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

**Applications of American West Airlines, Inc., Frontier Airlines, Inc.,
National Airlines, Inc. Trans World Airlines, Inc.,
American Trans Air, Inc., Midway Airlines Corporation,
Spirit Airlines, Inc., and Midwest Express Airlines, Inc.,
For Exemptions from 14 CFR Part 93, Subparts K and S,
Pursuant to 49 U.S.C. § 41718(a) and § 41718(b)**

Docket OST-2000-7181

Docket OST-2000-7182

Docket OST-2000-7187

Docket OST-2000-7155

NOTICE

On July 5, 2000, the Department issued Orders 2000-7-1 and 2000-7-2, which granted a total of 24 slot exemptions at Ronald Reagan Washington National Airport (DCA) to the above listed air carriers. The Department also directed that no later than July 14 these air carriers should file proposed flight schedules and the effective date for operations authorized by the orders in the appropriate docket. The Department also noted that the Federal Aviation Administration (FAA) would assign slot exemption numbers, effective dates, and operating times consistent with statutory limitations,¹ but that the Department would make the final determination of slot time assignments. The affected air carriers have now filed their proposed flight schedules, and in several instances we have noted scheduling conflicts where several carriers have requested slot exemptions for the same one-hour period. Since 49 U.S.C. § 41718(c)(2) does not allow us to assign more than two slot exemptions per one hour period, we are unable to accommodate all of the carrier slot exemption time requests.

By this notice we are assigning slot times as indicated by Orders 2000-7-1 and 2000-7-2, as summarized in the attachment. In making these determinations, we were required to balance the FAA's operational needs with those of the air carriers, while fully complying with the statutory requirements of AIR-21. The attachment to this notice indicates only the hourly period during which the slot exemption must be operated, not the exact times. Additional consultation on exact times, frequency, and

¹ Among other things 49 U.S.C. § 41718(c)(2) prohibits the Department from adding any new DCA slot exemptions between the hours of 10:00 p.m. and 7:00 a.m. In addition the Department may not increase the number of DCA operations in any one-hour period by more than two operations between the hours of 7:00 a.m. and 10:00 p.m.

effective dates will be required between the air carriers and the FAA's Slot Administration Office.

We acknowledge that carriers may wish to propose additional changes that may be necessary to for them to optimize and rationalize the slot exemption times shown in the attachment. In the event that a carrier would prefer an hourly period for which both slot exemptions have not been assigned over the hourly period it was assigned, it may, by or before August 9, 2000, file a request with the Department to approve an assignment of the preferred time. Thereafter, carriers may request the FAA Slot Administration Office to approve exchanges of the assigned slot exemption times with other slots or slot exemptions for the purpose of conducting operations authorized by Orders 2000-7-1 and 2000-7-2 in a different hour. In acting on such requests, the FAA will employ standard practices in conjunction with applicable statutory and regulatory requirements for the utilization of slot times between and among individual air carriers.²

Finally, air carriers must inaugurate the services granted in Orders 2000-7-1 and 2000-7-2 not later than October 29, 2000.³ Regardless of subsequent slot time exchanges, the slot times assigned by this notice or assigned by the FAA's Slot Administration Office pursuant to this notice will be tagged. Furthermore, if any of the service granted by Orders 2000-7-1 and 2000-7-2 is suspended, or is not inaugurated in a timely manner, the Department will withdraw the slot exemptions based on their tagged slot time, rather than by any subsequent slot time operated.

² See, e.g., the restrictions at 49 U.S.C. 41714(j) on sale, lease, or transfer of exemptions.

³ Orders 2000-7-1 and 2000-7-2 had specified that if carriers had failed to inaugurate service within 60 days of being given their exact slot times by the Department, the slot exemptions would be reallocated. However, we have decided to extend that date to October 29, 2000 to better align the date with what we understand is a common industry date for scheduling changes consistent with the Fall time change.

We shall serve a copy of this notice on American West Airlines, Inc., Frontier Airlines, Inc., National Airlines, Inc. Trans World Airlines, Inc., American Trans Air, Inc., Midway Airlines Corporation, Spirit Airlines, Inc., and Midwest Express Airlines, Inc., the Federal Aviation Administration's Slot Administration office, and the Metropolitan Washington Airports Authority.

By:

A. BRADLEY MIMS
Acting Assistant Secretary for Aviation
and International Affairs

Dated: August 2, 2000

(SEAL)

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