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BEFORE THE
DEPARTMENT OF TRANSPORTATION
BUREAU OF TRANSPORTATION STATISTICS
WASHINGTON, D.C.

DEPT. OF TRANSPORTATION
DOCKETS

2004 MAR 26 P 1:04

Motion of

ATLANTIC SOUTHEAST AIRLINES, INC.

for Confidential Treatment of Documents
Under Rule 12 of the Rules of Practice of the
Department of Transportation, 14 C.F.R. § 302.12
(Form 41; Schedule B-43 Report)

Docket OST-99-6475 - 23

**MOTION OF ATLANTIC SOUTHEAST AIRLINES, INC.
FOR CONFIDENTIAL TREATMENT PURSUANT TO RULE 12**

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**DELTA AIR LINES, INC. and
ATLANTIC SOUTHEAST
AIRLINES, INC.**

March 26, 2004

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**MOTION OF ATLANTIC SOUTHEAST AIRLINES, INC.
FOR CONFIDENTIAL TREATMENT PURSUANT TO RULE 12**

Atlantic Southeast Airlines, Inc. (“ASA”) hereby submits this motion to withhold from public disclosure certain information contained in ASA’s Form 41, Schedule B-43, Inventory of Airframes and Aircraft Engines, for the year ended December 31, 2003, submitted herewith under seal pursuant to Rule 12 of the Department’s Rules of Practice in Proceedings.¹

By letter dated August 23, 1994 to Delta Air Lines, Inc. (“Delta”) from Mr. James W. Mitchell, former Director, Office of Airline Statistics, Research and Special Programs Administration, the Department determined that the financial

¹ Concurrently herewith, ASA is submitting one redacted copy of the same report to the Bureau of Transportation Statistics pursuant to 14 C.F.R. Part 241, redacted to delete certain confidential financial information from the publicly-available copies of ASA’s Schedule B-43 report.

information contained in Delta's Schedule B-7 and Schedule B-43 reports is confidential and contains competitively-sensitive data, and that withholding such confidential data from public disclosure is warranted by, and consistent with, Exemptions 3 and 4 of the Freedom of Information Act (5 U.S.C. § 552(b)(3) and (4)). In that decision, the Department has ruled that the confidential data contained in Delta's Schedule B-7 and B-43 reports will be withheld from public disclosure for a period of ten (10) years from the date on which it is filed. The foregoing ruling applies with equal validity to ASA's Schedule B-43 Report for the year ended December 31, 2003.

WHEREFORE, ASA respectfully moves the Department to withhold the financial information contained in ASA's Schedule B-43 Report for the year ended December 31, 2003, filed concurrently herewith under seal, from public disclosure for a period of ten (10) years, through December 31, 2013, pursuant to Rule 12 of the Department's Rules of Practice in Proceedings.

Respectfully submitted,



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