

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

Joint application of

**WESTJET and
WESTJET ENCORE LTD.**

for blanket statements of authorization under
14 CFR Part 212 (blanket codesharing)

DOT-OST-2015-_____

**JOINT APPLICATION OF WESTJET AND WESTJET ENCORE LTD.
FOR STATEMENTS OF AUTHORIZATION**

Communications with respect to this document should be sent to:

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Counsel for WestJet and WestJet Encore Ltd.

November 24, 2015

Notice: Any person who wishes to support or oppose this application may file an answer on or before December 9, 2015. WestJet and WestJet Encore are requesting expedited treatment of this application and will poll the carrier representatives on the attached service list and report the polling results to the Department.

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FOR STATEMENTS OF AUTHORIZATION**

WestJet and its affiliate WestJet Encore Ltd. (“Encore”) apply for statements of authorization pursuant to 14 CFR Part 212 to the extent necessary to enable WestJet and Encore to display the Emirates EK* designator code on flights operated by WestJet and Encore from any point or points behind Canada, via any point or points in Canada, and via intermediate points to any point or points in the United States and beyond. WestJet and Encore intend to inaugurate codeshare service as soon as possible following receipt of all required governmental approvals by initially displaying the EK* designator code on flights operated by WestJet and Encore between points in Canada on the one hand, and Boston (BOS), Dallas/Ft. Worth (DFW), Houston (IAH), New York (JFK), Los Angeles (LAX), San Francisco (SFO), Orlando (MCO), and Chicago (ORD) on the other hand. WestJet and Encore further request that the statements of authorization be issued for an indefinite period.

In support of this application, WestJet and Encore submit the following:

1. WestJet, a Canadian air carrier, currently holds all underlying economic authority necessary to operate the flights for which it is requesting authority to display the Emirates EK*

designator code. WestJet operates service between Canada and the United States pursuant to its foreign air carrier permit issued by Order 2012-6-6 (June 7, 2012) authorizing it to engage in scheduled foreign air transportation of persons, property, and mail from points behind Canada via Canada and intermediate points to a point or points in the United States and beyond.

2. Encore, a Canadian air carrier affiliate of WestJet, currently holds all underlying economic authority necessary to operate the flights for which it is requesting authority to display the Emirates EK* designator code. Encore holds a foreign air carrier permit issued by Order 2015-4-7 (April 14, 2015) authorizing it to engage in scheduled and charter foreign air transportation of persons, property, and mail from points behind Canada, via Canada and intermediate points, to a point or points in the United States and beyond, and a Statement of Authorization issued by Order 2015-1-15 authorizing it to operate U.S.-Canada transborder service for WestJet under the “WestJet” name.

3. Emirates, an air carrier of the United Arab Emirates (“UAE”), currently holds all underlying economic authority necessary to hold out the WestJet and Encore flights on which its EK* designator code will be displayed and for which authority is requested. Emirates holds a foreign air carrier permit issued by Order 2004-12-17 (November 2, 2004) authorizing it to engage in scheduled foreign air transportation of persons, property, and mail between points behind the UAE, via the UAE and intermediate points, and any point or points in the United States, and beyond.

4. WestJet, Encore, and Emirates have entered into a codesharing agreement, and WestJet now is requesting a statement of authorization for blanket codeshare authority to display the Emirates EK * designator code on any segment or segments operated by WestJet from points

behind Canada via Canada and intermediate points to any point or points in in the United States and beyond.¹

5. Encore also is requesting a statement of authorization for blanket codeshare authority to display the Emirates EK * designator code on flights operated by Encore for WestJet from points behind Canada via Canada and intermediate points to any point or points in in the United States and beyond.

6. The requested authority is consistent with the March 12, 2007 U.S.-Canada Air Transport Agreement, Article 11(6) of which authorizes cooperative marketing arrangements including codesharing with third-country airlines. The requested authority is also consistent with the 1999 U.S.-UAE Air Transport Agreement, Article 8(7), which authorizes cooperative marketing arrangements, including codesharing with third-country airlines.

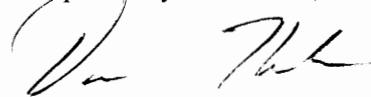
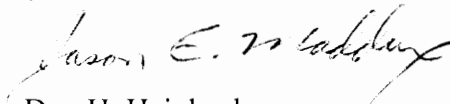
7. Blanket authorizations are in the public interest because they enable codeshare partners to develop the full range of services permitted under applicable air services agreements. The services contemplated by WestJet and Encore will provide a more efficient use of capacity in the marketplace and will help maximize the service options available to the traveling and shipping public. The requested authorizations also are consistent with the Department's grant of blanket codesharing authority to Emirates and its U.S. air carrier codeshare partners. *See, e.g.*, Department Action on Application, Docket DOT-OST-2015-0210 (November 4, 2015) granting blanket codesharing statements of authorization to Alaska Airlines, Horizon Air, and SkyWest Airlines to display the EK* designator code of Emirates; and Department Action on Application, Docket DOT-OST-2012-0052 (April 17, 2012) granting a blanket codesharing statement of authorization to JetBlue to display the EK* designator code of Emirates.

¹ Emirates does not intend to market this codeshare service to passengers traveling solely between Canada and the United States.

8. By submitting this application, WestJet and Encore hereby provide notice of their intent to display the EK* code on the routes described above, to and from open-skies points. Consistent with standard practice, WestJet and Encore will notify the Department no later than 30 days before commencing any codeshare services to non-open skies points. Any notification regarding non-open skies points will inform the Department of the codeshare market(s) to be served and the date on which the service will begin. WestJet and Encore will conduct all of their codeshare operations in compliance with 14 CFR Part 257 and will accept the Department's standard codeshare conditions.

ACCORDINGLY, WestJet and Encore submit that grant of the authority requested would be consistent with the public interest, and they respectfully request that the Department grant statements of authorization to display the Emirates EK* designator code on flights operated by WestJet and Encore from any point or points behind Canada, via any point or points in Canada, and via intermediate points to any point or points in the United States and beyond, and such other additional relief as the Department may deem appropriate. WestJet and Encore further request that the requested authority be granted for an indefinite period, consistent with the Department's practice.

Respectfully submitted,

Don H. Hainbach
Jason E. Maddux

Counsel for WestJet and WestJet Encore Ltd.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document by email on the following persons:


Vanessa C. Krasniewicz

November 24, 2015

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