

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.**

In the Matter Of
2007/2008/2009 U.S.-China Air Services and
Combination Frequency Allocation
Proceeding

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) Docket OST-2007-28567
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ANSWER OF DELTA AIR LINES, INC.

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November 15, 2007

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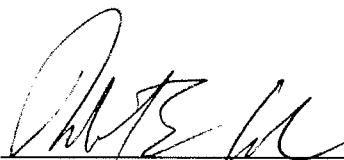
ANSWER OF DELTA AIR LINES, INC.

Pursuant to the Department’s Notice dated November 14, 2007, Delta Air Lines, Inc. (“Delta”) submits this Answer to the Motion filed by MAXjet Airways, Inc. (“MAXjet”) seeking leave to supplement its objections to Order 2007-9-25 by including in the record, and allowing it to respond to matters raised in a November 7, 2007 article in the Philadelphia Inquirer. That article reported that US Airways allegedly “threatened...to scuttle its plans to provide nonstop flights between Philadelphia and Beijing....” MAXjet’s motion requests that the Department suspend further processing of this proceeding as it relates to the 2009 designation and related frequencies, direct US Airways to file a detailed response to the matters raised in article, and provide all parties the opportunity to respond to US Airways’ submission.

Delta takes no position on whether the Department should grant or deny MAXjet’s motion for leave to supplement its Objections. However, Delta opposes MAXjet’s request that it be awarded backup authority in the event US Airways defaults on its service proposal. The Department quite clearly decided

not to issue any backup authority in connection with any of the awards made in this proceeding. Delta believes that decision was a correct one. Given the dynamic nature of the aviation marketplace, and particularly the U.S.-China marketplace, much could change between now and March 2009. If there is a default by US Airways, the Department should evaluate an award based on circumstances that exist at that time. However, if the Department decides to issue a backup award, Delta, not MAXjet should receive that award. Delta submits that the consumer and competitive benefits of its Atlanta-Beijing proposal are vastly superior to MAXjet's in every key decisional criterion (capacity, service to underserved regions, and nonstop-to-nonstop connecting benefits, among others), and overcome the Department's rebuttable presumption to award that route opportunity to a new entrant.

Respectfully submitted,



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November 15, 2007

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Comments of Delta Air Lines, Inc. has been served this November 15, 2007, upon the following addressees:

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