

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

Agreements Adopted by the Traffic  
Conferences of the International Air  
Transport Association

Docket OST-01-

APPLICATION FOR APPROVAL OF AGREEMENTS  
BY THE  
INTERNATIONAL AIR TRANSPORT ASSOCIATION

28 August 2001

Communications with respect to  
this document should be sent to:

David M. O'Connor  
Director, Government & Industry Affairs - United States  
International Air Transport Association  
1776 K St. N.W. Suite 400  
Washington, D.C. 20006

(202) 293-9292

Summary	DOCKET: <b>OST-01</b>	DOT ORDER: <b>pending</b>
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Date: 28 August 2001

Filing fee/IATA Acct: \$122 - 2001-05

US/UST involved: Yes

Intended effective date: **1 October 2001**

Agreement: **PTC COMP 0848** dated 28 August 2001

**CTC COMP 0364** dated 28 August 2001

Resolutions 024f/033f - Local Currency Fare/Rate Changes - Papua New Guinea

### **APPLICATION FOR APPROVAL OF AGREEMENT**

Pursuant to statements submitted by Member airlines of the International Air Transport Association (IATA), the undersigned has been constituted to be their attorney-in-fact for filing with the Department of Transportation copies of agreements adopted by the IATA Traffic Conferences.

On their behalf, and pursuant to Sections 41308 and 41309 of Title 49 of the United States Code and Parts 303.03, 303.05 and 303.30(c) of Title 14 of the Code of Federal Regulations, I am filing with the Department this application for approval of an IATA agreement.

This agreement and related factual and explanatory material and documentation required by 14 C.F.R. 303.31 and Department and Civil Aeronautics Board (CAB) precedent are contained in the IATA Traffic Conference documentation summarized above.

This agreement arises from the continuing process of Tariff Coordinating Conferences and was developed in the context of prior Department and CAB rulings addressing related resolutions which reflected regulatory and market conditions then in effect. Thus, the present agreement should be viewed as part of a dynamic process of IATA Member airline adjustment to governmental and economic factors.

On previous occasions, the Department has found such agreements to be consistent with the public interest when they do not result in fares or rates that are unlawful or injurious to competition in the markets at issue. Approval of the present agreement would not yield fares or rates that are unlawful or injurious to competition. Moreover, approval of this agreement, which reflects compromises among the differing economic and social philosophies of the many nations whose airlines are parties, will advance the public interest in maintaining good aviation relations with other countries.

We request early approval by the Department of the foregoing agreement, pursuant to 49 U.S.C. 41309, and the grant of full antitrust immunity, pursuant to 49 U.S.C. 41308.

The conferral of full antitrust immunity would be in the public interest and necessary for the transaction to proceed. This agreement is a product of the IATA Tariff Coordinating Conferences which the Department found to be anticompetitive but nevertheless approved and immunized in Order 85-5-32 (May 6, 1985) on foreign policy and comity grounds because such action is necessary to achieve the serious transportation need of maintaining good aviation relations with other countries and these benefits are not obtainable by reasonably available means having materially less anticompetitive effects.

Insofar as this agreement concerns fares or rates between non-U.S. points, in which respect they have at most indirect application in foreign air transportation, the U.S. authorities have recognized (e.g, Order 79-8-194, 30 August 1979) that the interests of other sovereign nations in the conditions governing air transportation between them greatly exceed any that the U.S. might have by reason of U.S. airline, citizen or shipper participation. This agreement is not adverse to the public interest or in violation of the Act and, therefore, full immunity should be granted.

Respectfully submitted:

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David M. O'Connor  
Director, Government & Industry Affairs - United States  
International Air Transport Association  
Attorney-in-fact

**CERTIFICATE OF SERVICE**

A copy of this application or a summary notice thereof has been served by first class or priority mail on the following persons:

Chief, Transportation, Energy  
& Agriculture Section  
Antitrust Division  
Department of Justice  
Washington D.C. 20530

Donald L. Pevsner  
1765 East Riviera Drive  
Merritt Island, FL 32952  
(upon request)

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David M. O'Connor

28 August 2001  
Date Served



**International Air Transport Association**

IATA Centre, Route de l'Aéroport 33  
P.O. Box 416  
CH-1215 Geneva 15 Airport  
Switzerland

28 August 2001

**M E M O R A N D U M**

PTC COMP 0848

**TO:** Members Participating in Tariff Coordinating Conferences (SP-1591)  
**FROM:** Director, Interline & Revenue Management Services  
**SUBJECT:** Resolution 024f – Administrative Provisions for the Review  
and Monitoring of Currency Values  
**Papua New Guinea**

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This confirms message TV/6404 of 24 August 2001.

TV/6404

REF RESO 024F / 033F - LOCAL CURRENCY FARE / RATE CHANGES  
PAPUA NEW GUINEA

1. IN ACCORDANCE WITH RESO 024F / 033F PARA 2Bi A LOCAL PANEL MTG HAS BEEN HELD IN PAPUA NEW GUINEA IN ACCORDANCE WITH RESO 024E / 033E SECTION E . IN VIEW OF THE CONTINUOUS DEPRECIATION OF THE PAPUA NEW GUINEA KINA (PGK) IT HAS BEEN AGREED TO INCREASE ALL FARES AND CARGO RATES (EXCLUDING ADD-ONS AND RELATED CHARGES) FROM PAPUA NEW GUINEA IN PGK BY 10 (TEN) PCT TO ALL POINTS WORLDWIDE.
2. THESE INCREASES WILL APPLY TO ALL TICKETS ISSUED ON OR AFTER 01OCT2001, THESE CHANGES SHALL BE FILED WITH GOVTS AS REQUIRED. THE ACTUAL EFFECTIVE DATE WILL BE ESTABLISHED ONCE ALL NECESSARY GOVT APPROVALS HAVE BEEN RECVD.

Ken Forrester  
Manager, Industry Affairs  
Interline & Revenue Management Services



**International Air Transport Association**

IATA Centre, Route de l'Aéroport 33  
P.O. Box 416  
CH-1215 Geneva 15 Airport  
Switzerland

28 August 2001

**M E M O R A N D U M**

**CTC COMP 0364**

**TO:** Members Participating in Tariff Coordinating Conferences (SC-0207)  
**FROM:** Director, Interline & Revenue Management Services  
**SUBJECT:** Resolution 033f – Administrative Provisions for the Review  
and Monitoring of Currency Values  
**Papua New Guinea**

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This confirms message TV/6404 of 24 August 2001.

TV/6404

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