

Order 2008-3-4



UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.

Issued by the Department of Transportation  
on the 5<sup>th</sup> day of March, 2008

Served: March 5, 2008

In the Matter of

2007/2008 U.S.-COLOMBIA COMBINATION  
FREQUENCY ALLOCATION PROCEEDING

Docket DOT-OST-2007-0006

**ORDER TO SHOW CAUSE**

**Summary**

By this Order we tentatively allocate 21 U.S.-Colombia frequencies newly available under the U.S.-Colombia Air Transport Agreement. In addition, we tentatively reallocate seven weekly U.S.-Colombia combination frequencies that are currently held by American Airlines, Inc. (American), as further described in the body of this Order.

We tentatively award Delta Air Lines, Inc. (Delta), JetBlue Airways Corporation (JetBlue), Spirit Airlines, Inc. (Spirit), and Continental Airlines, Inc. (Continental) seven frequencies each, along with underlying economic authority, as needed, to provide combination services in the U.S.-Colombia market as follows: 1) Delta for its proposed New York (JFK)-Bogota services, effective immediately; 2) JetBlue for its proposed Orlando-Bogota services, effective April 1, 2008; 3) Spirit for its proposed Ft. Lauderdale-Bogota services, effective April 1, 2008; and 4) Continental for its proposed Houston-Bogota services, effective October 1, 2008.

**Background**

Prior to the negotiation of the 21 newly available frequencies, U.S. carriers could operate 70 weekly combination frequencies between the United States and frequency-limited Colombian points. There is no limit on the number of U.S. carriers that may be authorized to serve the market. American,

Continental, and Delta are currently designated and authorized to provide services with these 70 frequencies, allocated as follows: American – 42; Continental – 21; and Delta – 7.<sup>1</sup>

On September 28, 2007, the governments of the United States and the Republic of Colombia agreed, among other things, to increase the number of weekly frequencies available to carriers of each country for scheduled combination services, with U.S. carriers being authorized to operate a total of 91 weekly combination frequencies between the United States and Colombian points that are subject to frequency limitations. The agreement is referred to here as the 2007 Understanding. The 2007 Understanding also provides that scheduled combination services to the Colombian cities of Barranquilla and Cartagena de Indias are not subject to frequency limitations. As a result of the 2007 Understanding, the United States may allocate to U.S. carriers a total of 21 additional weekly combination frequencies in three stages, with seven frequencies available for institution of service effective on each of the following dates: December 1, 2007; April 1, 2008; and October 1, 2008.

On November 26, 2007, the Department issued Order 2007-11-23, instituting the 2007/2008 U.S.-Colombia Combination Frequency Allocation Proceeding, and inviting applications from interested U.S. carriers for certificate or exemption authority and for allocation of frequencies. By Order 2007-11-23, we also put at issue in this proceeding the retention by American of seven of its currently allocated U.S.-Colombia combination frequencies. American subsequently petitioned for reconsideration of our decision to place its seven frequencies at issue in this proceeding. On December 21, 2007, we issued Order 2007-12-21, denying the relief requested by American.

### **The U.S.-Colombia Market**<sup>2</sup>

There has been steady growth in the U.S.-Colombia market, as the Department's Origin & Destination (O&D) traffic data reflect an increase of approximately 200,000 passengers transported in this market between the years 2002 to 2006. For the twelve months ended September 2007, the Department's O&D data reflect that 759,250 passengers traveled between the United States and Colombia. Of this total, 486,940 passengers traveled between the United States and Bogota, 127,650 traveled between the United States and Cali, and 105,650 traveled between the United States and Medellin.

American, Continental, and Delta currently operate nonstop, roundtrip combination services between the U.S. and frequency-limited Colombian points. American operates 21 weekly flights between Miami and Bogota, 14 weekly flights between Miami and Medellin, and seven weekly flights between Miami and Cali. Continental operates seven weekly flights to Bogota from both Houston and Newark, and three to seven weekly flights between Houston and Cali.<sup>3</sup> Delta operates seven weekly flights between Atlanta and Bogota. In addition to these services, American currently operates daily service from Miami to Barranquilla, a Colombian point that is no longer subject to frequency limitations.<sup>4</sup> Spirit has recently been granted authority to serve Cartagena, another

---

<sup>1</sup> American's current allocation of 42 frequencies includes seven frequencies whose allocation is being reexamined in the context of this proceeding. See Order 2007-11-23. As noted above, we have tentatively decided to reallocate those seven frequencies in this proceeding.

<sup>2</sup> See Appendix A (Current Service Summary).

<sup>3</sup> Continental operates four of its seven allocated Houston-Cali frequencies on a seasonal basis.

<sup>4</sup> American instituted this service on December 13, 2007.

Colombian point that is not subject to frequency limitations, and plans to institute service from Ft. Lauderdale.

Avianca is currently the only Colombian carrier providing scheduled combination services in the U.S.-Colombia market, offering approximately 53 weekly nonstop flights between the United States and frequency-limited Colombian points. It operates two daily flights between Miami and Bogota, as well as daily flights from Miami to Cali and Medellin. From New York (JFK), Avianca operates daily flights to Bogota and Medellin. Avianca operates daily service between Ft. Lauderdale and Bogota and four weekly flights between Los Angeles and Bogota. It also offers services from the U.S. to Colombian points that are not subject to frequency limitations, offering daily service from Miami to Barranquilla and Cartagena, and two weekly flights from New York (JFK) to Barranquilla. Delta and Avianca also offer services on each other's U.S.-Colombia flights through code-sharing arrangements. Lan Airlines, S.A., a foreign air carrier of Chile, also offers three weekly flights between Miami and Bogota.

### **Summary of Combination Frequency Applications and Responsive Pleadings**<sup>5</sup>

Five carriers - Continental, Delta, JetBlue, Spirit, and US Airways Inc. (US Airways) - filed applications for the available combination frequencies to provide services in the U.S.-Colombia market.<sup>6</sup> In addition, American submitted evidence to support its retention of the seven U.S.-Colombia combination frequencies whose allocation is being reexamined in this proceeding.

