

BEFORE THE DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Agreements Adopted by the Traffic
Conferences of the International Air
Transport Association

Docket OST-2006-***

APPLICATION FOR APPROVAL OF AGREEMENTS
BY THE
INTERNATIONAL AIR TRANSPORT ASSOCIATION

24 April 2006

Communications with respect to
this document should be sent to

Douglas Lavin
Regional Vice President – North America
International Air Transport Association
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Washington, D.C. 20006
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Summary	DOCKET: OST-2006-docket	US DOT ORDER: pending
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Date: 24 April 2006

Filing fee / IATA Acct: USD 61 / 2005-22/18

US/UST involved: No

End of Government Filing Period: 26 April 2006

Meeting site, date: **Mail Vote 485**

Intended effective date: 27 April 2006

Agreement: **PTC2 Mail Vote 485**
Special Passenger Amending Resolution **0101**
From Israel to Europe
Intended Effective Date: 27 April 2006

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APPLICATION FOR APPROVAL OF**AGREEMENT**

Pursuant to statements submitted by Member airlines of the International Air Transport Association (IATA), the undersigned has been constituted to be their attorney-in-fact for filing with the Department of Transportation copies of agreements adopted by the IATA Traffic Conferences.

On their behalf, and pursuant to Sections 41308 and 41309 of Title 49 of the United States Code and Parts 303.03, 303.05 and 303.30(c) of Title 14 of the Code of Federal Regulations, I am filing with the Department this application for approval of an IATA agreement.

This agreement and related factual and explanatory material and documentation required by 14 C.F.R. 303.31 and Department and Civil Aeronautics Board (CAB) precedent are contained in the IATA Traffic Conference documentation summarized above.

This agreement arises from the continuing process of Tariff Coordinating Conferences and was developed in the context of prior Department and CAB rulings addressing related resolutions which reflected regulatory and market conditions then in effect. Thus, the present agreement should be viewed as part of a dynamic process of IATA Member airline adjustment to governmental and economic factors.

On previous occasions, the Department has found such agreements to be consistent with the public interest when they do not result in fares or rates that are unlawful or injurious to competition in the markets at issue. Approval of the present agreement would not yield fares or rates that are unlawful or injurious to competition. Moreover, approval of this agreement, which reflects compromises among the differing economic and social philosophies of the many nations whose airlines are parties, will advance the public interest in maintaining good aviation relations with other countries.

We request early approval by the Department of the foregoing agreement, pursuant to 49 U.S.C. 41309, and the grant of full antitrust immunity, pursuant to 49 U.S.C. 41308.

The conferral of full antitrust immunity would be in the public interest and necessary for the transaction to proceed. This agreement is a product of the IATA Tariff Coordinating Conferences which the Department found to be anticompetitive but nevertheless approved and immunized in Order 85-5-32 (May 6, 1985) on foreign policy and comity grounds because such action is necessary to achieve the serious transportation need of maintaining good aviation relations with other countries and these benefits are not obtainable by reasonably available means having materially less anticompetitive effects.

This agreement concerns fares or rates between non-U.S. points and thus has at most indirect application in foreign air transportation. The U.S. authorities have recognized (e.g., Order 79-8-194, 30 August 1979) that the interests of sovereign nations in the conditions governing air transportation between them greatly exceed any that the U.S. might have by reason of U.S. airline, citizen or shipper participation. This agreement is not adverse to the public interest or in violation of the Act and, therefore, should be granted full immunity.

Respectfully submitted

Douglas Lavin
Regional Vice President – North America
International Air Transport Association

CERTIFICATE OF SERVICE

A copy of this application or a summary notice thereof has been served by first class or priority mail on the following person

Chief, Transportation, Energy & Agriculture Section
Antitrust Division
Department of Justice
Washington D.C. 20530

Douglas Lavin

24 April 2006
Date Served



19 April 2006

M E M O R A N D U M

PTC2 EUR-ME 0217

TO: Members Participating in Tariff Coordinating Conferences (SP-4537)

FROM: Director, Interline Tariffs

SUBJECT: **PTC2 Mail Vote 485**
Special Passenger Amending Resolution **0101**
From Israel to Europe
Intended Effective Date: 27 April 2006

VOTING RESULT - ADOPTED

As no negative votes were cast during the voting period which expired 1400 hours Geneva time 19 April 2006, Mail Vote 485, as circulated by MV485-1 dated 12 April 2006 is declared adopted on 19 April 2006.

The TC2 Europe-Middle East meeting held 4-8 July 2005 in Geneva agreed general increases and other action from Israel for intended effect 1 January 2006. Per the last Status of Agreement (Memorandum 0210 dated 28SEP05), the Israeli government has advised that all action agreed for intended effect 1 January 2006 from Israel has been disapproved.

In accordance with the action recommended by the Data Base Working Group and endorsed by the Composite Meeting of July 2000, it is proposed to remove increases where IATA has been notified that these have not received government approval.

The amended approved levels are as in attachment below.

The filing period for this Mail Vote ends **26 April 2006**. Members are reminded of their obligations under Resolutions 001 and 006 to advise this office by the end of the filing period whether approval by their Government authorities is required and, if so, to accomplish the necessary filing formalities. The effective date will be declared in accordance with Resolutions 001 and 006, when all the known necessary Government approvals have been received.

Lars Sellstedt
Manager Tariff Meetings
Interline Tariffs

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TC2
SPECIAL PASSENGER AMENDING RESOLUTION
FROM ISRAEL TO EUROPE

PTC2 (Mail 485)010I				New
Filing Period	Begins	20 April 2006	Intended Effectiveness	27 April 2006
	Ends	26 April 2006	Expiry	Indefinite Type B

RESOLVED that, normal and special fares from Israel are amended as follows:

1. From Israel to Europe:

- a. normal and special fares are rolled back to levels effective 31 December 2005.
- b. fares from Tel Aviv Yafo (TLV) to Marseille (MRS) remain specified.