



Order 2005-1-20
Served: January 25, 2005

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

Action on IATA Agreement
Issued by the Department of Transportation
on the 25th day of January, 2005

Agreement among Member Carriers of the
International Air Transport Association
concerning passenger service matters

Docket OST-2003-16738
R-1 through R-9
R-12 through R-24
R-27 through R-30

ORDER

The International Air Transport Association (IATA) has filed an agreement with the Department under sections 41308 and 41309 of Title 49 of the United States Code (the Code), and Part 303 of the Department's regulations. The agreement was adopted at the twenty-fifth Passenger Service Conference held in Geneva, September 23 and 24, 2003. 1/

1/ IATA memorandum PSC/RESO/120, filed with the Department on December 16, 2003. Twenty resolutions and R.P.'s were submitted for information only because they are among the resolutions and R.P.'s that have been exempted from the Department's prior review and approval requirements by Order 2002-1-15, January 29, 2002, Order 2002-7-3, July 1, 2002 and Order 2003-6-15, June 13, 2003 (Dockets OST-2001-9575, OST-2002-11798, and OST-2002-13807, respectively). The resolutions listed for information only are 722a (Off Premise Transitional Automated Ticket (OPTAT)), 726a (Multiple Purpose Document (MPD) – Carrier, Carbonised, Automated), 726e (Multiple Purpose Document (MPD) - Neutral, Carbonised Manual), 726f (Multiple Purpose Document (MPD) - Carrier, Carbonised, Manual), 740 (Form of Interline Baggage Tag), 741 (Passenger Name and Address Label), 1008 (Glossary of Commonly Used Air Passenger Terms), 1707a (Data Field Dictionary For DCS Passenger Messages), 1707b (Data Element Directory For DCS Passenger Messages), 1708 (Passenger Name List (PNL) Message/Additions and Deletions List (ADL) Message), 1712 (Seats Occupied Message (SOM)), 1715 (Passenger Service Message (PSM)), 1716 (Passenger Information List (PIL)), 1718 (Passenger Transfer Message (PTM)), 1719 (Passenger Final Sales Message (PFS)), 1719a (Frequent Traveller List (FTL)), 1719b (Passenger Reconcile List (FTL)) 1719c (Electronic Ticket List (ETL)), 1743e (Baggage Irregularity Report) and 1745 (Baggage Services Messages).

The agreement consists of existing resolutions and recommended practices (R.P.'s) and two new resolutions affecting passenger services worldwide. The existing resolutions address formats and procedures relating to the issuance of electronic and paper tickets, boarding passes, and other travel documents; miscellaneous charges orders; baggage handling and checking procedures; refunds; interline traffic agreements; industry discount messages; general conditions of carriage; and online married segment control. The amendments proposed involve non-substantive changes, essentially of a technical, editorial or administrative nature to existing approved resolutions and recommended practices, and appear to be in conformity with our substantive policies and concerns. As such, they raise no public interest issues, and will be approved. 2/

We will also approve the two new resolutions. Resolution 722h (Electronic Ticket/Electronic Miscellaneous Documents – Ground Handling) provides standards for the exchange of data between the operating carrier and a ground handler for processing electronic tickets. Resolution 785 (Collection of Transportation & Government or Airport Imposed Taxes/Fees/Charges) provides rules for the billing of interlineable transportation and government or airport-imposed taxes, fees, and charges. This resolution replaces R.P. 1785a.

We find that the approved resolutions are not adverse to the public interest, in violation of the Code, or likely to lessen competition substantially. Furthermore, we conclude that the approved portions of the agreement should be granted immunity from the operation of the antitrust laws to the extent necessary to permit their implementation. In general, they amend existing provisions already approved and immunized by the Department. As a result, none raises immunity issues not previously considered, and the conferral of immunity upon them is consistent with our policy of conferring immunity on amendments coextensively with the underlying agreements.

Pursuant to authority duly assigned under the Department's regulations, 14 CFR 385.13:

1. We do not find Resolutions R-1 through R-9, R-12 through R-24, and R-27 through R-30 of the agreement in Docket OST 2003-16738, as set forth in the attached Appendix, to be adverse to the public interest, in violation of the Code, or likely to lessen competition substantially;
2. This agreement is a product of the IATA tariff conference machinery, which the Department found to be anticompetitive but nevertheless accepted on foreign policy and comity grounds by Order 85-5-32, May 6, 1985. The Department found that important

2/ We will act on Resolution 724 (Passenger Ticket – Notices and Conditions of Contract) and RP 1724 (General Conditions of Carriage (Passenger and Baggage)) by separate order. The remaining resolutions and recommended practices are listed in the attached appendix.

