



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

Issued by the Department of Transportation on August 28, 2002

NOTICE OF ACTION TAKEN -- DOCKET OST-1997-2828

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: AIR PACIFIC LIMITED

Date Filed: May 14, 2002

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to continue to conduct scheduled, combination services between Nadi, Fiji, and the two U.S. coterminal points Los Angeles, California, and Honolulu, Hawaii, via Auckland, New Zealand, and beyond the two U.S. coterminals to and from the two Canadian coterminal points Toronto and Vancouver, Canada.

If renewal, date and citation of last action(s): May 30, 2001, in this Docket.

Applicant representative(s): Thomas J. Whalen and Evelyn D. Sahr, 202-289-0500

Responsive pleadings: None.

DISPOSITION

Action: Approved.

Action date: August 28, 2002

Effective dates of authority granted: August 28, 2002, through August 28, 2003.

Basis for approval (bilateral agreement/reciprocity): United States-Fiji Air Transport Agreement. The authority to serve Toronto, however, was based on there being adequate reciprocity with Fiji.

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: Foreign air carrier permit conditions.

Special conditions/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) our action 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/denied, 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 seven (7) 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.

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