

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Application of)
)
 ANTONOV AIRLINES) Docket DOT-OST-2018-_____
)
 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

January 5, 2018

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.

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**APPLICATION OF ANTONOV AIRLINES
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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 Los Angeles, California, to Titusville (Shuttle Landing Facility) or Cape Canaveral (Air Force Station Skid Strip), Florida, January 10-13, 2018, 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 Los Angeles, California (LAX), to the Shuttle Landing Facility at the Kennedy Space Center in Cape Canaveral, Florida.¹ 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 payload fairing halves are currently being readied for launch missions at SpaceX's facilities in Hawthorne, California. The timely transportation of the fairing halves to Cape Canaveral immediately following SpaceX's anticipated completion of the processing in Hawthorne is vitally important. Failure to deliver this cargo on or about January 11, 2018,² would have compounding repercussions that would adversely impact SpaceX's 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 delivery of the payload fairing halves from Los Angeles to Cape Canaveral by air using Antonov's AN-124-100 will help enable SpaceX to meet its launch

¹ Antonov is requesting the flexibility to operate the flight to either the Shuttle Landing Facility or the nearby Cape Canaveral Air Force Station Skid Strip in the event the Shuttle Landing Facility is not available due to conflicts with other activities at that site.

² The aircraft is scheduled to position to LAX on January 10 and to depart for Titusville/Cape Canaveral early the following day. Antonov requests a period of validity of **January 10-13, 2018**, to account for circumstances accelerating or delaying the flight schedule.

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.

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 transport payload fairing halves from its facilities in Hawthorne, California, to Cape Canaveral, Florida, to achieve upcoming launch objectives under a compressed schedule. Ground transportation would be too time consuming (taking at least 7 days) 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 California to Florida, 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.³ 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 SpaceX needs 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

³ 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.

operational effects on SpaceX, its launch customers, and end users that will rely on and benefit from the launch services provided by SpaceX.

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. The Department has consistently found that approval of such requests is in the public interest. See, e.g., Order 99-7-12, and Notices of Action Taken dated November 17, 2006 (Docket DOT-OST-2006-26385), February 21, 2007 (Docket DOT-OST-2007-27326), October 31, 2016 (Docket DOT-OST-2016-0207), November 21, 2017 (Docket DOT-OST-2017-0189), and December 1, 2017 (Docket DOT-OST-2017-0193).

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 Los Angeles, California, to Titusville (Shuttle Landing Facility) or Cape Canaveral (Air Force Station Skid Strip), Florida, January 10-13, 2018, 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

Jan 3, 2018

Memorandum C18-003

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 airfreight shipment 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 day 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 Cape Canaveral arrival date of this hardware, so it is imperative we save as much time as possible in order to meet immediate launch dates.

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).

I will be the primary POC, Josh Patnode, Flight Module Logistics Manager, and can be reached at (310) 970-3635 or at josh.patnode@spacex.com. You can also reach Julia Black, Range Coordinator, 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,



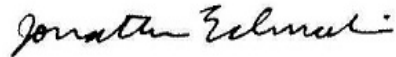
JOSH PATNODE
Space Exploration Technologies, Inc.
Logistics manager

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 5th day of January, 2018, 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; jdavis@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; Kenneth.J.Haynes@faa.gov; Jose.R.Benavides@faa.gov



Jonathan Echmalian