

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Agreements Adopted by the Traffic
Conferences of the International Air
Transport Association

Docket OST-00-

APPLICATION FOR APPROVAL OF AGREEMENTS
BY THE
INTERNATIONAL AIR TRANSPORT ASSOCIATION

3 November 2000

Communications with respect to
this document should be sent to:

David M. O'Connor
Director, External Relations - United States
International Air Transport Association
1776 K St. N.W. Suite 400
Washington, D.C. 20006

(202) 293-9292

Summary	DOCKET: OST-00-	DOT ORDER: pending
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Date: 3 November 2000

Filing fee/IATA Acct: \$61 - 2000-06

US/UST involved: Yes

End of Government Filing Period: 23 November 2000

Intended effective date: **1 January 2001**

Agreement: **PTC COMP 0718** dated 3 November 2000

Mail Vote 093 - Resolution 010h

Special Passenger Currency Conversion Resolution - euro

APPLICATION FOR APPROVAL OF AGREEMENT

Pursuant to statements submitted by Member airlines of the International Air Transport Association (IATA), the undersigned has been constituted to be their attorney-in-fact for filing with the Department of Transportation copies of agreements adopted by the IATA Traffic Conferences.

On their behalf, and pursuant to Sections 41308 and 41309 of Title 49 of the United States Code and Parts 303.03, 303.05 and 303.30(c) of Title 14 of the Code of Federal Regulations, I am filing with the Department this application for approval of an IATA agreement.

This agreement and related factual and explanatory material and documentation required by 14 C.F.R. 303.31 and Department and Civil Aeronautics Board (CAB) precedent are contained in the IATA Traffic Conference documentation summarized above.

This agreement arises from the continuing process of Tariff Coordinating Conferences and was developed in the context of prior Department and CAB rulings addressing related resolutions which reflected regulatory and market conditions then in effect. Thus, the present agreement should be viewed as part of a dynamic process of IATA Member airline adjustment to governmental and economic factors.

On previous occasions, the Department has found such agreements to be consistent with the public interest when they do not result in fares or rates that are unlawful or injurious to competition in the markets at issue. Approval of the present agreement would not yield fares or rates that are unlawful or injurious to competition. Moreover, approval of this agreement, which reflects compromises among the differing economic and social philosophies of the many nations whose airlines are parties, will advance the public interest in maintaining good aviation relations with other countries.

We request early approval by the Department of the foregoing agreement, pursuant to 49 U.S.C. 41309, and the grant of full antitrust immunity, pursuant to 49 U.S.C. 41308.

The conferral of full antitrust immunity would be in the public interest and necessary for the transaction to proceed. This agreement is a product of the IATA Tariff Coordinating Conferences which the Department found to be anticompetitive but nevertheless approved and immunized in Order 85-5-32 (May 6, 1985) on foreign policy and comity grounds because such action is necessary to achieve the serious transportation need of maintaining good aviation relations with other countries and these benefits are not obtainable by reasonably available means having materially less anticompetitive effects.

Insofar as this agreement concerns fares or rates between non-U.S. points, in which respect they have at most indirect application in foreign air transportation, the U.S. authorities have recognized (e.g, Order 79-8-194, 30 August 1979) that the interests of other sovereign nations in the conditions governing air transportation between them greatly exceed any that the U.S. might have by reason of U.S. airline, citizen or shipper participation. This agreement is not adverse to the public interest or in violation of the Act and, therefore, full immunity should be granted.

Respectfully submitted:

David M. O'Connor
Director, External Relations - United States
International Air Transport Association
Attorney-in-fact

CERTIFICATE OF SERVICE

A copy of this application or a summary notice thereof has been served by first class or priority mail on the following persons:

Chief, Transportation, Energy
& Agriculture Section
Antitrust Division
Department of Justice
Washington D.C. 20530

Donald L. Pevsner
1765 East Riviera Drive
Merritt Island, FL 32952
(upon request)

David M. O'Connor

3 November 2000
Date Served



International Air Transport Association

IATA Centre, Route de l'Aéroport 33
P.O. Box 416
CH-1215 Geneva 15 Airport
Switzerland

3 November 2000

M E M O R A N D U M

PTC COMP 0718

TO: Members Participating in Tariff Coordinating Conferences (SP-1076)

FROM: Senior Director, Tariff Services

SUBJECT: **Mail Vote 093** - Resolution 010h
Special Passenger Currency Conversion Resolution - euro
(Amending)
Intended Effective Date: 1 January 2001

VOTING RESULT - AFFIRMATIVE

This confirms message TW747 of 1 November 2000 which declared the above mentioned Mail Vote adopted as circulated by TW746 dated 25 October 2000.

The filing period for the attached Resolution(s) ends **23 November 2000**. Members are reminded of their obligations under Resolutions 001 and 006 to advise this Office by the end of the filing period whether approval by their Government authorities is required and, if so, to accomplish the necessary filing formalities. The effective date will be declared in accordance with Resolutions 001 and 006, when all the known necessary Government approvals have been received.

At a European Council Meeting held on 19 June 2000 it was agreed that Greece would join the EMU as of 1 January 2001. Consequently, amendment to Resolution 010h is necessary.

Philip Djaferis
Senior Manager, Tariff Services

**SPECIAL PASSENGER CURRENCY CONVERSION RESOLUTION
- EURO -**

PTC1(Mail 093)010h
PTC2(Mail 093)010h
PTC3(Mail 093)010h
PTC12(Mail 093)010h
PTC23(Mail 093)010h
PTC31(Mail 093)010h
PTC123(Mail 093)010h

Amending

Filing Period: Begins: 2 November 2000 Intended Effectiveness: 1 January 2001
Ends: 23 November 2000 Expiry: Indefinite

Type: B

RESOLVED that, Greece is incorporated into Resolution 010h as follows:

Paragraph 6)

Country	Currency Code	Currency Name	Local Currency Fares	Other Charges	Decimal Units	Notes
Greece	GRD	Drachma	1	1	0	4

Attachment

EMU Countries	Currency	Fixed Conversion Rate to the euro	Effective Date
Greece	GRD	340.750	26 Mar 2001