

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

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

OST-2007-

APPLICATION FOR APPROVAL OF AGREEMENTS
BY THE
INTERNATIONAL AIR TRANSPORT ASSOCIATION

26 June 2007

Communications with respect to
this document should be sent to

Douglas Lavin
Regional Vice President – North America
International Air Transport Association
IATA Washington,
601 Pennsylvania Avenue, N.W. Suite 300 - North Building
Washington DC 20004

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

Date: 26 Jun 2007

Filing fee / IATA Acct: USD 61 / 0000-28

US/UST involved: **No**

End of Government Filing Period: **2 July 2007**

Meeting site, date: Mail Vote 546

Intended effective date: **6 July 2007**

Agreement: **Mail Vote 546 - Resolution 010w**
TC3 Japan, Korea-South East Asia
Special Passenger Amending Resolution from Korea
(Rep. of) to Guam, Northern Mariana Islands

R1 r010w

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

26 June 2007
Date Served



22 June 2007

M E M O R A N D U M

PTC3 1105

TO: Members Participating in Tariff Coordinating Conferences (SP-5072)

FROM: Director, Interline & Revenue Management Solutions

SUBJECT: **Mail Vote 546 - Resolution 010w**
TC3 Japan, Korea-South East Asia
Special Passenger Amending Resolution from Korea (Rep. of)
to Guam, Northern Mariana Islands
Intended Effective Date: 6 July 2007

MAIL VOTE - ADOPTED

As no negative votes were cast during the voting period which expired 1400 hours Geneva time 22 June 2007, Mail Vote 546 as circulated by MV546-1 dated 15 June 2007 is declared adopted on 22 June 2007.

The government of Korea (Rep. of) has provided the approved levels for fares from Seoul (SEL) to Guam (GUM), Saipan (SPN) which should be applicable currently.

The filing period for this Mail Vote ends **2 July 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

TC3
SPECIAL PASSENGER AMENDING RESOLUTION
FROM KOREA (REP OF) TO GUAM, NORTHERN MARIANA ISLANDS

PTC3(Mail 546)010w				New
Filing Period	Begins	25 June 2007	Intended Effectiveness	6 July 2007
	Ends	2 July 2007	Expiry	Indefinite
				Type B

RESOLVED that, fares from Seoul (SEL) to Guam (GUM), Saipan (SPN) are amended as follows:

- 1) Effective 6 July 2007, fares are amended to reflect government approved levels:

From	To	Fare Basis	Resolution	Fare (KRW)
SEL	GUM,SPN	FOW	053m	678000
		COW	043m	562400
		YOW	063m	418900
		MHWEE1M	070u	694200
		MHXEE1M	070u	661000
		MLWEE1M	070u	606100
		MLXEE1M	070u	577100
		MHWPX15	076bb	614400
		MHXPX15	076bb	585100
		MLWXP15	076bb	541800
		MLXPX15	076bb	516000
		MHWGV10	084dd	595600
		MHXGV10	084dd	567200
		MLWGV10	084dd	508400
		MLXGV10	084dd	484200

- 2) Above First Class fare will be increased by 5% per PTC3 1030 (conference agreement effective 1 April 2007) upon receipt of government approval of aforementioned memorandum from Korea (Rep. of), to **KRW711900**.