Continental requests seven frequencies to serve the Houston-Bogota market with B-737 aircraft effective April 1 or October 1, 2008. Delta requests seven frequencies to serve the New York (JFK)-Bogota market with B-757 aircraft effective December 1, 2007, and seven frequencies to serve the Atlanta-Medellin (four weekly flights) and Atlanta-Cali (three weekly flights) markets with B-737 aircraft effective April 1, 2008. JetBlue requests seven frequencies to serve the Orlando-Bogota market effective April 1, 2008, and seven frequencies to serve the Ft. Lauderdale-Bogota market effective October 1, 2008, using A-320 aircraft in both markets.<sup>7</sup> Spirit requests a total of 28 frequencies to provide double-daily service from Ft. Lauderdale to both Bogota and Medellin with A-319 aircraft, requesting the seven frequencies available December 1, 2007, April 1, 2008, and October 1, 2008, respectively, as well as the seven frequencies currently allocated to American that are at issue in this proceeding.<sup>8</sup> US Airways requests seven frequencies to serve the Charlotte-Bogota market with A-319 aircraft effective October 1, 2008.<sup>9</sup> American seeks to retain its seven frequencies that are at issue in this proceeding and plans to continue using three frequencies in the Miami-Bogota market and four frequencies in the Miami-Medellin market.<sup>10</sup>

---

<sup>5</sup> See Appendix B, where we summarize the applicants' proposals in chart form.

<sup>6</sup> The applicants also filed for exemption or certificate authority as required.

<sup>7</sup> JetBlue proposes single plane service to/from New York (JFK) for its Orlando-Bogota flights and single plane service to/from Washington, D.C. (Dulles) for its Ft. Lauderdale-Bogota flights.

<sup>8</sup> Spirit proposes a variety of single plane service options.

<sup>9</sup> US Airways proposes single plane service to/from Washington, D.C. (Reagan).

<sup>10</sup> On February 22, 2008, American filed a motion for leave to update its December 6, 2007 response to the evidence request in this proceeding. In its motion, American informs the Department that for various reasons it will be suspending operation of its seven frequencies that are at issue in this proceeding, effective April 7, 2008. American states that if the Department's final order in this case returns the seven frequencies to American, it will use them to

Answers and replies were filed by all of the carrier applicants.

A number of civic parties filed formal pleadings in support of the various applicant carriers. The City of Houston and the Greater Houston Partnership filed in support of Continental; the Port Authority of New York and New Jersey filed in support of Delta's New York (JFK)-Bogota proposal; the Metro Atlanta Chamber of Commerce and Hartsfield Jackson Atlanta International Airport filed in support of Delta's Atlanta-Medellin/Cali proposal; and the City of Charlotte filed in support of US Airways' Charlotte-Bogota proposal.

### **Position of the Applicants**

**American** restates its position that its seven frequencies were unfairly placed at issue for possible reallocation in this proceeding, and argues that they should be removed from the scope of this case.<sup>11</sup> Alternatively, it asserts that the Department should "re-award" these seven frequencies to American, contending that its current use of them in the Miami-Bogota and Miami-Medellin markets provides better public interest benefits than the proposals of the other applicants in this proceeding.<sup>12</sup>

American claims that its use of these seven frequencies to round out its services from Miami to Bogota and Medellin to 21 and 14 weekly flights, respectively, enables it to offer travelers a wide array of scheduling options in the local Miami-Colombia market – a market which is by far the largest overall U.S.-Colombia O&D market. American asserts that it offers extensive and convenient online connections from its Miami hub, serving 40 cities for Bogota passengers and 34 cities for Medellin passengers. With regard to its Miami-Bogota service, American states that its on-line connecting cities (plus Miami) include every one of the top 14 O&D markets to Bogota.<sup>13</sup> American contends that potential public interest benefits derived from service to Colombia from secondary U.S. gateways do not match those offered by its comprehensive service pattern offered from its Miami hub – covering the large local Miami traffic base as well as offering extensive online connections to/from cities behind Miami.

The competing carriers state that, with its extensive Miami-Colombia services, American is by far the dominant carrier in the U.S.-Colombia market. They maintain that American's use of its seven frequencies at issue here to further augment its existing Miami-Bogota and Miami-Medellin services to triple and double-daily flights, respectively, offers nothing new in terms of public interest benefits, and particularly in terms of competition. The carriers note that American previously allowed 14 of its 42 frequencies to become dormant for an extended time period, and contend that American only recently reinstated service with those frequencies to keep competitors out of the restricted U.S.-Colombia market and thereby maintain its dominance.

---

restore its third daily flight between Miami and Bogota, subject to a 90-day start-up condition. We will address American's motion in a subsequent Order.

<sup>11</sup> American states that it incorporates by reference the petition for reconsideration it submitted on December 3, 2007, challenging the Department's decision to include its seven frequencies in this proceeding.

<sup>12</sup> American Answer, at 2.

<sup>13</sup> American Answer, at 3.

**Continental** asserts that there is currently an extraordinary geographical imbalance in existing service options to Colombia from the United States, evidenced by 733% more seats available from Florida and the rest of the eastern United States, in comparison to those available from areas west of the Mississippi River.<sup>14</sup> Continental claims that upon inauguration of additional frequencies that were recently awarded to various Colombian carriers by Colombian authorities, 91% of all U.S.-Colombia flights will be operated from Atlanta and points east of Atlanta. It states that it is the only carrier in this proceeding to offer service to Colombia from a gateway west of Atlanta, and that an award of seven frequencies for its Houston-Bogota proposal would help reduce this imbalance. Continental notes that even if it is awarded seven frequencies in this proceeding, the remainder of available frequencies would be awarded to other applicants for service from the eastern United States, further increasing the geographical disparity in service options.

Continental states that, in addition to serving the significant Houston-Bogota local market, Houston's geographic location would provide travelers throughout the central and western United States with convenient service, competing for traffic with the eastern U.S. gateways of American, Delta, and Avianca. Continental also notes that, through its alliance with the Colombian carrier AeroRepublica, it would also offer service beyond Bogota to nine other Colombian points.

Continental dismisses arguments of its detractors that cite its proposed overnight schedule, smaller capacity, and seasonal use of four of its allocated Houston-Cali frequencies. It points out that other carriers successfully utilize overnight schedules for service to South American points, including Colombia. In addition, it contends that its alternative overnight service, when combined with its existing Houston-Bogota service, will enable it to better compete with services offered by American, Delta, and Avianca.<sup>15</sup> Citing consistently high load factors on its existing Houston-Bogota flight in comparison to those of other incumbent U.S. carriers, Continental contends that its 124-seat B737 aircraft is the right aircraft for this market. Continental maintains that the Houston-Cali market is smaller than the Houston-Bogota market, and far more seasonal. Continental notes that it does not have the authority to freely move its frequencies to other markets.<sup>16</sup>

The competing applicants state that Continental's proposal simply duplicates its existing daily Houston-Bogota service and offers nothing new to the traveling public. They maintain that, if Continental deemed there was a need for additional Houston-Bogota service, it should move its four seasonal Houston-Cali frequencies to serve Bogota. The carriers express doubt regarding the feasibility of Continental's proposed overnight schedule, asserting that it is unlikely to be attractive to passengers. American, Delta, JetBlue, and Spirit also contend that Continental's proposal, similar to that of US Airways', offers the smallest amount of capacity.

