

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

25 May 2007

Communications with respect to
this document should be sent to

Douglas Lavin
Regional Vice President – North America
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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.

Insofar as this agreement concerns fares or rates between non-U.S. points, in which respect they have 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 other 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

25 May 2007
Date Served



24 May 2007

M E M O R A N D U M

PTC12 NMS-ME-0273

TO: Members Participating in Tariff Coordinating Conferences (SP-5041)

FROM: Director, Interline & Revenue Management Solutions

SUBJECT: **Mail Vote 539 - Resolution 010t**
TC12 NorthAtlantic-Middle East
except between USA and Jordan
Special Passenger Amending Resolution
From Israel (IL) to North Atlantic
Intended Effective Date: 1 June 2007

MAIL VOTE - ADOPTED

As no negative votes were cast during the voting period which expired 1400 hours Geneva time 24 May 2007, Mail Vote 539 as circulated by MV539-1 dated 16 May 2007, is declared adopted on 24 May 2007.

The TC12 meeting held 19-22 February 2007 in Geneva agreed to the deletion of APEX Fares from Israel to Canada, USA for intended effect 1 April 2007. The Israeli Government has advised to rollback the cancellation of such fares and reinstate fares levels and conditions with an effectiveness date of 1 June 2007.

Furthermore, the Israeli Government has advised to rollback the cancellation of seasonal Excursion Fares between North America and Israel and reinstate fare levels accordingly.

The reinstated fares are attached.

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 modify increases where IATA has been notified that these have not received government approval.

The filing period for this Mail Vote ends **31 May 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.

Lars Sellstedt
Manager, Tariff Meetings
Interline & Revenue Management Solutions

International Air Transport Association

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**SPECIAL PASSENGER AMENDING RESOLUTION
FROM ISRAEL TO NORTH ATLANTIC**

PTC12(Mail 539) 010t			New
Begins	25 May 2007	Intended Effectiveness	1 June 2007
Ends	31 May 2007	Expiry	31 March 2008
			Type B

RESOLVED that, special fares from Israel (IL) to North Atlantic are amended as shown below:

Apex Fares (Resolution 073s) are reinstated from Israel to Canada (CA) and USA (US).

High/Shoulder/Peak season Excursion Fares (Resolution 071n) are reinstated from Israel (IL) to North America.

These reinstated fares will get the same agreed special fare increase of 4% from Israel to North Atlantic

The two Resolutions are amended as presented in the documents that follow.

**TC12
APEX FARES
~~FROM BETWEEN CANADA, USA TO AND ISRAEL~~**

PTC12(Mail 539)073s			Amending
Begins	25 May 2007	Intended Effectiveness	1 June 2007
Ends	31 May 2007	Expiry	31 March 2008
			Type B

RESOLVED that, for application in the TC12 North Atlantic-Middle East sub-area, for intended effectiveness 1 June 2007, Resolution 073s is revalidated and amended as follows

1 Paragraph 0) is amended

0) APPLICATION

A) 1) **Application**

economy class
round, circle, single open jaw trip
APEX fares
between from Canada, USA
and to Israel

2 Paragraph 3) is amended

3) SEASONALITY

A) seasonal periods

1) from Canada, USA

peak H 07 Apr - 11 Apr
H 18 Jun - 17 Aug
H 01 Oct - 06 Oct
H 17 Dec - 24 Dec

shoulder 1 K 01 Apr - 06 Apr
K 12 Apr - 17 Jun
K 18 Aug - 30 Sep
K 07 Oct - 22 Oct

basic L 23 Oct - 16 Dec
L 25 Dec - 31 Mar

2) from Israel

peak H 01 Jul - 20 Aug

shoulder 1 K 26 Mar - 30 Jun
K 21 Aug - 20 Oct

basic L 21 Oct - 25 Mar

B) the date of departure on the outbound transatlantic sector determines the fare for the entire pricing unit

3 Paragraph 5) is amended

5) RESERVATIONS AND TICKETING

A) 1) Reservations

a) deadline

i) from Canada, USA: 14 days

ii) from Israel: 7 days

Exception: permitted within 7 days at a charge of USD125

2) Ticketing

a) deadline

i) from Canada, USA: 14 days

ii) from Israel: 7 days

Exception: permitted within 7 days subject to the charge in Paragraph 5)A)1)

4 Paragraph 7) is amended

7) MAXIMUM STAY

A) 3 months

Exceptions

1) from Canada: 4 months

2) to Canada: 6 months

5 Paragraph 16) is amended

16) PENALTIES

2) Rebooking and Rerouting

a) i) before departure

aa) before deadline: permitted

bb) after deadline

1) from Canada, USA

a)outbound transatlantic sector: not permitted

b)other sectors: permitted at a charge per transaction of

CAD 160
USD 125

such transaction must be made not later than the day before the day of the flight being changed

2) from Israel: not permitted

ii) after departure: permitted at a charge per transaction of

CAD 160
USD 125

such transaction must be made not later than the day before the day of the flight being changed

Exception: to USA: not permitted



**TC12
EXCURSION FARES
BEWTEEN NORTH AMERICA AND ISRAEL**

PTC12(Mail 539)071n			Amending
Begins	25 May 2007	Intended Effectiveness	1 June 2007
Ends	31 May 2007	Expiry	31 March 2008
			Type B

RESOLVED that, for application in the TC12 North Atlantic-Middle East sub-area, seasonal dates in Paragraph 3) Seasonality in Resolution 071n are revalidated as follows:

SEASONALITY

TC12 NORTH ATLANTIC

FROM MIDDLE EAST

from Israel

071n

		Current		New
peak	H	10 Apr - 19 Apr	H	01Jul - 20Aug
	H	26 Jun- -20 Aug		
shoulder 1	K	01 Apr - 09 Apr	K	26Mar - 30Jun
	K	20 Apr - 25 Jun	K	21Aug - 20Oct
	K	21 Aug - 28 Oct		
basic	L	29 Oct - 31 Mar	L	21Oct - 25Mar

TLV-MEX

Origin						Origin					
> Destination			GI			> Destination			GI		
Fare Basis	Note	Fare	Reso	Effective	Expiry	Fare Basis	Note	Fare	Reso	Effective	Expiry
TEL AVIV YAFO TLV USD											
>>>> MEXICO CITY MEX AT											
MHEE3M	RT	2552	071N	01JUN07							
MKEE3M	RT	2473	071N	01JUN07							
MLEE3M	RT	2394	071N	01JUN07							
>>>> MONTREAL QC YMQ AT											
MHEE6M	RT	2609	071N	01JUN07							
MKEE6M	RT	2470	071N	01JUN07							
MLEE6M	RT	2088	071N	01JUN07							
MHAP6M	RT	2314	073S	01JUN07							
MKAP6M	RT	2177	073S	01JUN07							
MLAP6M	RT	1789	073S	01JUN07							
>>>> NEW YORK NY NYC AT											
MHEE6M	RT	2701	071N	01JUN07							
MKEE6M	RT	2632	071N	01JUN07							
MLEE6M	RT	2109	071N	01JUN07							
MHAP3M	RT	2271	073S	01JUN07							
MKAP3M	RT	2202	073S	01JUN07							
MLAP3M	RT	1679	073S	01JUN07							