BEFORE THE 
DEPARTMENT OF TRANSPORTATION 
WASHINGTON, D.C.

Application of

ANTONOV AIRLINES

for an emergency exemption pursuant to
49 U.S.C. § 40109(g)

APPLICATION OF ANTONOV AIRLINES
FOR AN EMERGENCY EXEMPTION

Communications with respect to this document should be sent to:

Patrick R. Rizzi
HOGAN LOVELLS US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004
+1 202 637 5659
patrick.rizzi@hoganlovells.com

Counsel for
ANTONOV COMPANY
t/a ANTONOV AIRLINES

November 20, 2017

NOTICE: THIS APPLICATION IS BEING FILED PURSUANT TO THE EMERGENCY EXEMPTION PROCEDURES OF 14 C.F.R. § 302.311, WHICH AUTHORIZE THE DEPARTMENT TO ACT ON EMERGENCY EXEMPTION REQUESTS IMMEDIATELY. ANY PERSON INTERESTED IN FILING AN ANSWER IS REQUESTED TO DO SO IN THE ABOVE DOCKET IMMEDIATELY. COPIES OF THE SUBMISSION SHOULD BE SERVED ON THE PERSONS LISTED ABOVE AND ON THE ATTACHED SERVICE LIST.
BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

APPLICATION OF ANTONOV AIRLINES
FOR AN EMERGENCY EXEMPTION

Antonov Company t/a Antonov Airlines (“Antonov”) hereby applies for an emergency exemption pursuant to 49 U.S.C. §§ 40109(g) and 41703(c) to permit Antonov to operate a single one-way all-cargo charter flight transporting outsized rocket hardware, consisting of payload fairing halves loaded on a shipping fixture and a trailer, plus ancillary parts and support equipment, from Titusville (Shuttle Landing Facility), Florida, to Los Angeles, California, November 21-22, 2017, using an AN-124-100 aircraft. Antonov respectfully requests expedited consideration and approval of this application to address a pressing commercial requirement of Space Exploration Technologies Corp. (“SpaceX”).

In support of this application, Antonov states the following:

1. Antonov holds a foreign air carrier permit authorizing it to engage in charter all-cargo foreign air transportation between the United States and any point or points. See DOT Order 2016-10-18.

2. SpaceX, a company that designs, manufactures, and launches rockets and spacecraft, has chartered Antonov to operate a flight transporting rocket payload fairing halves loaded on a shipping fixture and a trailer, plus ancillary parts and support
equipment, from the Shuttle Landing Facility at the Kennedy Space Center in Florida to
Los Angeles, California (LAX). See attached support memorandum from SpaceX. The
unit that needs to be transported measures approximately 706” x 222” x 164” and
weighs approximately 62,000 lbs. Cargo of this size cannot be accommodated by any
freighter aircraft operated by U.S. carriers. As a result, the fairing halves need to be
transported using Antonov’s AN-124-100 aircraft.

3. The timely movement of this trailer unit from Florida to California is
necessary to enable SpaceX to commence expedited processing of the fairing halves at
its facilities in Hawthorne, California. Failure to deliver the hardware to California on or
about November 21, 2017\(^1\) would have compounding repercussions that would
adversely impact scheduled launch missions. Such an outcome would be unduly
harmful and costly to SpaceX and its launch customers.

4. Thus, this application meets all of the relevant criteria for the grant of an
exemption under 49 U.S.C. § 40109(g):

a. Grant of this application is in the public interest. The planning,
development, assembly, and execution of rocket launches is an extremely complex
process, the success of which requires the fulfillment of multiple, sequential milestones.
Expedited air transportation of the payload fairing halves to LAX using Antonov’s
AN-124-100 will help enable SpaceX to meet its launch commitments, which will have a
positive impact on the U.S. rocket launch and space industries in general, SpaceX as a
leading U.S. launch provider, and the various commercial enterprises and governmental
agencies in the United States that have contracted SpaceX to provide launch services.

\(^1\) The aircraft is scheduled to position to Titusville on the morning of November 21 and the flight
to LAX is scheduled to depart in the early afternoon. Antonov requests a period of validity of
**November 21-22, 2017** to account for slight unforeseen flight delays or other changes.
b. Approval of the requested exemption authority is necessary to enable Antonov to respond to an emergency created by unusual circumstances. As explained in the attached support memorandum, SpaceX urgently needs to move payload fairing halves from Cape Canaveral to its facilities in Hawthorne, California, to expedite processing of the fairing halves for upcoming launch missions. Ground transportation would be too time consuming (taking at least 7 days but likely longer in light of traffic congestion during the Thanksgiving holiday and road permit requirements) and would unnecessarily expose the hardware to damage on the open road. In light of these considerations, air transportation is the most suitable means of transporting the fairing halves from Florida to California, but no civil aircraft operated by U.S. carriers is capable of carrying this cargo due to the extreme size of the rocket hardware as loaded on a shipping fixture and a trailer. Antonov’s AN-124-100, on the other hand, is uniquely capable of accommodating this cargo, and its use is the only way to address the unusual circumstances faced by SpaceX.

c. Thus, grant of this exemption application is necessary to avoid unreasonable hardship for the traffic and U.S. shipper at issue. Simply put, without approval of this application, the transportation of critical rocket hardware that needs to be processed by SpaceX for upcoming launch missions will be unnecessarily delayed. Failure to authorize transportation of this cargo by an AN-124-100 aircraft would have adverse economic and operational effects on SpaceX, its launch customers, and end users that will rely on and benefit from the launch services provided by SpaceX.

