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

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DOCKETS

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U.S.-RUSSIA OVERFLIGHT RIGHTS

Docket OST-97-2610-34

RENEWAL APPLICATION OF NORTHWEST AIRLINES, INC.

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May 4, 1999

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

U.S.-RUSSIA OVERFLIGHT RIGHTS : Docket OST-97-2610

RENEWAL APPLICATION OF NORTHWEST AIRLINES, INC.

Northwest Airlines, Inc. ("Northwest") hereby submits this application for renewal of its allocation of 8 weekly Russia overflight frequencies for use between points in Europe and the Indian subcontinent, last granted by Notice of Action Taken dated June 9, 1998, effective through June 16, 1999.¹

1. Annex 4 of the U.S.-Russia Air Transport Agreement provides that U.S. carriers collectively may overfly and stop for non-traffic purposes on a total of 28 flights per week (14 flights eastbound and 14 flights westbound) between points in Europe and the Indian subcontinent on approved Air Traffic Services (ATS) routings.

2. On June 9, 1998, the Department issued a Notice of Action Taken in which it allocated to Northwest 8 of the 28 available weekly Russia overflight frequencies for Northwest to use in conjunction with its U.S.-India operations. By this

¹ In submitting this renewal application, Northwest respectfully requests waiver of the advance filing requirements set forth in 14 C.F.R. § 377.10(c) of the Department's procedural regulations to enable Northwest's frequencies to continue in effect pursuant to the Administrative Procedure Act, 5 U.S.C. § 558(c).

application, Northwest seeks renewal of its eight weekly Russia overflight frequencies.

3. Northwest inaugurated daily service between the U.S. and India, via Amsterdam, on the week beginning October 1, 1997. Northwest presently operates three weekly U.S.-Amsterdam-Delhi roundtrips and four weekly roundtrips between the U.S. and Mumbai, via Amsterdam. Northwest, however, is unable to utilize its Russia overflight frequencies at this time due to the FAA's complete ban of all Afghanistan airspace to U.S. carrier operations. 63 Fed. Reg. 45658 (August 26, 1998). The FAA's closing of Afghanistan airspace has made it uneconomic for Northwest to operate between to/from India via Russia airspace. Under the circumstances, the Department recently amended the 90-day dormancy condition attached to Northwest's Russian overflight frequencies so that Northwest's 90-day dormancy condition will not begin to run until the FAA restores the right of U.S. carriers to overfly Afghanistan territory. Notice of Action Taken dated September 15, 1998 in Docket OST-97-2610.

4. Renewal of Northwest's frequency allocation is in the public interest for the same reasons underlying its previous grant. This allocation will permit Northwest to operate its U.S.-Amsterdam-India flights over the most efficient available routing that utilizes Russian airspace as soon as the right to overfly Afghanistan is restored. In submitting this renewal application, Northwest notes that Polar recently requested renewal of its Russia overflight frequencies in this docket.

Like Northwest, Polar is unable to operate over Russian airspace at this time due to the FAA's flight prohibition with respect to Afghanistan airspace. Northwest seeks the same treatment requested by Polar.

WHEREFORE, Northwest urges the Department to renew Northwest's allocation of 8 weekly Russia overflight frequencies to enable Northwest to operate between Europe and the Indian subcontinent over Russian territory.

Respectfully submitted,



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