**Delta** states that the New York-Colombia market is the largest underserved market of any gateway in this proceeding. It calls attention to the extensive Colombia services already offered from Miami/Ft. Lauderdale in comparison to those available from New York, despite the New York metropolitan area's having a larger overall population, as well as larger South American and Colombian populations, than the Miami/Ft. Lauderdale area. As a new entrant in the

---

<sup>14</sup> Continental Answer, at 1-2.

<sup>15</sup> Continental Reply, at 7.

<sup>16</sup> Continental Reply, at 8.

New York-Colombia market, Delta maintains that its proposal would remedy the New York-Colombia service shortfall, provide the first-ever nonstop U.S.-flag carrier service to Colombia from the largest U.S. gateway without such nonstop service, and inject the largest amount of capacity into the market.<sup>17</sup> Delta points out that, absent its proposed service, the entire New York (JFK)-Bogota and New York (JFK)-Colombia markets are effectively ceded to foreign flag carriers.<sup>18</sup> It states that its New York-Bogota proposal would also provide effective intragateway competition with Continental in the overall New York-Colombia market, as well as with services offered by Colombian carriers at JFK.<sup>19</sup>

Regarding its Atlanta-Cali/Medellin proposal, Delta claims that, as a new entrant in those city-pair markets, it would establish a new gateway at Atlanta and inject inter-gateway competition into the U.S.-Cali and U.S.-Medellin markets with the strength of its Atlanta hub. It contends that its proposal would generate far more network benefits than those of the U.S.-Medellin services proposed by American and Spirit, particularly in initial and first competitive nonstop-to-nonstop connections. Further, it asserts that it would provide significantly more capacity than would the other applicants.

Spirit contends that, with the recent awards for additional JFK services by Colombian authorities to its carriers, the New York-Bogota market will have sufficient services. While some of the competing carriers question Delta's ability to serve Bogota from JFK due to congestion concerns at JFK, Delta argues that this issue should have no bearing on its application. It asserts that it has fully cooperated with Federal Aviation Administration (FAA) efforts to reduce congestion and delays at JFK, and that it has already factored its proposed JFK-Bogota service into its schedule adjustments.<sup>20</sup>

In their responses to Delta's Atlanta-Cali/Medellin service proposal, the competing carriers maintain that operating less-than-daily services in these markets does not present attractive service options for the traveling public. The competing carriers also argue that, in addition to Delta's existing daily Atlanta-Bogota service, it has significant access to the U.S.-Colombia market as a result of its code-share relationship with Avianca.<sup>21</sup> Delta counters that the extremely limited access that it has to the U.S.-Colombia market as a result of its code-share arrangement with Avianca should not negatively impact its request for additional frequencies here. In support of its position, Delta notes that it has access to only between 4 and 20 seats on some Avianca flights, and that the code-share relationship can be terminated by either party with 90 days' notice. In addition, it notes that the Department has repeatedly affirmed a clear preference for U.S. carriers to operate "own metal" services, and has previously rejected arguments to disqualify applicants from frequency awards due to code-share arrangements.<sup>22</sup>

**JetBlue** contends that its proposed Bogota services from Ft. Lauderdale and Orlando offer the Department an opportunity to inject new competition in the restricted U.S.-Colombia market, in the

---

<sup>17</sup> Delta Answer, at 2.

<sup>18</sup> Delta Reply, at 2.

<sup>19</sup> Continental provides daily service to Bogota from Newark, New Jersey.

<sup>20</sup> Delta Reply, at 11-12.

<sup>21</sup> US Airways also maintains that Delta's connecting information for both of its proposals does not include elapsed time and is therefore in violation of the Department's instituting order.

<sup>22</sup> Delta Reply, at 6-7.

form of a proven, successful low-fare carrier. JetBlue notes that it would be a new entrant in the Ft. Lauderdale and Orlando markets to Bogota, as well as the first U.S. carrier to offer Colombia services from those gateways. Regarding fare structure, JetBlue states that its fares would be approximately 23% below those currently offered by incumbent carriers. It states that even if the Colombian government were to resist JetBlue's proposed low fares, its proposal offers many other public interest benefits. JetBlue claims that its services would increase competition among all carriers in the U.S.-Colombia market and stimulate growth, citing several examples in which its new services increased traffic and lowered overall fares in other markets.<sup>23</sup> JetBlue states that, in addition to the service that its proposal would provide the Central and South Florida markets, it would also offer connections to 18 other cities.

In highlighting its proposed single plane service from New York (JFK) through Orlando to Bogota, JetBlue maintains that it will provide the substantial New York-Colombia market with a low-fare option in addition to the existing services provided by incumbent carriers. With regard to its single-plane proposal from Washington, D.C. (Dulles) through Ft. Lauderdale to Bogota, JetBlue states that its service would link the U.S. and Colombian capitals, offering attractive service options to government travelers.<sup>24</sup>

JetBlue asserts that, in addition to providing low-fare service to Colombia, Central Florida, and South Florida, its proposal would also best serve the major tourism markets of Bogota, Orlando, and Miami/Ft. Lauderdale. Specifically, JetBlue highlights the extensive tourist attractions and cruise options in the Orlando area, and also maintains that more than 20% of Colombians that traveled to the United States in 2006 visited Orlando.<sup>25</sup>

American states that JetBlue's application should be dismissed for material omissions, as it did not provide complete online connecting information in response to the Department's evidence request in this proceeding. JetBlue subsequently filed for leave to supplement its application in response to American's claim.

The other applicants note JetBlue's lack of experience in South American operations. Some also express doubt regarding JetBlue's proposed low fares, given the influence that Colombian authorities have on price structure. In addition, the majority of the competing carriers state that the Florida market is already well-served and note the limited online connections offered by JetBlue.

**Spirit** contends that, in assessing the public interest in this proceeding, the Department must consider Spirit's demonstrated commitment to provide the only competitive low-fare network to serve the South Florida-Caribbean/Latin America market, noting its existing service to those regions, as well as its determined efforts to gain access to the U.S.-Colombia market specifically. Spirit calls attention to the high fares currently offered in the restricted U.S.-Colombia market, and states that the introduction into the market of its proposed double-daily services from Ft. Lauderdale to both Bogota and Medellin would ensure the lowest possible fares. In that connection, Spirit

---

<sup>23</sup> JetBlue Answer, at 8-9.

