

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

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

Docket OST-2007-

APPLICATION FOR APPROVAL OF AGREEMENTS
BY THE
INTERNATIONAL AIR TRANSPORT ASSOCIATION

12 January 2007
Communications with respect to
this document should be sent to

Douglas Lavin
Regional Vice President – North America
International Air Transport Association
1750 K St. N.W. #12th Floor
Washington, D.C. 20006
(202) 293-9292

Summary	DOCKET: OST-2007-	US DOT ORDER: pending
---------	--------------------------	------------------------------

Date: 12 January 2007

Filing fee / IATA Acct: USD 488/ 0000-28

US/UST involved: **No**

End of Government Filing Period: **22 February 2007**

Meeting site, date: Bangkok, 27 November - 5 December 2006

Intended effective date: 1 April 2007

Agreement: **TC3 Areawide
Resolutions
(Memo 1033)**

R1	001g	R5	<u>002</u>
R2	001j	R6	006r
R3	001L	R7	015v
R4	001m	R8	115f

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

12 January 2007
Date Served



11 January 2007

M E M O R A N D U M

PTC3 1033

TO: Members Participating in Tariff Coordinating Conferences (SP-4866)
FROM: Director, Interline & Revenue Management Solutions
SUBJECT: **TC3 Areawide Resolutions**
Bangkok, 27 November-5 December 2006
Intended Effective Date: 1 April 2007

RESOLUTIONS - ADOPTED

Attached are the TC3 Areawide Resolutions which were adopted at the above meeting for an intended effective date of 1 April 2007.

The filing period for the attached Resolutions ends **22 February 2007**. 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.

Alban Sato
Manager, Tariff Meetings
Interline & Revenue Management Solutions

International Air Transport Association

Route de l'Aéroport 33
PO Box 416
CH - 1215 Geneva 15 Airport
Switzerland
Tel: +41 22 770 2525
Fax: +41 22 770 2684
E-Mail: irms@iata.org

RESOLUTIONS ADOPTED/REVALIDATED AT

**TC3
PASSENGER TARIFF COORDINATING CONFERENCE**

AREAWIDE

BANGKOK, 27 NOVEMBER - 5 DECEMBER 2006

INTENDED EFFECTIVE DATE: 1 APRIL 2007

RESO	TITLE	COMMENTS	RD
001g	Special Provisions Resolution between Japan and TC3	002 Revalidation	7.1
001j	Special Effectiveness Resolution (to/from US Territories)	002 Revalidation	7.1
001L	Special Provisions Resolution (except to/from US Territories)	002 Revalidation	7.1
001m	General Escape Resolution Areawide	002 Revalidation	7.1
<u>002</u>	<u>Revalidating Resolution Areawide</u>	New	7.1
006r	Conditions of Service Areawide	002 Revalidation	7.1
015v	Add-Ons (except in USA/US Territories)	Amending	7.2
115f	Meeting Competition Areawide	002 Revalidation	7.1

**TC3
REVALIDATING RESOLUTION
AREAWIDE**

PTC3(83)002				New
Filing Period	Begins	11 January 2006	Intended Effectiveness	1 April 2007
	Ends	22 February 2007	Expiry	31 March 2008
				Type B

RESOLVED that, for application in TC3

1) the following Resolutions are revalidated

001g
001j
001L
001m
006r
115f

**TC3
ADD-ONS
(EXCEPT IN USA/US TERRITORIES)**

PTC3(83)015v				Amending
Filing Period	Begins	11 January 2007	Intended Effectiveness	1 April 2007
	Ends	22 February 2007	Expiry	Indefinite
				Type B

RESOLVED that, for application in TC3 sub-areas attachments to Resolution 015v are amended as shown below

Malaysia

CTY (code)	GWY	Zone	Fare Type	OW/RT	Amount	CCY	GI	ACT
Penang (PEN)	KUL	311	F	OW	398	MYR	EH	C
			C	OW	319	MYR	EH	C
			Y	OW	199	MYR	EH	C

Explanation Of Add-On Zones

311 South West Pacific

Explanation Of Action Code

C change