



**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
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Applications of

AMERICAN AIRLINES, INC.

UNITED AIRLINES, INC.

in the matter of 2019 U.S.-Haneda Combination
Services Allocation Proceeding

Docket DOT-OST-2019-0014

ORDER TO SHOW CAUSE

Summary

By this order, the U.S. Department of Transportation (the Department) tentatively allocates to American Airlines, Inc. (American) one U.S.-Haneda slot pair for daily service between New York's JFK Airport and Tokyo's Haneda Airport.

Background

The 2010 U.S.-Japan Memorandum of Understanding, as amended (the Agreement), provides for 17 daytime slot pairs and one nighttime/early morning slot pair for U.S.-carrier operations at Tokyo International Airport (Haneda).¹ Since the Agreement's entry into force and the 2010 return of U.S.-carrier operations at Haneda, the Department has conducted a number of proceedings to allocate the opportunities among interested U.S. carriers and cities. As a result of the proceedings, American; Delta Air Lines, Inc. (Delta); Hawaiian Airlines, Inc. (Hawaiian); and United Airlines, Inc. (United) have been allocated the Haneda slot pairs as summarized in the chart below:

¹ The Agreement establishes daytime hours as between 0600 and 2255 hours (local time) and nighttime/early morning hours as between 2200 and 0655 hours (local time).

Carrier	U.S. Gateway	Order # / Notice
American	Los Angeles	2016-9-1
	Dallas/Fort Worth	2019-8-6
	Los Angeles	2019-8-6
Delta	Los Angeles	2016-9-1
	Minneapolis/St. Paul	2016-9-1
	Seattle	2019-8-6
	Detroit	2019-8-6
	Atlanta	2019-8-6
	Portland	2019-8-6
	Honolulu	2019-8-6

Carrier	U.S. Gateway	Order # / Notice
Hawaiian	Kona / Honolulu	2016 Notice ²
	Honolulu	2016-9-1
	Honolulu	2019-8-6
United	San Francisco	2016-9-1
	Newark	2019-8-6
	Chicago O'Hare	2019-8-6
	Washington-Dulles	2019-8-6
	Los Angeles	2019-8-6

On September 22, 2023, Delta filed a letter with the Department stating that it would not launch Portland-Haneda flights by the October 29, 2023, deadline specified in the Department's most recent order extending startup and dormancy waivers,³ and that it returns to the Department the daily Portland-Haneda slot pair allocated to Delta by Order 2019-8-6.

United and American each filed applications for the available slot pair. In light of the competing applications, by Order 2023-11-5, issued November 3, 2023, the Department instituted this proceeding to allocate the available slot pair. The Order set forth a procedural schedule and evidentiary requirements for the establishment of a record for the Department to make a decision in this case. Pursuant to the procedural schedule, applications, amendments to applications, or supplements to applications were due November 9, 2023; answers were due November 16, 2023; and replies were due November 21, 2023.⁴ American and United each filed supplements to their applications, answers, and replies. The City of Houston also filed an answer and reply in the record. The proposals and positions of the parties are summarized below.⁵

² See Notice of Action Taken dated May 13, 2016, in Docket DOT-OST-2016-0048.

³ By Order 2020-3-9, issued March 27, 2020, the Department found it to be in the public interest to grant all U.S. air carriers temporary blanket relief from startup and dormancy conditions applicable to limited-entry route authority through October 24, 2020. The Department subsequently extended the blanket relief for certain markets, most recently by Order 2023-2-15. Under the terms of that order, the startup and dormancy waivers for Haneda slot pair allocations expired on October 28, 2023. Furthermore, Order 2023-2-15 required carriers granted waivers to file a notice no later than October 1, 2023, in Docket DOT-OST-2020-0035 listing each limited-entry market in which it would not resume service beginning October 29, 2023.

⁴ On January 26, 2024, Hawaiian notified the Department that effective April 2, 2024, it would return the sole nighttime slot pair available under the agreement that had been allocated to Hawaiian for service between Haneda and Kona, Hawaii (three times per week) and Honolulu (four times per week). We tentatively do not view that development as consequential to the outcome of this proceeding whereby the Department is considering competing proposals for allocation of the available daytime slot pair. Parties are, of course, free to comment on this tentative view in any pleadings submitted in response to this order.

⁵ Will Horton also filed and served comments on the parties to the proceeding. Mr. Horton raises several issues relating to the scope of the proceeding and Department awards of authority, the Department's selection criteria, and matters relating to the U.S.-China air services agreement. We believe these issues are more appropriate for other fora and therefore will not address them here.

Summary of Proposals

American proposes daily service from New York (JFK) beginning on March 31, 2024, using Boeing 777-200 aircraft. United proposes daily service from Houston beginning within 60 days of the final order using Boeing 777-200 aircraft. The applicant proposals are briefly summarized in the table below.