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transportation needs were not obtainable by reasonably available alternative means having materially less anticompetitive effects. Antitrust immunity was automatically conferred upon these conferences because, where an anticompetitive agreement is approved in order to attain other objectives, such conferral is mandatory under 49 U.S.C. 41308.

Order 85-5-32 contemplates that the products of fare and rate conferences will be subject to individual scrutiny and will be approved, provided they are of a kind specifically sanctioned by Order 85-5-32 and are not adverse to the public interest or in violation of the Code. As with the underlying IATA conference machinery, upon approval of a conference agreement, immunity for that agreement must be conferred under the Code. Consequently, we will grant antitrust immunity to the agreement in Docket OST 2003-16738, as set forth in the finding paragraph 1 above.

ACCORDINGLY,

We approve and grant antitrust immunity to the agreement contained in Docket OST 2003-16738, as set forth in finding paragraph 1 above.

By:

Paul L. Gretch
Office of International Aviation

<u>Docket</u>	<u>IATA</u>	<u>IATA Resolution Title</u>
<u>OST-2003-16738</u>		
R-1	PSC(25)003	Standard Recission Resolution
R-2	PSC(25)720	Passenger Ticket and Baggage Check – Technical Specifications (<i>amending</i>)
R-3	PSC(25)720a	Passenger Ticket and Baggage Check – Issuance and Honouring Procedures (<i>amending</i>)
R-4	PSC(25)722	Transitional Automated Ticket (TAT) (<i>amending</i>)
R-5	PSC(25)722c	Automated Ticket/Boarding Pass – Version 2 (ATB2) (<i>amending</i>)
R-6	PSC(25)722d	Off Premise Automated Ticket/Boarding Pass – Version 2 (OPATB2) (<i>amending</i>)
R-7	PSC(25)722f	Electronic Ticket/Electronic Miscellaneous Documents – Airline (<i>amending</i>)
R-8	PSC(25)722g	Electronic Ticket/Electronic Miscellaneous Documents – Neutral (<i>amending</i>)
R-9	PSC(25)722h	Electronic Ticket/Electronic Miscellaneous Documents – Ground Handling (<i>new</i>)
R-12	PSC(25)725a	Miscellaneous Charges Order (MCO) – Issuance and Honouring Procedures by Members (<i>amending</i>)
R-13	PSC(25)725b	Miscellaneous Charges Order

(MCO) - Issuance and Honouring
Procedures Agents (*amending*)

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<u>Docket</u>	<u>IATA</u>	<u>IATA Resolution Title</u>
<u>OST-2003-16738</u>		
R-14	PSC(25)727	Tickets – Alterations to flight Coupons (<i>amending</i>)
R-15	PSC(25)728	Code Designators for Passenger Ticket and Baggage Check (<i>amending</i>)
R-16	PSC(25)735d	Involuntary Change of Carrier, Routing, Class or Type of Fare (<i>amending</i>)
R-17	PSC(25)735e	Procedures for Involuntary Change of Routing en Route (<i>amending</i>)
R-18	PSC(25)737	Refunds (<i>amending</i>)
R-19	PSC(25)768	Establishment of Ticketing Time Limits (<i>amending</i>)
R-20	PSC(25)780	Form of Interline Traffic Agreement – Passenger (<i>amending</i>)
R-21	PSC(25)780e	IATA Interline Traffic Participation Agreement – Passenger (<i>amending</i>)
R-22	PSC(25)785	Collection of Transportation & Government or Airport Imposed Taxes/Fees/Charges (<i>new</i>)
R-23	PSC(25)1714	Industry Discount Message (IDM) (<i>amending</i>)
R-24	PSC(25)1720a	Standard Thirteen-Digit Numbering System for Traffic Documents (<i>amending</i>)

R-27 PSC(25)1737 Automated Interline Revenue Data
Exchange System (AIRDES)
(*amending*)

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<u>Docket</u>	<u>IATA</u>	<u>IATA Resolution Title</u>
<u>OST-2003-16738</u>		
R-28	PSC(25)1777	Online Married Segment Control (<i>amending</i>)
R-29	PSC(25)1780e	IATA Intermodal Interline Traffic Agreement – Passenger (<i>amending</i>)
R-30	PSC(25)1791c	Universal Credit Card Charge Form (UCCCF) (<i>amending</i>)

DOCKET OST-2003-16738: Resolutions
of the Twenty-Fifth IATA Passenger Service
Conference

Paul L. Gretch
Director, Office of International Aviation, X-40

Andrea M. Jenkins
Program Manager, Docket Operations, M-30

Please issue the attached order and close docket.

NOTE TO DOCKETS: Please post immediately.

Della E. Wilson, X-43
366-2432

Attachment