

Bd.

DEPT. OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.

Motion of

US AIRWAYS, INC.

Docket OST-96-1826  
(former Docket 48735)

for confidential treatment of documents pursuant  
to Rule 39 of the Rules of Practice (Form 41,  
Schedule B-7)

**MOTION OF US AIRWAYS, INC.  
FOR CONFIDENTIAL TREATMENT**

Communications with respect to this document should be sent to:

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August 9, 1999

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
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Motion of

US AIRWAYS, INC.

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**MOTION OF US AIRWAYS, INC.  
FOR CONFIDENTIAL TREATMENT**

Pursuant to Rule 39 of the Department's Rules of Practice (14 C.F.R. § 302.39), US Airways, Inc. ("US Airways") hereby requests confidential treatment of certain information contained in US Airways' Form 41 filing for the quarter ended June 30, 1999, Schedule B-7 — Airframe and Aircraft Engine Acquisitions and Retirements. This schedule is submitted separately herewith under seal, marked with a request for confidential treatment pursuant to Rule 39. US Airways requests that these data be withheld from public disclosure for a period of at least ten (10) years. In support of this request, US Airways states as follows:

The Freedom of Information Act, 5 U.S.C. § 552(b)(4), provides that privileged or confidential commercial and financial information obtained from a private person is specifically exempted from the requirements of public disclosure due to its business sensitive

**US Airways Motion for  
Confidential Treatment**

nature.<sup>1</sup> The information for which US Airways requests confidential treatment is confidential and proprietary commercial and financial information, obtained from US Airways, a private party, the public release of which would cause substantial competitive and financial injury to US Airways. Accordingly, the information should be withheld from public disclosure.

The information at issue is cost, amortization/depreciation and realization data relating to US Airways' airframes and aircraft engines as of June 30, 1999. This information is contained in columns 9, 10, and 11 of US Airways' Schedule B-7. In addition to filing this confidential schedule under seal, US Airways is submitting to the Office of Aviation Analysis redacted copies of the schedule, available for public inspection, which omit these confidential data.

The Department has previously determined that the confidential and competitively-sensitive data contained in US Airways' B-7 report are entitled to confidential treatment. By letter of James W. Mitchell, Director, Office of Airline Statistics, the Department granted prior US Airways' requests for confidential treatment of this same information for earlier reporting periods and ruled that it be withheld from public disclosure for a period of ten (10) years. The Department's reasoning applies with equal force to US Airways' present motion and submission.

<sup>1</sup> Gulf & Western Industries, Inc. v. U.S., 615 F.2d 527, 529 (D.C. Cir. 1979).

**US Airways Motion for  
Confidential Treatment**

WHEREFORE, US Airways respectfully requests that the confidential information contained in its Form 41, Schedule B-7 report detailed above be withheld from public disclosure for at least ten (10) years.

Respectfully submitted,

By:

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