

BEFORE THE
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Application of)	
)	
DELTA AIR LINES, INC.)	
)	OST- 2007-29367
For an exemption pursuant to 49 U.S.C. § 40109)	
(U.S.-Columbia))	
)	

ANSWER OF JETBLUE AIRWAYS CORPORATION

JetBlue Airways Corporation (“JetBlue”) hereby answers in opposition to the Application of Delta Air Lines, Inc. (“Delta”) for an exemption and allocation of fourteen U.S. – Columbia frequencies to operate service between (i) New York, New York and Bogotá, Columbia, and (ii) Atlanta, Georgia and both Medellin and Cali, Columbia. Specifically, Delta already has access to the U.S. – Columbia market, and currently serves Bogotá from Atlanta and codeshares on Avianca’s daily nonstop widebody flight between JFK and Bogotá. See Order 2000-9-21, Docket OST-00-7655 (Sept. 21, 2000). As a result, granting Delta’s Application for exemption authority and allocating all frequencies available on December 1, 2007 and April 1, 2008 to Delta would allow Delta to further strengthen its place in the U.S. – Columbia market, while denying access to this limited-entry market for other airlines, such as JetBlue. In addition, unlike Delta, JetBlue’s proposed service would provide the first low-cost passenger service to Bogotá.

In further support of its Answer, JetBlue states as follows:

1. JetBlue has filed this date an Application for Certificate of Public Convenience and Necessity to provide scheduled service of passenger freight and mail

between the United States and Columbia, specifically Orlando, Florida and Bogotá and Fort Lauderdale, Florida and Bogotá.

2. JetBlue understands that on September 13, 2007, the United States reached a Consolidated Air Transport Agreement with Columbia to expand scheduled passenger frequencies, with the following passenger frequencies becoming available: (1) 7 additional frequencies on December 1, 2007; (2) 7 additional frequencies on April 1, 2008; and (3) 7 additional frequencies on October 1, 2008. In its Application, Delta requested all frequencies available on December 1, 2007 and April 1, 2008. If the Department were to grant Delta's Application, there would be no remaining frequencies available until October 1, 2008.

3. In its Application, Delta acknowledges that it currently serves Bogotá from Atlanta, pursuant to Order 2000-9-21. See Application of Delta Air Lines, Inc., at 4 (Sept. 27, 2007). Further, Delta currently serves the New York – Bogotá market on a codeshare basis via the daily nonstop widebody service provided by Avianca. Thus, granting Delta's Application for exemption authority would allow Delta to further strengthen its place in the U.S. – Columbia market, while denying access to this limited-entry market for other airlines, such as JetBlue. Instead, the Department should use this opportunity to enhance competition in the U.S. – Columbia market by expanding the number of carriers that are designated and provided frequencies to provide service to Columbia.

4. Similarly, the Department should use this opportunity to enhance competition in the U.S. – Columbia market through low-cost service to Columbia, such as JetBlue's proposed service to Bogotá. Delta has not indicated an intention to provide

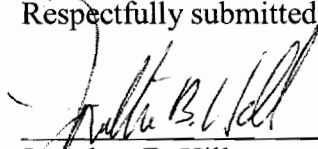
low-cost service on its proposed U.S. – Columbia routes. Without a low-cost carrier providing service to Columbia, many consumers who would otherwise travel to Columbia will not be able to afford to do so. As a result, unlike JetBlue, Delta’s proposed service will likely not expand the availability of low-cost U.S. – Columbia flights to consumers.

5. Finally, unlike Delta, JetBlue’s proposed service would substantially develop the U.S.-Columbia market by increasing the options available to consumers seeking convenient transportation between New England, the Mid-Atlantic Region, Florida and Bogotá. Bogotá is currently the third largest market between South Florida and Latin America.¹ However, no nonstop service is currently available between Orlando, Florida and Bogotá. JetBlue’s proposed Orlando – Bogotá service would provide the first nonstop service between these destinations. In addition, JetBlue’s proposed Fort Lauderdale – Bogotá service would provide the first nonstop service directly operated by a U.S. carrier (rather than a codeshare partner) between these destinations. In contrast, Delta’s Application does not seek to expand service between South Florida and Bogotá, but instead proposes daily nonstop service between New York (JFK) and Bogotá, a market Delta currently serves on a codeshare basis via the daily nonstop widebody service provided by Avianca. Thus, if the Department were to grant Delta’s Application, a key opportunity to provide expanded service between South Florida and Bogotá would be lost.

¹ JetBlue will operate its MCO flight from BOS and its FLL flight from IAD.

WHEREFORE, JetBlue respectfully requests that the Department deny Delta's Application for an exemption.

Respectfully submitted,



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October 12, 2007

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer of JetBlue Airways Corporation was served this 12th day of October, 2007 via email transmission on the following persons:

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