

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

Motion of

JETBLUE AIRWAYS CORPORATION

for confidential treatment under Rule 12
(Form 41, Schedule B-7)

Docket DOT-OST-2000-8088

**MOTION OF JETBLUE AIRWAYS CORPORATION
FOR CONFIDENTIAL TREATMENT**

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August 20, 2020

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**MOTION OF JETBLUE AIRWAYS CORPORATION
FOR CONFIDENTIAL TREATMENT**

JetBlue Airways Corporation (JetBlue) hereby moves, pursuant to Rule 12 of the Department's Rules of Practice (14 C.F.R. Part 302.12), for confidential treatment of certain information contained in Schedule B-7 of JetBlue's Form 41 filing for the calendar quarter ending June 30, 2020. The Schedule for which JetBlue requests confidential treatment has been submitted separately pursuant to the Department's modified rules for submission of this data, under which a redacted copy need not be filed. JetBlue respectfully requests that the data submitted be withheld from public disclosure for a period of at least ten (10) years. In support of this request, JetBlue states as follows:

1. Under the Freedom of Information Act,¹ privileged and/or confidential commercial and financial information obtained from a private person is exempted from public disclosure requirements due to its sensitive business nature. *See Gulf & Western Industries, Inc. v. United States*, 615 F.2d 527, 529 (D.C. Cir. 1979). The information for which JetBlue, a private party,

¹ 5 U.S.C. § 552(b)(4).

requests confidential treatment is confidential and proprietary commercial and financial information. Public release would cause substantial competitive and financial harm to JetBlue. The information should therefore be withheld from disclosure to the general public.

2. The specific information at issue in this request is cost and depreciated cost or amortized value data relating to JetBlue's airframes and aircraft engines as of June 30, 2020. This information is contained in columns J and K of JetBlue's Schedule B-7 (Airframes and Aircraft Engine Acquisitions and Retirements).² JetBlue has filed this information with all fields completed, including cost data, via the Department's eSubmit system.

3. The Department has previously determined that the confidential and competitively sensitive data contained in Schedule B-7 is entitled to confidential treatment and JetBlue relies on this prior determination here.

WHEREFORE, JetBlue Airways Corporation respectfully requests that the confidential information contained in Schedule B-7 of its Form 41 report for the quarter ending June 30, 2020 be withheld from public disclosure for at least ten (10) years.

Respectfully submitted,



Reese Davidson
Manager, Staff Counsel International
JetBlue Airways Corporation

August 20, 2020

² See Index A.

INDEX A

Listing of Confidential Information in JetBlue Airways Corporation's Form 41
filing for the quarter ended June 30, 2020

Title/Description	Location in Document
<u>Schedule B-7</u> Airframes and Aircraft Engine Acquisitions and Retirements	Column J ("Cost")
<u>Schedule B-7</u> Airframes and Aircraft Engine Acquisitions and Retirements	Column K ("Depreciated Cost or Amortized Value")