<sup>24</sup> JetBlue Answer, at 4-5.

<sup>25</sup> JetBlue Reply, at 8-9.

asserts that the Colombian government has recently decided to remove restrictions on low-fare proposals.<sup>26</sup>

As a new entrant, Spirit maintains that its proposed low-fare service would provide significant competition to the market dominance of American and Avianca in the South Florida-Colombia market, the largest overall market in terms of U.S.-Colombia O&D traffic. Further, Spirit asserts that its Colombia services from Ft. Lauderdale would be the first provided by a U.S. carrier. It states that Avianca currently maintains high load factors on its Ft. Lauderdale-Bogota service, reflecting the need for additional service in that market.

Spirit maintains that, while the network carriers offer more extensive connecting services, no carrier would provide the low-cost connecting service that Spirit offers and suggests that travelers would gladly sacrifice some connectivity convenience for lower fares. However, Spirit contends that connecting services should not be a major decisional factor in this case because those connecting services offered are primarily duplicative of existing connecting services.<sup>27</sup> Spirit states that, to the extent that connections are considered, its ability to provide connections to 88% of the travelers between the United States and Colombia bolsters the fundamental benefit of establishing a low-cost competitive option in the South Florida – Bogota/Medellin markets.<sup>28</sup>

American states that Spirit's application should be dismissed for material omissions, since it did not provide complete online connecting information in response to the Department's evidence request in this proceeding. In particular, American asserts that Spirit does not show arrival times at Ft. Lauderdale from behind cities connecting to southbound flights to Colombia, or departure times at Ft. Lauderdale to behind cities connecting from northbound flights from Colombia, and maintains that without such required schedule information, ground times at Ft. Lauderdale cannot be ascertained in either direction. Spirit disputes American's assertion, stating that elapsed time was readily available from its exhibit.

The majority of the competing carriers contend that the South Florida-Colombia market is already well-served, and also point out that Spirit offers limited connecting services. Several carriers state that Spirit could not follow through on its expansive proposal, noting that it is unrealistic to expect that Spirit could institute double-daily service in two restricted U.S.-Colombia markets in less than a year. Continental, Delta, and US Airways question the likelihood of Spirit's claim that it would offer low fares, stating that Colombian authorities are not likely to approve low fares.

**US Airways** contends that, as a new entrant in the U.S.-Colombia market, its Charlotte-Bogota service would provide the most effective inter-gateway competition to incumbent carriers in the highly concentrated U.S.-Colombia market. In doing so, it touts the significant connecting services that it offers at its Charlotte hub and asserts that its extensive network will provide competitive benefits to the traveling and shipping public, not only in the eastern area of the United States, but throughout the entire country.<sup>29</sup> Specifically, US Airways states that its proposed services from Charlotte, the second largest hub in the eastern United States, would permit it to offer convenient

---

<sup>26</sup> Spirit Reply, at 8-9.

<sup>27</sup> Spirit Reply, at 22-24.

<sup>28</sup> Spirit Reply, at 22.

<sup>29</sup> US Airways Reply, at 2.

connections for 73 U.S. cities behind Charlotte, with the first online connecting service to 10 U.S. points, and the first competitive online connecting service to 22 U.S. points.

With regard to local traffic, US Airways notes that while the Charlotte-Bogota market may be smaller than the local markets proposed by some of the other applicants, the Department has not treated local market size as the only, or the most important, factor in carrier selection proceedings.<sup>30</sup> In support of its position, it calls attention to its recent selection by the Department to serve between Philadelphia and Beijing, though other applicants had argued that the size of that local market was minimal. In any case, US Airways contends that its Charlotte hub strength will support its proposed Bogota service.

US Airways asserts that its single-plane proposal from Washington, D.C. (Reagan) through Charlotte to Bogota would provide new transportation alternatives for government and business leaders of both countries, while linking the U.S. and Colombian capitals.<sup>31</sup> It contends that it is the only new entrant applicant with the capability to increase the gauge of its services to larger aircraft during peak periods, as well as the only new entrant likely to attract all market segments by offering a dual class configuration, thereby enhancing its ability to compete with similar services offered by incumbents. In addition, US Airways maintains that selection of its proposed service would also promote inter-alliance competition by giving a Star Alliance carrier initial access to the U.S.-Colombia market, competing with services offered by oneworld (American and Lan) and Skyteam (Delta and Continental).

The competing carriers all call attention to the small Charlotte-Bogota local market, indicating that US Airways would have to rely almost exclusively on connecting traffic to make its proposal feasible. They point out that US Airways has no existing service to South America, with some asserting that, in the past, US Airways has abandoned a number of South American routes from Charlotte. Several of the other applicants also contend that, similar to Continental's, US Airways' proposal would provide the least amount of capacity in the U.S.-Colombia market. Regarding connecting services, the carriers maintain that US Airways' connections would mostly duplicate existing connecting services.

### **Tentative Decision**

As we stated in the instituting order for this proceeding, this carrier selection case includes the issue of American's retention of the seven allocated frequencies that American had previously announced for Miami-Barranquilla service and then shifted to Miami-Bogota and Miami-Medellin service. In the order, we stated that we would be required to weigh, in the context of this comparative proceeding, whether the public interest would be better served by allowing American to use the frequencies in the Miami-Bogota/Medellin markets or by allocating them to other applicants in light of their proposals.<sup>32</sup> Accordingly, we have compared the public interest benefits of American's proposal with the benefits of the various carrier proposals under consideration.

---

<sup>30</sup> US Airways Reply, at 5.

<sup>31</sup> US Airways Reply, at 13.

<sup>32</sup> Order 2007-11-23, at 3.

On balance, and as explained in greater detail below, we tentatively find that the benefits that would be derived from allowing American to retain the seven frequencies for additional service at Miami are sufficiently outweighed by the benefits of new competition in the market and expanded service options in the overall U.S.-Colombia market as to warrant reallocation of the frequencies.<sup>33</sup>

Accordingly, as an initial matter, we have tentatively determined to reallocate the seven frequencies currently held by American that were included for reexamination in this proceeding, along with the 21 newly available frequencies, for a total of 28 frequencies. We tentatively decide to reallocate American's seven frequencies effective April 1, 2008. American can continue to market, sell, and operate these frequencies until that time. With regard to American's contention that its seven frequencies were unfairly placed at issue in this proceeding, we note that we have addressed this issue in two earlier actions.<sup>34</sup> American has not raised any new arguments here that persuade us to alter our earlier decisions.

