



UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, DC

Issued by the Department of Transportation on August 6, 2003

**NOTICE OF ACTION TAKEN -- DOCKET OST-2000-7149**

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).

Application of United Air lines, Inc. filed 6/26/03 for:

**XX** Allocation of one U.S.-Ghana third-country code-share frequency

**Under the U.S.-Ghana agreement, U.S. carriers may operate 32 weekly third-country code-share frequencies between the United States and Ghana. United has been allocated four of these frequencies for its U.S.-Ghana services. (See Notices of Action Taken dated July 13, 2000, and May 29, 2002, in this docket.) United now seeks an allocation of one additional frequency in order to expand its code-share services with Lufthansa German Airlines between the United States and Accra, Ghana, via Frankfurt, through the intermediate point Lagos, Nigeria. (Lufthansa already operates five weekly services over his route.)**

American Airlines filed an answer stating that it had no objection to United's request provided that American's application filed July 9, 2003, in this docket for three additional U.S.-Ghana frequencies is also granted.

Applicant rep: Jeffrey A. Manley 202-663-6670 DOT Analyst: Sylvia Moore 202-366-6519

**DISPOSITION**

**XX** **Granted** (subject to conditions, see below)

The above action was effective when taken: August 6, 2003, and will remain in effect indefinitely, subject to conditions described below.

**Action taken by: Paul L. Gretch, Director  
Office of International Aviation**

**XX** The authority granted is consistent with the aviation agreement between the United States and Ghana, which is being provisionally applied on the basis of comity and reciprocity, pending entry into force of the agreement.

Except to the extent exempted or waived, this authority is subject to the terms, conditions, and limitations indicated: **XX** **Holder's certificates of public convenience and necessity**

**Conditions:** Consistent with our standard practice, the frequency allocation granted is subject to the condition that if the frequency is not used for a period of 90 days, the allocation as to this frequency will expire automatically and the frequency will revert to the Department for reallocation. The 90-day dormancy period will begin on the date of this Notice.

(See Reverse Side)

**Remarks:** With respect to American's comments, we contemporaneously issued a notice granting American's request for four U.S.-Ghana frequencies. (See Notice of Action Taken dated August 6, 2003, in this docket.)

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Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; and (2) grant of the authority was consistent with the public interest. To the extent not granted, 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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[http://dms.dot.gov/reports/reports\\_aviation.asp](http://dms.dot.gov/reports/reports_aviation.asp)