---

2 Counsel for Antonov will contact the U.S. operators of large all-cargo aircraft set forth in the service list attached to this application to verify that each carrier cannot accommodate the cargo and does not oppose the grant of this application, and will promptly notify the Department of the polling results.
5. Antonov’s fitness and ability to carry out the proposed transportation has been amply demonstrated through its conduct of numerous outsized cargo charter operations over the past several years. Antonov was first granted DOT authority in 1991 by Order 91-10-11, and has operated numerous outsized cargo charters to, from and within the United States since that time. As noted above, Antonov holds independent DOT permit authority, which was issued by Order 2016-10-18.

6. Grant of this application is consistent with Department precedent. The Department has previously granted emergency exemption authority to permit Antonov to conduct commercial flights between U.S. points on numerous occasions where AN-124-100 aircraft were similarly needed to deliver outsized cargo, including space launch hardware and payloads, on an emergency basis. In these instances, the Department has consistently found that approval of such requests is in the public interest. See, e.g., Order 99-7-12; Notice of Action Taken dated November 17, 2006 (Docket DOT-OST-2006-26385); Notice of Action Taken dated February 21, 2007 (Docket DOT-OST-2007-27326); Notice of Action Taken dated October 31, 2016 (Docket DOT-OST-2016-0207).

7. Section 302.311 of the Department’s Procedural Regulations provides that the Department may act on an emergency exemption application immediately. In light of the exigent circumstances, Antonov respectfully requests expeditious approval of this emergency exemption application in order to provide assurances to SpaceX that Antonov will be permitted to transport the payload fairing halves on the required date.
WHEREFORE, for the foregoing reasons, Antonov respectfully requests that the Department issue an emergency exemption permitting Antonov to operate a single one-way all-cargo charter flight transporting outsized rocket hardware, consisting of payload fairing halves loaded on a shipping fixture and a trailer, plus ancillary parts and support equipment, from Titusville (Shuttle Landing Facility), Florida, to Los Angeles, California, November 21-22, 2017, as described herein, and grant such other and further relief as the Department deems to be consistent with the public interest.

Respectfully submitted,

Patrick R. Rizzi
HOGAN LOVELLS US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004
+1 202 637 5659
patrick.rizzi@hoganlovells.com

Counsel for
ANTONOV COMPANY
t/a ANTONOV AIRLINES
Nov 19, 2017

Memorandum C17-077

Antonov Airlines
Diamond Hangar, Long Border Road
London Stansted Airport, CM24 1RE
United Kingdom

Subject: Request for Antonov Support

SpaceX requests AN-124 to transport rocket hardware (payload fairing halves) to expedite processing for upcoming missions. The approval of the air-freight shipment on Nov 20 is critical to multiple missions. Due to the size of the cargo, the typical duration for Los Angeles to Cape Canaveral ground transportation is approximately 7 days. During this Thanksgiving holiday week, the duration would likely be nearly 11 days due to road permit restrictions as well as increasing the exposure of this critical piece of flight hardware on the open road. Key milestones in the next 60 days will slip day for day with the Los Angeles arrival date of this hardware, so it is imperative we save as much time possible.

Dimensions of the fairing halves loaded on the fixture & trailer will exceed 14 feet in height and 18 feet in width.

U.S. domestic sources cannot accommodate hardware (C5 is only ~13'6" tall, C17 is only 18' wide).

Our primary POC is Josh Patnode, Flight Module Logistics Manager, at (310) 970-3635 or at josh.patnode@spacex.com. I may be reached at (321) 730-4074 or at julia.black@spacex.com for any questions or comments.

Thank you in advance for your time and support.

Regards,

[Signature]

JULIA C. BLACK
Space Exploration Technologies, Inc.
Range Coordinator

cc: file
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Application of Antonov Airlines for an Emergency Exemption has been served this 20th day of November, 2017, upon each of the following addressees:

pmurphy@lopmurphy.com; rsilverberg@sgbdc.com; jjohnson@sgbdc.com; JCanny@amerijet.com; rpommer@atlasair.com; john@mietuslaw.com; alex.krulic@delta.com; chris.walker@delta.com; sllunsford@fedex.com; sharon.pasley@fedex.com; matwood@cozen.com; lstauffer@wallaceair.com; nwallace@wallaceair.com; rzerkel@lac.lynden.com; jdvais@lac.lynden.com; mlbenge@zsrlaw.com; mwiegele@nac.aero; kevin.montgomery@polaraircargo.com; dan.weiss@united.com; steve.morrissey@united.com; pdoell@naca.cc; James.H.Speight@faa.gov; Jaime.H.Insurriaga@faa.gov; Alphonsus.Garraway@faa.gov; Jose.R.Benavides@faa.gov

Jonathan Echmalian