Applicant	Proposed Routing	Aircraft Type	Capacity
American	New York (JFK)-Haneda	B777-200	273 Total Seats: 37 Business Class / 24 Premium Economy / 66 Main Cabin Extra / 146 Main Cabin
United	Houston, Texas-Haneda	B777-200	276 Total Seats: 50 Polaris / 24 Premium Plus / 202 Economy

Positions of the Parties

American states that its New York-Haneda proposal will enhance inter-carrier and inter-alliance competition while adding 199,290 passenger seats annually between the United States and Tokyo.⁶ American notes that it would be the only U.S. carrier to offer direct service between JFK and Tokyo, providing competition to the JFK-Haneda services offered by Japan Airlines Co., Ltd. (JAL) and All Nippon Airways Co., Ltd. (ANA), as well as inter-gateway competition to United's daily Newark-Haneda route.

American contends that awarding the slot pair for its proposed JFK-Haneda service would support competitive balance among U.S. carriers in the U.S.-Tokyo market. In this regard American states that it currently holds the fewest U.S.-Haneda slot pairs of itself, United, and Delta, and that it has the fewest U.S. gateways to Haneda.⁷ American notes that ANA is an antitrust-immunized Star Alliance partner of United, and that JAL is an antitrust-immunized oneworld alliance partner of American. Combined with its partner, JAL, American states they operate far fewer U.S.-Haneda slots than United and its partner, ANA.⁸ American asserts that an award to American of this slot pair would mean the Star Alliance and the oneworld Alliance would each have three JFK-Tokyo flights, thereby enhancing inter-alliance competition.⁹

American asserts that its proposed service would increase time-of-day coverage for JFK-Haneda service by staggering its departure between the two daily JAL-operated JFK-Haneda flights.¹⁰ Additionally, American asserts that its proposed service would offer a significant time savings over its current one-stop options between New York and Haneda that connect through Dallas/Ft. Worth.¹¹

⁶ Supplement to Application of American, at 1-2.

⁷ *Id.*, at 4.

⁸ *Id.*, at 9.

⁹ *Id.*, at 7.

¹⁰ *Id.*, at 7.

¹¹ *Id.*, at 8.

American also asserts that its proposed service has been timed to optimize connections at Haneda, utilizing the domestic route network of its partner, JAL.¹² As a result, American states that passengers will have enhanced service options to more than 30 Japanese cities and four other Asian cities.¹³ Additionally, American states that its proposal would provide three large U.S. cities with additional one-stop roundtrip connections to Haneda.¹⁴

American also asserts that New York and Tokyo have substantial communities of interest that merit the only nonstop JFK-Haneda service by a U.S. carrier. American states that New York is the largest city in the United States, is the nation's commercial and financial center, and that Tokyo is the largest metropolitan area and financial center in Japan.¹⁵ American states that New York is home to the second largest community of Japanese-born persons in the mainland United States, as well as the U.S. headquarters of approximately 140 Japanese companies.¹⁶ American argues that the strength, depth, and breadth of these communities of interest between New York City and Tokyo are demonstrated by the fact that the New York City metropolitan area has the greatest demand for service to Haneda and to Tokyo compared to any other metropolitan area in the eastern or central United States.¹⁷

In response, United asserts that American's proposed service reflects an "apparent strategy to cherry-pick a seemingly 'easy' Haneda gateway" without demonstrating how a duplicative sixth Haneda flight from the New York metropolitan area would be beneficial to the travelling public.¹⁸ United argues that American has not substantiated its proposal with consumer and community benefits, but instead thinks of itself and the opportunity to increase American's Haneda slot holdings for the sake of rectifying a deficiency resulting from American's commercial strategies and American's proposals in earlier Haneda proceedings.¹⁹ United argues that its Houston-Haneda proposal, on the other hand, reflects prioritization of consumer choice, economic growth, and United's experience at Haneda and in the overall Asia/Pacific region.

United argues that Houston is more deserving of the Haneda slot pair than New York (JFK), noting that Houston has the largest population base in the Southern United States without U.S. airline service to Haneda. United also argues that Houston's catchment area is larger than New York's catchment area, and that United's proposal far exceeds American's proposal with 18 times more connecting cities and nine times more annual Tokyo bookings.²⁰ United notes that New York already has five daily flights to Haneda, including four from JFK.²¹ Meanwhile,

¹² *Id.*, at 10.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*, at 5.

¹⁶ *Id.*, at 6.

¹⁷ *Id.*

¹⁸ Answer of United, at 2.

¹⁹ *Id.*, at 2.

²⁰ *Id.*, at 11-12, and Exhibit UA-A101.

²¹ Answer of United, at 13.

