

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

Application of

Air Italy, S.p.A.

for renewal of an exemption from
49 U.S.C. § 41301

Docket DOT-OST-2005-20571

APPLICATION OF AIR ITALY, S.p.A. FOR RENEWAL OF AN EXEMPTION

Communications with respect to this document should be served upon:

Anita M. Mosner
Benjamin T. Slocum
Marina V. O'Brien
HOLLAND & KNIGHT LLP
800 17th Street, NW, Suite 1100
Washington, DC 20006
(202) 419-2604
anita.mosner@hklaw.com

Attorneys for
AIR ITALY, S.p.A.

Date: May 11, 2020

NOTICE: ANY PERSON MAY FILE AN ANSWER TO THIS APPLICATION. ANSWERS MUST BE FILED IN THIS DOCKET AND SERVED UPON THE PERSONS LISTED ABOVE, ON OR BEFORE MAY 26, 2020.

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

Application of

Air Italy, S.p.A.

for renewal of an exemption from
49 U.S.C. § 41301

Docket DOT-OST-2005-20571

APPLICATION OF AIR ITALY, S.p.A. FOR RENEWAL OF AN EXEMPTION

Pursuant to 49 U.S.C. § 40109 and Subpart C of the Department's Rules of Practice Air Italy, S.p.A. ("Air Italy") applies for renewal of its exemption authority to provide foreign scheduled and charter air transportation of persons, property, and mail to the full extent of the open skies air transport agreement currently in place between the United States and the European Union.¹

In support of this renewal application, Air Italy states the following:

1. By Notice of Action Taken dated May 11, 2018, the Department issued an exemption from 49 U.S.C. § 41301 to Air Italy, permitting it "to engage in, in its new name of Air Italy, S.p.A., the foreign air transportation previously granted to Meridiana fly by Order 2012-9-12".² This exemption includes authority to provide:

- Foreign scheduled and charter air transportation of persons, property, and mail from any point or points behind any Member State of the European Union via any point or points in any Member State and via intermediate points to any point or points in the United States and beyond;
- Foreign scheduled and charter air transportation of persons, property, and mail between any point or points in the United States and any point or points in any member of the European Common Aviation Area; and

¹ United States – European Union Air Transport Agreement (Apr. 30, 2007)("U.S.-EU Open Skies Agreement").

² Notice of Action Taken (May 11, 2018), Docket DOT-OST-2005-20571.

- Foreign scheduled and charter cargo air transportation between any point or points in the United States and any other point or points.³

2. Although Air Italy has suspended its operations to the United States, the carrier continues to hold a homeland license to provide the service authorized by this exemption.

3. Renewal of the existing exemption held by Air Italy would be in the public interest, as it would preserve the status quo as the carrier reviews its options.

4. The operations covered by this requested renewal are consistent with the rights granted to EU air carriers under the U.S.-EU Open Skies Agreement.⁴

5. Air Italy will continue to comply with all of the conditions and limitations the Department has attached to their existing exemptions.

6. This Application is timely filed. Air Italy hereby 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 procedural regulations.

WHEREFORE, on the basis of the foregoing, Air Italy requests that the Department grant its request for renewal of exemption authority, and further requests any further relief that the Department determines to be consistent with the public interest.

Respectfully submitted,

/s/Anita Mosner

Anita M. Mosner
Benjamin T. Slocum
Marina V. O'Brien
HOLLAND & KNIGHT, LLP

Attorneys for
AIR ITALY, S.p.A.

³ *Id.*

⁴ See U.S.-EU Open Skies Agreement, Article 3.

CERTIFICATE OF SERVICE

I hereby certify that I have this date served the foregoing document on the persons identified below by causing a copy to be sent by electronic mail.

dan.weiss@united.com
steve.morrissey@united.com
amna.arshad@freshfields.com (Counsel for United)
chris.walker@delta.com
alex.krulic@delta.com
steven.seiden@delta.com
robert.wirick@aa.com
john.b.williams@aa.com
sllunsford@fedex.com
anne.bechdolt@fedex.com
dsmall@ups.com
anita.mosner@hklaw.com (Counsel for UPS)
jennifer.nowak@hklaw.com (Counsel for UPS)
kevin.montgomery@polaraircargo.com
rsilverberg@sbgdc.com (Counsel for ABX)
jjohnson@sbgdc.com (Counsel for ABX)
rpommer@atlasair.com
naveen.rao@atlasair.com
jcanny@amerijet.com
brian.hedberg@dot.gov
robert.finamore@dot.gov
forsbergap@state.gov

/s/ Benjamin T. Slocum

Benjamin T. Slocum

May 11, 2020