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

Application of

LEGEND AIRLINES, INC.

For a Certificate of Public Convenience
And Necessity under 49 U.S.C. 41102 to
Interstate scheduled air transportation

Docket No. OST-98-3667

REPLY OF LEGEND AIRLINES, INC.
TO MOTION OF CITY OF FORT WORTH, TEXAS
FOR PUBLIC DISCLOSURE OF SUBSTANTIVE COMMUNICATIONS

Communication with respect to this document should be sent to:

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Counsel for Legend Airlines, Inc.

December 16, 1999

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OFFICE OF THE SECRETARY
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**REPLY OF LEGEND AIRLINES, INC.
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On December 13, 1999, the City of Fort Worth, Texas (Fort Worth) filed yet another motion before the Department of Transportation (Department) – the **44th document** filed by one of the American Airlines/Fort Worth parties at the Department. This filing is a Motion for Public Disclosure of Substantive Communications (the “Motion”) which is nothing more than a fishing expedition. The Motion is just the latest attempt by these parties to harass the Department, Legend Airlines, Inc. (Legend) and every party supporting or doing business with Legend. At a time in which American Airlines is leading industry efforts to raise fares and has been challenged by the Department of Justice for predatory actions against new entrants, this is part of their plan to eliminate any suggestion of competition. Legend urges the Department to deny this Motion.

Fort Worth's filing is overly broad, unduly burdensome and oppressive. Fort Worth, whose counsel is a member of the AMR Board of Directors, seeks to disrupt the Department from carrying out its duties and to thwart competitive entry into the Dallas-Fort Worth Metroplex. By filing this Motion, Fort Worth adds to a long litany of attempts made in this docket, the Love Field Interpretation Proceeding (OST-98-4363), and the Ozark Air Lines Docket (OST-99-5288) to prevent interstate service authorized by the Wright and Shelby Amendments at Dallas Love Field.

As it has done on other occasions, the Department has ample authority to grant an extension of time to a startup carrier to commence operations. It is difficult to imagine any interest Fort Worth would have in this issue¹ other than as part of its campaign to carry out the Bob Crandall edict, "if the Wright Amendment is ever changed, we'll sue everyone to close Love Field."

As part of its Motion, Fort Worth seeks to obtain all information that Legend has submitted to the Department as part of the application process. In addition, Fort Worth seeks to create a specialized public docket of all communications submitted by anyone representing Legend. It is difficult to imagine a more overblown request that is unrelated to the issue before the Department. It is yet another attempt to obtain company confidential and marketing information, and find reason to file additional "objections."

Fort Worth's new found interest in public disclosure is in sharp contrast to Fort Worth's considerable effort to avoid any discovery in the state court action and its suit against the Texas State Attorney General because they were ordered to disclose bond

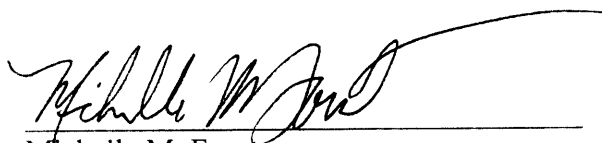
¹ It would be interesting to hear Mayor Barr explain to the citizens of his city why taxpayer dollars are being expended on a challenge to the date on which Legend is authorized to initiate operations, if in fact the city is paying for this filing.

covenant communications by the Attorney General. If any party should be required to have all contacts listed and placed in a public docket, it is American Airlines, its partners, and army of representatives.

Fort Worth's continued baseless attacks on Department employees should not be tolerated. The Motion is designed to harass the Department and consequently is an abuse of the system.

For these reasons, Legend respectfully requests that the Department deny Fort Worth's Motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michelle M. Faust", written over a horizontal line.

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