Through the allocation of 28 frequencies in this proceeding, we have the ability to open new gateways to Colombia, add service in underserved markets, and introduce new competition among the carriers currently serving Colombia. We tentatively find that this approach best serves the public interest.

We tentatively decide to award Delta, JetBlue, Spirit, and Continental seven frequencies each to provide combination services in the U.S.-Colombia market, as follows: 1) Delta for its proposed New York (JFK)-Bogota services, effective immediately; 2) JetBlue for its proposed Orlando-Bogota services, effective April 1, 2008; 3) Spirit for its proposed Ft. Lauderdale-Bogota services, effective April 1, 2008; and 4) Continental for its proposed Houston-Bogota services, effective October 1, 2008.

We believe that our selection of Delta's New York (JFK)-Bogota proposal would provide beneficial additional service in the substantial New York-Colombia market. The New York metropolitan area is second only to Miami/Ft. Lauderdale in terms of Colombia and Bogota O&D traffic. Yet, there is now significantly less U.S.-flag service to Colombia from New York than from Miami/Ft. Lauderdale. Moreover, no U.S. carrier offers nonstop service to Colombia from New York (JFK). Currently, there are approximately 80 weekly flights operated between Miami/Ft. Lauderdale and frequency-limited Colombian points, 45 of which serve Bogota. In comparison, there are just 21 weekly flights operated between the New York metropolitan area and frequency-limited points in Colombia, 14 of which serve Bogota. Of these 21 weekly flights, seven are operated by Continental to Bogota from Newark, rather than New York (JFK). Selection of Delta's New York (JFK)-Bogota proposal would therefore address a major service disparity, and also inject a large amount of capacity into this market.

In addition to addressing the New York-Colombia service disparity, we believe that Delta's proposal would provide valuable competitive benefits. Most important, Delta would provide the first U.S.-flag nonstop service between New York (JFK) and Colombia in competition with Colombian-flag carrier Avianca. The positive competitive impact of Delta's proposed service

---

<sup>33</sup> We note that even after reallocation of American's seven frequencies, the Miami gateway would still have 66 weekly flights to Colombia, including 35 weekly Bogota flights and 17 weekly Medellin flights.

<sup>34</sup> See Orders 2007-11-23 and 2007-12-21. We incorporate by reference our decisions in these orders into this proceeding.

would become potentially even more pronounced if, as suggested in the record, Colombian authorities have awarded more frequencies to their carriers to operate additional New York (JFK)-Colombia services in 2008. Without Delta's proposed JFK-Colombia service, all services offered from the JFK gateway would be operated by a foreign-flag carrier. Further, Delta's proposal would also provide competition with the daily Bogota service offered by Continental from Newark, expanding the choices available to travelers and thereby enhancing competition for Colombia traffic over the broader New York/Newark region.

We have taken note of the arguments made by the competing carriers with regard to Delta's code-share relationship with Avianca, as well as JFK congestion issues and tentatively do not find them compelling. Delta's code-share arrangement with Avianca is limited in nature and has no antitrust immunity. Even under that arrangement, Delta competes with Avianca for U.S.-Colombia traffic. In any event, we tentatively find that the introduction of own-metal Delta services rather than its continued reliance on the code-share services of Avianca, limited as these latter services are by Avianca scheduling and operational decisions, would represent a service enhancement consistent with the public interest. With regard to the JFK congestion issue, we note from the record that Delta has been working with the FAA to reduce congestion and delays at JFK, and has already factored its proposed Bogota service into its JFK flight plans.

In considering how to tentatively allocate the remaining 21 frequencies, we are cognizant that an important advantage to having a substantial number of frequencies under consideration is that it enables us to respond to a variety of important public interest needs. Thus, not only can we address the important New York-Colombia service issue as outlined above, we can now also, with the number of frequencies at issue, in this same proceeding act to improve the overall U.S.-Colombia competitive market structure. As a result of the restrictions in the bilateral aviation agreement between the United States and Colombia, the U.S.-Colombia market has lacked wide-ranging competition, with only three U.S. carriers currently authorized to provide services. Significantly, the U.S.-Colombia market has not benefited from the entry of a new U.S. combination carrier since the selection of Delta's Atlanta-Bogota service in 2000. When rights for U.S. carriers become newly available in such restrictive environments, as has now occurred with Colombia, one of our primary goals has been to enhance competition by creating opportunities for new entrant carriers to gain market access.<sup>35</sup> This case now gives us the means to pursue that goal, and it is in this connection that we tentatively select the new entrant carriers, JetBlue and Spirit.

It is our tentative view that awards to JetBlue for its Orlando-Bogota proposal, and Spirit for its Ft. Lauderdale-Bogota proposal would best enhance the overall U.S.-Colombia competitive market structure. Both new entrants offer proposals that should furnish strong and meaningful competition to the extensive services currently offered by the three U.S. incumbent carriers in the U.S.-Colombia market, resulting in competitive benefits to passengers while also offering them a wider variety of service options.

Each carrier would provide the first U.S.-flag nonstop service to a frequency-limited Colombia point from its proposed gateway. In addition, JetBlue's proposal would offer the first nonstop service of any kind from Orlando to Bogota. Orlando is the seventh-largest U.S.-Bogota O&D market overall, and the largest gateway proposed in this proceeding lacking at least one nonstop

---

<sup>35</sup> See *e.g.* Order 2005-2-14 at 16.

service option by any carrier. Although JetBlue would not offer extensive connecting services at Orlando, some of its behind-gateway points do in fact overlap with existing online connections offered by the incumbent carriers, and therefore such connections could provide effective intergateway competition. The record also indicates that Avianca may inaugurate service to Bogota from Orlando in 2008. This would further enhance the importance of establishing a U.S.-flag presence there.

Spirit's Ft. Lauderdale-Bogota proposal would offer the large Miami/Ft. Lauderdale-Colombia local traffic base an attractive competitive alternative to the existing services offered by American, Avianca, and Lan at Miami/Ft. Lauderdale, thereby enhancing competition for Colombia services offered at the two airports. At Ft. Lauderdale, specifically, Spirit would further provide effective intragateway competition with Avianca's daily Bogota service.

While the majority of the competing applicants argue that the Florida-Colombia market is already well-served, we have tentatively determined that, from a competitive standpoint, there is potential positive impact from JetBlue's and Spirit's additional service in the Florida area. As new entrant carriers, JetBlue and Spirit will bring new choices and approaches to the marketplace, giving consumers options that were previously unavailable in the restricted bilateral environment, and enhancing the competitive market structure. Further, JetBlue's proposed Orlando-Bogota service will establish an entirely new gateway to Colombia, providing the sizeable Central Florida-Colombia local market with its first nonstop Colombia service option. While Spirit's proposed service would add to the existing services available from South Florida to Colombia, we tentatively believe that its Ft. Lauderdale gateway offers it a meaningful foundation from which to establish U.S.-Colombia services and provide effective competition to American and Avianca.

