



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

Issued by the Department of Transportation on August 26, 1998

**NOTICE OF ACTION TAKEN -- DOCKET OST 96-1372**

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: AEROLINHAS BRASILEIRAS, S.A. ("ABSA")

Date Filed: July 31, 1998

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to continue to conduct charter foreign air transportation of property and mail between a point or points in Brazil and a point or points in the United States, and other charters, in accordance with the Department's regulations (14 CFR Part 212).

If renewal, date and citation of last action: Notice of Action Taken July 17, 1997, in this Docket.

Applicant representative(s): Celestino Pena, 305-381-6252

Responsive pleadings: None.

**DISPOSITION**

Action: Approved.

Action date: August 26, 1998

Effective dates of authority granted: August 26, 1998, through August 26, 1999.

Basis for approval: United States-Brazil Air Transport Agreement (Agreement).

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated:

Standard exemption conditions

Special conditions/Partial grant/Denial basis/Remarks: ABSA may not conduct any charters to/from the United States without prior Department approval, in the form of a Statement of Authorization. The authority granted ABSA here is subject to the terms, limitations and conditions of the U.S.-Brazil Agreement, in addition to our standard exemption conditions.

Action taken by: Paul L. Gretch, Director  
Office of International Aviation

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) immediate action was required and was consistent with Department policy; (2) the applicant was qualified to perform its proposed operations; (3) grant of the authority was consistent with the public interest; and (4) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:  
<http://dms.dot.gov/general/orders/aviation.html>.*