

**BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, DC**

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Application of )  
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**SRILANKAN AIRLINES LTD.** )

) Docket DOT-OST-2004-18920  
)  
)

pursuant to 49 U.S.C. § 40109 )  
for an exemption from 49 U.S.C. § 41301 )  
\_\_\_\_\_)

**APPLICATION OF SRILANKAN AIRLINES LTD.  
FOR RENEWAL OF AN EXEMPTION**

Communications with respect to this document should be addressed to:

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Counsel for  
**SRILANKAN AIRLINES LTD.**

February 13, 2020

**NOTE: Any person may support or oppose this Application by filing an answer and serving a copy of the answer on counsel for SriLankan Airlines Ltd. and all persons listed on the attached service list. Answers are due on or before February 28, 2020.**

**BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
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Application of )

**SRILANKAN AIRLINES LTD.** )

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for an exemption from 49 U.S.C. § 41301 )  
\_\_\_\_\_)

DATED: February 13, 2020

**APPLICATION OF SRILANKAN AIRLINES LTD.  
FOR RENEWAL OF AN EXEMPTION**

Pursuant to 49 U.S.C. § 40109, SriLankan Airlines Ltd. (“SriLankan”) hereby applies for renewal of its exemption from 49 U.S.C. § 41301 authorizing it to engage in scheduled foreign air transportation of persons, property, and mail from points behind Sri Lanka, via Sri Lanka and intermediate points, to a point or points in the United States and beyond, pursuant to a code-share arrangement with any duly authorized and properly supervised U.S. or foreign air carrier.

In support of its application, SriLankan respectfully states as follows:

1. SriLankan holds an exemption from 49 U.S.C. § 41301 to engage in scheduled foreign air transportation of persons, property, and mail from points behind Sri Lanka, via Sri Lanka and intermediate points, to a point or points in the United States and beyond, pursuant to a code-share arrangement with any

duly authorized and properly supervised U.S. or foreign air carrier.<sup>1</sup> SriLankan has code-share agreements with Etihad Airways, Qatar Airways, and American.<sup>2</sup>

2. SriLankan requests that the Department renew its exemption for a period of at least two years, consistent with standard Department practice.

3. SriLankan invokes the automatic extension provisions of the Administrative Procedure Act, 5 U.S.C. § 558(c), as implemented by Part 377 of the Department's regulations, 14 C.F.R. Part 377, to continue its exemption authority in effect pending final action by the Department on this renewal application. SriLankan's exemption authority would expire on February 26, 2020, absent this renewal application, which is timely filed in compliance with 14 C.F.R. § 377.10(c)(3).

4. The Department has previously found SriLankan to be fit, willing and able to provide code-share services to the United States. The Department has also found that the exemption granted to SriLankan is fully consistent with the bilateral "open skies" air transport agreement between Sri Lanka and the United States.<sup>3</sup> That agreement grants U.S. and Sri Lankan air carriers broad traffic rights and the ability to enter into cooperative marketing arrangements,

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<sup>1</sup> Notice of Action Taken dated February 26, 2018 (Docket DOT-OST-2004-18920).

<sup>2</sup> Notice of Action Taken dated December 30, 2009 (Docket DOT-OST-2009-0295) (granting Etihad authority to display SriLankan's designator code on certain Etihad flights); Notice of Action Taken dated July 5, 2016 (Docket DOT-OST-2016-0118) (granting Qatar Airways authority to display SriLankan's designator code on certain Qatar Airways flights); Notice of Action Taken dated January 30, 2015 (Docket DOT-OST-2015-0010) (granting American authority to display SriLankan's designator code on certain American flights).

<sup>3</sup> Air Transport Agreement Between the Government of the United States of America and the Government of the Democratic Socialist Republic of Sri Lanka, November 1, 2001.

such as code-sharing arrangements, with an airline or airlines of either party or with an airline or airlines of a third country.<sup>4</sup>

5. The renewal of SriLankan's exemption is in the public interest, as it benefits consumers by authorizing the operation of direct air services between Sri Lanka and the United States and providing additional air service options for both travelers and shippers as contemplated by the U.S.-Sri Lanka open skies agreement.

WHEREFORE, SriLankan respectfully requests that the Department renew its exemption as requested herein and grant it such other or further relief as the Department may determine to be appropriate and consistent with the public interest.

Respectfully submitted,



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Counsel for  
**SRILANKAN AIRLINES LTD.**

Dated: February 13, 2020

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<sup>4</sup> U.S.-Sri Lanka Air Transport Agreement, Annex 1 and Article 8, Section 7.

## **CERTIFICATE OF SERVICE**

I hereby certify that I have this date served a copy of the foregoing Application of SriLankan Airlines Ltd. for Exemption Renewal on the following persons:

<b>ABX Air, Air Transport Int'l:</b>	rsilverberg@sbgdc.com jjohnson@sbgdc.com
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Dated: February 13, 2020

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Rachel Welford