We are aware that JetBlue and Spirit do not offer extensive behind-gateway connections. However, we tentatively believe that the substantial local market base of Colombia traffic at Orlando and Ft. Lauderdale will make the proposed services of JetBlue and Spirit viable and sustainable, even when taking into account the lesser connecting services that they would offer in comparison to the other applicants. We also acknowledge that there is some question in the record as to whether JetBlue and Spirit can be assured of Colombian approval of their low-fare proposals.<sup>36</sup> However, we have tentatively concluded that, notwithstanding these factors, the competitive market structure benefits and new service options that would result from the selection of JetBlue and Spirit are more than sufficient to justify their selection.

In considering how to allocate the remaining seven frequencies, while we acknowledge the potential benefit of introducing still further new entry into the U.S.-Colombia market, we tentatively find that, on balance, the public interest favors our using these frequencies to address an important service issue, specifically the need for additional convenient service to Colombia for travelers from the central and western United States.

Specifically, we recognize the geographical disparity that exists in the limited availability of U.S.-Colombia service offered from the central and western United States, in relation to the services offered from the eastern portion of the United States. After Miami/Ft. Lauderdale and New York,

---

<sup>36</sup> See e.g. Delta Reply, at 10-11.

Houston has the third largest amount of U.S.-Bogota O&D traffic. Continental's load factors for its current daily Houston-Bogota route are the highest of any U.S. carrier currently providing U.S.-Colombia combination services, reflecting the sizeable demand in that market. However, with the exception of Avianca's four weekly Los Angeles-Bogota flights, Continental's Houston gateway provides travelers with the only available nonstop service to Colombia from any U.S. point west of Atlanta, with Continental operating 10-14 weekly nonstop flights from Houston to Colombian points. By comparison, there are approximately 108 weekly nonstop flights available to Colombia from gateways in the eastern United States, 56 of which are operated by U.S. carriers. While we realize that some of the largest U.S.-Colombia markets are on the east coast, it is our tentative view that this disparity nevertheless presents a severe service imbalance that can be at least partially remedied by the tentative selection of Continental to provide its proposed second daily nonstop service in the Houston-Bogota market.

Under other circumstances, we might not be inclined to award frequencies to a carrier proposing a double-daily service in a limited entry market in preference to other proposals for initial nonstop service in a new city pair market. However, given the record before us, reflecting the considerable geographical imbalance of U.S.-Colombia service options, the paucity of service west of Atlanta, and the demand for increased service, an allocation to Continental for a second daily Houston-Bogota service is appropriate.

Some opposing parties have challenged the viability of Continental's proposed overnight flight schedule. Continental maintains that by operating its second daily Houston-Bogota service on such a schedule, it will be able to compete more effectively with similar service patterns offered by Colombian carriers. We tentatively find no basis upon which to determine otherwise. We also tentatively find that Continental's seasonal operation of four of its Houston-Cali frequencies is not determinative here. Given the demonstrated need for additional Houston-Bogota service, and given that we have a quantum of Colombia frequencies that enables us to address that need, we tentatively see no public interest benefit in obligating Continental to shuffle frequencies from the Houston-Cali market to another market, with the service disruption that would entail, when we can instead make a new Houston-Bogota allocation.

In tentatively concluding that the four favored proposals outlined above offer the most significant public benefits in the context of this proceeding, we acknowledge that the proposals of the other applicants are not without certain positive attributes. However, on balance, for the reasons stated below, we find that the potential benefits offered by the tentatively selected proposals are superior.

With regard to the seven frequencies currently allocated to American that are at issue in this proceeding, we are not persuaded by American's claim that its continued use of these frequencies in the Miami-Bogota and Miami-Medellin markets offers more public interest benefits than those benefits offered by the proposals of our tentatively selected carriers. Instead, it is our tentative view that any limited benefits that could result from American's continued use of these frequencies to expand its Miami-Bogota services to triple-daily flights, and its Miami-Medellin service to double-daily flights, would be outweighed by the valuable service and competitive benefits offered by each of the tentatively selected proposals.

Even after reallocation of its seven frequencies, American will still operate a total of 35 weekly frequencies between the United States and frequency-limited Colombian points: 18 weekly flights between Miami and Bogota; 10 weekly flights between Miami and Medellin; and 7 weekly flights between Miami and Cali. In addition, American also offers daily Miami-Barranquilla service. While we recognize that Miami/Ft. Lauderdale has the largest amount of local traffic to Colombia, it also has substantially more U.S.-Colombia service than any other U.S. gateway. American's continued use of these frequencies as proposed would not provide the type of enhanced service and/or competitive benefits that will be derived from the four tentatively selected proposals. Furthermore, to leave American with its seven frequencies would inevitably mean that one of the important public interest needs addressed in our four tentative selections would go unmet. If our tentative actions in this proceeding are finalized, the 91 total available combination frequencies for U.S. carriers to provide service from the United States to frequency-limited Colombian points would be allocated as follows: American – 35; Continental – 28; Delta – 14; JetBlue – 7; and Spirit – 7. This would still leave American offering more U.S.-Colombia services than any other incumbent U.S. carrier, and substantially more services than every other U.S. incumbent carrier except Continental.

By comparison, the proposals of the tentatively selected carriers offer a variety of attributes that should immediately have a positive and demonstrable impact on the U.S.-Colombia market structure. Delta's New York (JFK)-Bogota proposal would add service in the large New York-Colombia market, and would also furnish meaningful competitive benefits. JetBlue and Spirit would enhance the U.S.-Colombia competitive market structure by providing badly needed competition in a frequency-limited U.S.-Colombia market that has not seen the entry of a new U.S. competitor since the year 2000. Finally, Continental's proposed second daily Houston-Bogota service would address the great disparity in available U.S.-Colombia service options between the eastern and central/western United States. We tentatively find that the benefits of American's continued use of these seven frequencies to Bogota and Medellin from Miami, representing only an accretion of service in markets American already serves, simply fail to outweigh the benefits embodied in the proposals of Delta, JetBlue, Spirit, and Continental.

