

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

In re)
)
U.S.-COLOMBIA FREQUENCIES) OST- 2007-28057
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**ANSWER OF JETBLUE AIRWAYS CORPORATION TO RENEWED
APPLICATION OF SPIRIT AIRLINES, INC. FOR AN EXEMPTION**

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October 31, 2007

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**ANSWER OF JETBLUE AIRWAYS CORPORATION TO RENEWED
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JetBlue Airways Corporation (“JetBlue”) hereby answers the Renewed Application of Spirit Airlines, Inc. for an Exemption Pursuant to NOAT June 29, 2007 and Order 2007-8-28, seeking an award of seven (7) unused frequencies currently held by American Airlines, Inc. (“American”).

JetBlue agrees with Spirit that the Department should award these seven frequencies to a new entrant to the U.S.-Colombia market. Like Spirit, JetBlue is a potential new entrant, and has indicated its interest in instituting low-fare U.S.-Colombia service from Florida, as evidenced by its recent Application for a Certificate of Public Convenience and Necessity and exemption authority in the U.S.-Colombia market (filed October 12, 2007). JetBlue has proposed instituting its award-winning, low-fare service between Orlando, Florida and Bogotá, Colombia by April 1, 2008, and between Fort Lauderdale, Florida and Bogotá by October 1, 2008.

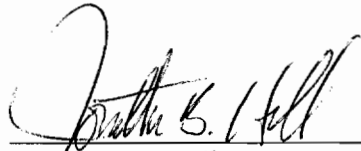
The new bilateral agreement between the United States and Colombia significantly changes the dynamics of the U.S.-Colombia market. Specifically, the new agreement permits the allocation of twenty-one (21) additional U.S.-Colombia frequencies over the next year, and removes flight restrictions to Barranquilla and

Cartagena, Colombia. Thus, a total of twenty-eight (28) frequencies for U.S.-Colombia will be available for allocation, twenty-one from the new agreement and seven from the prior agreement that have been warehoused by American. As a result of these changed dynamics in the U.S.-Colombia market, the Department should consolidate its action on these twenty-eight frequencies into one proceeding to allow all interested carriers to participate. Such a proceeding would permit all interested carriers to have a voice in the allocation of these valuable frequencies in the limited-entry U.S.-Colombia market.

Although Spirit suggests that the Department disregard the interests of other carriers in the seven frequencies held by American that did not participate in the earlier proceeding instituted by Spirit (in this Docket), such a result would unfairly deprive carriers such as JetBlue of an important opportunity to institute service to Colombia. Indeed, when Spirit instituted this proceeding to obtain American's seven frequencies in April 2007, no carriers, including Spirit, could have anticipated that the United States would reach a new agreement with Colombia that would make additional U.S.-Colombia frequencies available, and that American would alter its proposed service using these seven frequencies as a result. Excluding JetBlue and other carriers from participation in this proceeding and awarding these seven frequencies to Spirit without a comparative selection proceeding would unfairly penalize JetBlue and other carriers. Accordingly, the Department should institute a new proceeding to allocate all twenty-eight available frequencies for U.S.-Colombia service.

WHEREFORE, JetBlue respectfully requests that the Department deny Spirit's renewed application for an exemption.

Respectfully submitted,



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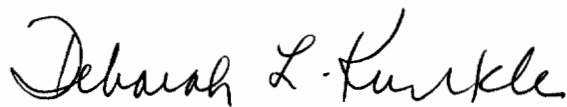
Counsel for JetBlue Airways Corporation

October 31, 2007

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer of JetBlue Airways Corporation to Renewed Application of Spirit Airlines, Inc. for an Exemption was served this 31st day of October, 2007 via email transmission on the following persons:

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