this experiment.

4. Finally, and again as United has pointed out previously, Shreveport's current dilemma, while extremely unfortunate, is the making of American/American Eagle, which has a demonstrated history of abandoning service to communities in similar situations. See Docket OST-99-5587, Answer of United at 2-5 and Answer of Atlantic Coast Airlines at 6-7. The Department surely did not intend to inaugurate a process that pits communities against each

other.¹ But that is exactly what has happened. Developments since the issuance of Order 99-3-12 have motivated some carriers to manipulate both the exemption process *and* the communities in order to advance their competitive agendas with respect to O'Hare slots rather than to advance the transportation needs of citizens of underserved communities. The ideal of assisting the communities "in addressing their transportation needs," Order 99-3-12 at 3, has been left far behind. As United has stated, a comprehensive solution to the current morass lies elsewhere. See Answer of United in Docket OST-99-5587 at note 5. The Department should officially bring the "experiment" to an end.

5. For all of the foregoing reasons, United respectfully requests that the Department deny this application.

Respectfully submitted,



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¹ As United warned repeatedly, a "community" exemption slot process has the potential to destroy the traditional motivation for cooperation between carriers and communities and to increase the likelihood that the mandates of political expediency rather than those of the marketplace will hold sway.