



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

Issued by the Department of Transportation on August 22, 2003

**NOTICE OF ACTION TAKEN -- DOCKET OST 2000-7609**

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: MORNINGSTAR AIR EXPRESS INC.

Date Filed: July 31, 2003

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to continue to conduct all-cargo charter operations between Canada and the United States, and other all-cargo charter operations in accordance with 14 CFR Part 212.

If renewal, date and citation of last action: August 22, 2002, in this Docket.

Applicant representative: Bill McGoey, 780-453-0218

DOT analyst: Allen F. Brown, 202-366-2405

Responsive pleadings: None.

**DISPOSITION**

Action: Approved.

Action date: August 22, 2003

Effective dates of authority granted: August 22, 2003, through August 22, 2004.

Basis for approval (bilateral agreement/reciprocity): United States-Canada Air Transport Agreement.

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: Standard exemption 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) grant of the authority was consistent with the public interest; and (3) 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/dismissed, 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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