We recognize that Delta's Atlanta-Medellin/Cali proposal would offer some service and competitive benefits. It would establish a new U.S. gateway at Atlanta for service to both Colombian cities, and offer inter-gateway competition to existing services to Medellin offered by American and Avianca from Miami, as well as with Avianca's New York (JFK)-Medellin service. It would also offer inter-gateway competition with Cali services operated by American and Avianca from Miami, in addition to Continental's Houston-Cali operation. However, even when taken together, the local O&D traffic from Atlanta to Medellin and Cali is substantially smaller than the amount of local traffic to Bogota from New York, Orlando, Ft. Lauderdale, and Houston – the gateways of the proposals that we have tentatively selected in this proceeding. We also tentatively question whether the less-than-daily services that Delta proposes in these two markets would, on balance, offer the same potential competitive and consumer appeal as the daily-service proposals presented in the tentatively selected markets. Accordingly, we tentatively conclude that Delta's proposed Atlanta-Medellin/Cali service would not offer service and competitive benefits comparable to those offered by the tentatively selected proposals.

We note that we did not tentatively award frequencies to support all of the services proposed by JetBlue and Spirit. Specifically, we did not select JetBlue's Ft. Lauderdale-Bogota service, Spirit's second Ft. Lauderdale-Bogota service, or Spirit's double-daily Ft. Lauderdale-Medellin service. While we would have liked to have awarded both carriers more frequencies to further enhance their competitive stance against the incumbent carriers, we tentatively conclude that, on balance, the needs that we have tentatively elected to address are the most pressing. Further, both carriers will be instituting their first-ever service in a U.S.-Colombia limited entry market.<sup>37</sup> Accordingly, we recognize that inauguration of services under these circumstances presents significant challenges that could impact the time required for the carriers to establish operations that will make them viable competitors in the U.S.-Colombia market. As a result, we have tentatively determined that our award of seven frequencies to each carrier, rather than the more expansive services that each requested, will provide the carriers with a sound foundation upon which to inaugurate their new services and become established in the U.S.-Colombia market.

We did not select another potential new entrant, US Airways, for an allocation of frequencies. US Airways' proposed Charlotte-Bogota service could offer some measure of competitive benefits to the U.S.-Colombia market structure with the establishment of a new gateway at Charlotte. However, the Charlotte-Bogota O&D market is small, indeed by far the smallest proposed in this proceeding. The O&D traffic to Colombia from Central and South Florida, *i.e.*, from the markets that would be served by the other new entrants JetBlue and Spirit, is substantially greater than that from Charlotte. We have taken note of US Airways' assertion that the significant connecting services that it offers at its Charlotte hub will enable it to maintain its Charlotte-Bogota service. However, given the one-stop Colombia connections that already exist and the limited historic Colombia traffic from those points at which US Airways would be offering first-time Colombia connecting service, we tentatively find that an award to US Airways would not represent the optimal use of these frequencies in the circumstances presented. We tentatively determine that the new entrant proposals of JetBlue and Spirit offer more competitive benefits to the overall U.S.-Colombia market structure. Similarly, when weighed against the greater need for additional service to Colombia from two of the largest O&D markets -- New York and Houston -- we tentatively conclude that the service proposals of Delta and Continental would offer more compelling benefits than those that might result from US Airways' proposed service.

Against this background, while we certainly recognize that US Airways' proposal would produce some of the public benefits typically associated with new entry, we tentatively conclude that, in the circumstances presented, those benefits are not sufficient to outweigh those we anticipate from the four proposals we are tentatively selecting.

As a final matter, we deny the motion of JetBlue filed on December 14 for leave to supplement its application with additional information regarding its connecting schedules. In this regard, we also acknowledge the arguments made in the record that Delta, Spirit, and JetBlue did not provide complete information for their connecting services, consistent with the instituting order. In any event, the connecting service information did not prove material to our tentative decision. We note, however, that had connecting service been a determinative factor, the lack of conformity to the instituting order could have reflected negatively upon those carriers that did not fully comply.

---

<sup>37</sup> Spirit has been granted authority to operate service in the U.S.-Cartagena market, which is not a limited entry market.

## **Economic Authority**

We propose to grant Delta, JetBlue, and Spirit exemption authority for a period of two years, subject to renewal, and to make this authority effective immediately upon issuance of a final order in this proceeding.<sup>38</sup> We note that Continental currently holds certificate authority to provide Houston-Bogota service on Route 645, granted by Order 2001-12-8, in Docket DOT-OST-1996-1318.

We will impose a startup condition for each award. We will require that Delta, JetBlue, and Spirit begin service within 90 days of the effective date of their frequency award. Continental indicated that it would be prepared to institute service on October 1, 2008. Therefore, we will require that Continental institute service on that date.<sup>39</sup>

In addition, consistent with our standard practice, we propose that the frequencies allocated in this proceeding be subject to our standard 90-day dormancy condition, wherein any frequencies not operated for a period of 90 days (once inaugurated) would be deemed dormant. Under the dormancy condition, if any of the frequencies allocated are not used for a period of 90 days (once inaugurated), the frequency allocation with respect to each frequency would expire automatically and the frequency would revert to the Department for reallocation.<sup>40</sup>

### **ACCORDINGLY,**

1. We tentatively decide to reallocate seven of American's currently held U.S.-Colombia scheduled combination frequencies, effective April 1, 2008;
2. We tentatively award Delta Air Lines, Inc. exemption authority to engage in scheduled foreign air transportation of persons, property, and mail between New York, New York (JFK), and Bogota, Colombia, and effective immediately, allocate it seven weekly frequencies to perform its proposed operations;
3. We tentatively award JetBlue Airways Corporation exemption authority to engage in scheduled foreign air transportation of persons, property, and mail between Orlando, Florida, and Bogota, Colombia, and effective April 1, 2008, allocate it seven weekly frequencies to perform its proposed operations;

---

<sup>38</sup> We find Delta, JetBlue, and Spirit fit to provide the authorized services. Each of the carriers has been found to be a citizen of the United States, and fit, and willing, and able to provide scheduled foreign air transportation of persons, property, and mail as a certificated air carrier under section 41102 of Title 49 U.S.C. (*See* Order 2006-1-1). We further find that issuance of the authority granted will not result in a near term increase of annual fuel consumption in excess of ten million gallons.

<sup>39</sup> Consistent with our standard practice in awarding frequencies, the carriers must inaugurate service with all of the frequencies allocated here within 10 days of their required start-up dates. Any frequency not inaugurated accordingly will revert to the Department.

<sup>40</sup> As we have noted in other limited entry proceedings, the frequencies allocated represent valuable rights obtained in exchange for rights to Colombian carriers. Accordingly, we remind the selected carriers that the frequencies awarded are for weekly operations. A scheduled carrier may not bank frequencies from one week to the next.

4. We tentatively award Spirit Airlines, Inc. exemption authority to engage in scheduled foreign air transportation of persons, property, and mail between Ft. Lauderdale, Florida, and Bogota, Colombia, and effective April 1, 2008, allocate it seven weekly frequencies to perform its proposed operations;
5. We tentatively allocate Continental Airlines, Inc. seven weekly frequencies for its proposed Houston-Bogota service, effective October 1, 2008;
6. To the extent not granted, we tentatively deny the remaining applications in this proceeding;
7. We deny the December 14, 2007 motion of JetBlue Airways Corporation for leave to file supplement No. 1 to its application;
8. We direct any interested parties having objections to our tentative findings and conclusions set forth in this order and in ordering paragraphs 1 through 6 above, to file their objections, in the above-captioned docket, with the Department's Docket Section, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, S.E., Washington, D.C., 20590, no later than fourteen (14) calendar days from the date of service of this order; answers thereto shall be filed no later than seven (7) calendar days thereafter;<sup>41</sup>
9. If timely and properly supported objections are filed, we will afford full consideration to the matters or issues raised by the objections before we take further action;<sup>42</sup> if no objections are filed, we will deem all further procedural steps to be waived and will proceed to enter a final order awarding the authority proposed in this order; and
10. We will serve this order on the parties to the captioned docket of the order, the Colombian Ambassador to the United States in Washington, DC, the Federal Aviation Administration, and the U.S. Department of State (Office of Aviation Negotiations).

By:

**MICHAEL W. REYNOLDS**  
Acting Assistant Secretary for Aviation  
and International Affairs

(SEAL)

*An electronic version of this document is available on the World Wide Web at:*  
<http://www.regulations.gov>

---

<sup>41</sup> The original filing should be on 8½" x 11" white paper using dark ink and be unbound without tabs, which will expedite use of our docket imaging system. In the alternative, filers are encouraged to use the electronic filing submission capability available through the Dockets/FDMS Internet site (<http://www.regulations.gov>) by following the instructions at the web site.

<sup>42</sup> As we are providing for the filing of objections to this tentative decision, we will not entertain petitions for reconsideration of this order.

Appendix A

**Current Service Summary (U.S.-Colombia Frequency-Limited Points)**<sup>1</sup>

<b>Airline</b>	<b>Route</b>	<b>Freq</b>
American (42)	Miami-Bogota Miami-Medellin Miami-Cali	3X Daily 2X Daily Daily
Continental (21)	Newark-Bogota Houston-Bogota Houston-Cali	Daily Daily 3-4X Weekly <sup>2</sup>
Delta (7)	Atlanta-Bogota	Daily
Avianca (53)	Fort Lauderdale-Bogota New York-Bogota New York-Medellin Los Angeles-Bogota Miami-Bogota Miami-Cali Miami-Medellin	Daily Daily Daily 4X Weekly 2X Daily Daily Daily

<sup>1</sup> Lan Airlines, S.A., a foreign air carrier of Chile, also offers three weekly flights between Miami and Bogota.

<sup>2</sup> Continental has authority to operate four of its seven Houston-Cali frequencies on a seasonal basis.

## Appendix B

### 2007/2008 U.S.-Colombia Combination Frequency Proceeding Applications

Applicant	Proposed Routing	Type Aircraft	Capacity	Freqs	Start-Up Date
American	Miami-Bogota Miami-Medellin	B757 B737	188 Seats 148 Seats	3 4	12/13/07
Continental	Houston-Bogota	B737	124 Seats	7	4/1/08 or 10/1/08
Delta	New York (JFK)-Bogota Atlanta-Medellin Atlanta-Cali	B757 B737 B737	183 Seats 160 Seats 160 Seats	7 4 3	12/1/07 4/1/08 4/1/08
JetBlue	New York (JFK)-Orlando-Bogota Washington (IAD)-Fort Lauderdale-Bogota	A320 A320	150 Seats 150 Seats	7 7	4/1/08 10/1/08
Spirit <sup>1</sup>	Fort Lauderdale-Bogota Fort Lauderdale-Medellin	A319 A319	144 Seats 144 Seats	14 14	Various <sup>2</sup>
US Airways	Washington (DCA)-Charlotte-Bogota	A319	124 Seats	7	10/1/08

### Proposed Schedules

Carrier	Dep	Arr	Dep	Arr
American				
Continental	Houston (2355) Bogota (0015)	Bogota (0514) Houston (0510)		
Delta JFK-BOG	New York JFK (1600) Bogota (0800)	Bogota (2055) New York JFK (1500)		
Delta ATL-MDE	Atlanta (1630) Medellin (0915)	Medellin (1945) Atlanta (1430)		
Delta ATL-CLO	Atlanta (1630) Cali (0835)	Cali (2025) Atlanta (1430)		
JetBlue JFK-MCO-BOG	New York JFK (1515) Bogota (2355)	Orlando (1805) Orlando (0505)	Orlando (1905) Orlando (0705)	Bogota (2230) New York JFK (0931)
JetBlue IAD-FLL-BOG	Dulles (1615) Bogota (2359)	Ft. Lauderdale (1855) Ft. Lauderdale (0450)	Ft. Lauderdale (1955) Ft. Lauderdale (0710)	Bogota (2305) Dulles (0935)
Spirit	Various scenarios <sup>3</sup>			
US Airways	Washington Reagan (1400) Bogota (0820)	Charlotte (1525) Charlotte (1442)	Charlotte (1620) Charlotte (1620)	Bogota (2034) Washington Reagan (1740)

<sup>1</sup> Spirit proposes a variety of single plane service options.

<sup>2</sup> Spirit requests the seven frequencies available December 1, 2007, for FLL-BOG service, 14 frequencies April 1, 2008, for its second FLL-BOG and first FLL-MDE service, and seven frequencies available October 1, 2008, for its second FLL-MDE service.

<sup>3</sup> Spirit proposes to initially operate daily service between: 1) DCA-FLL-BOG-FLL-ORD; and 2) DCA-FLL-MDE-FLL-ORD. If awarded all 28 frequencies as of 10/1/08, it then proposes to operate daily service between: 1) LAX-FLL-BOG-FLL-LGA; 2) LGA-FLL-BOG-FLL; and 3) DCA-FLL-MDE-FLL-ORD. It would also operate four weekly frequencies between FLL-MDE-FLL-MCO-ATL and three weekly frequencies between ATL-MCO-FLL-MDE-FLL.