United states that Houston only has one daily flight to Haneda, while other top metropolitan areas have two or more.²²

United also argues that the history of New York JFK-Tokyo service is marked by a series of attempts and subsequent withdrawals, noting that four U.S. carriers have previously served JFK-Tokyo and all withdrew from the route. United notes that American operated to Narita between April 2002 and May 2012 before switching to Haneda, only to cease operations in November 2013.²³ United asserts that due to American's minimal hub structure at JFK, American would essentially operate the service as a point-to-point route, and that the Department should not gamble on the future long-term success of American on this route.²⁴

United asserts that the Department set a clear precedent in denying American's 2019 Las Vegas-Haneda proposal, that "connectivity is king."²⁵ United asserts that the Department declined to select the Las Vegas proposal due to limited connectivity to other U.S. points, and that this precedent clearly establishes that the Department prioritizes proposals that offer broader network connections, *i.e.*, United's Houston-Haneda proposal, over limited point-to-point services.

In its reply, American asserts that its proposed service is overwhelmingly additive and does not entail replacing American's nonstop Dallas/Ft. Worth-Narita service or pulling down any other service. American argues that United would use the available slot pair to provide Houston-Haneda service and shut down its Houston-Narita service, leaving Houston with two daily nonstop flights to Tokyo, just as it has today.²⁶ American also asserts that United misrepresents Houston as having greater demand than New York, and argues that New York is underserved compared to Houston. American argues that New York has one Tokyo flight for every 59,620 Origin and Destination (O&D) passengers, compared to Houston's one flight for every 28,757 O&D passengers.²⁷ American further argues that even if the Department were to select American's proposed JFK-Haneda service, New York would remain underserved compared to Houston.²⁸

American also maintains that its proposal would reduce the existing imbalance in the number of Haneda gateways among mainland U.S. carriers and a geographic disparity whereby American lacks an eastern U.S. Tokyo Haneda gateway, which American argues will significantly benefit travelers and the overall competitive environment.

In response to United's assertions about the viability of American's proposed JFK-Haneda service, American asserts that its prior history is not instructive here and notes that the market has evolved since American last operated the route in 2013. Additionally, American points out that its previous service suffered because of restrictions that, unlike now, limited service to

²² *Id.*, at 11.

²³ *Id.*, at 15-16.

²⁴ *Id.*, at 16-17.

²⁵ *Id.*, at 18.

²⁶ Reply of American, at 5.

²⁷ *Id.*, at 7-8.

²⁸ *Id.*, at 11.

unfavorable early morning and late night times.²⁹ American also counters that United's reference to abandoned JFK-Narita service by other U.S. carriers should not be held against American, arguing that it is not proper to judge American's application by the decisions of other airlines that flew from JFK in a different era to a different Tokyo airport.³⁰

United states that its proposal will create numerous consumer benefits that will maximize the Haneda slot pair's public benefits, from time savings to providing greater access at a major hub with strong U.S.-Japan demand. United asserts that its dedication to the Asia/Pacific region and robust network makes it best positioned to optimize and sustain service, and that it has shown a far greater commitment to restoring capacity to Tokyo after the COVID-19 pandemic.³¹

United states that its selection of Houston as its next Haneda gateway prioritizes consumer choice, economic growth, and its own experience in the Asia/Pacific region. United asserts that Houston is a global nexus that will allow increased connectivity to Haneda for consumers in 18 Southern states. United states that its service proposal will provide for connections to 63 U.S. communities behind/beyond Houston.³² United further states that consumers will see additional benefits with 35 Japanese destinations behind/beyond Haneda representing 150,000 annual bookings, and which are served by ANA at Haneda but not at Narita.³³

United also asserts that Houston has strong demand for Tokyo, while other routes are still struggling to recover to pre-Covid-19 levels.³⁴ United further asserts that Houston stands as the largest population base in the Southern United States without U.S. carrier service to Haneda. United contends that as a faster growing city than New York, Houston should have a second Haneda flight before New York gets a sixth.³⁵ Additionally, United asserts that there are over 240 Japanese affiliated businesses in Houston and that Japanese businesses employ over 74,000 people in the state of Texas.³⁶

United notes that if selected in this proceeding it will no longer provide service to Tokyo-Narita from Houston, but it will still serve Narita via other gateways in the east coast (New York/Newark), central United States (Denver) and west coast (San Francisco and Los Angeles).³⁷ United contends that no other U.S. airline has placed value in executing a dual-airport Tokyo operation like United has.³⁸

United asserts that its proposed Houston-Haneda service will offer significant time savings to consumers connecting in Haneda to numerous Japanese cities, citing examples of consumers that would be able to experience noticeably shorter travel times by connecting in Haneda instead of

²⁹ *Id.*, at 20.

³⁰ *Id.*, at 21.

³¹ Supplement to Application of United, at 3.

³² *Id.*, at 8.

³³ *Id.*

³⁴ *Id.*, at 8-9.

³⁵ *Id.*, at 9.

³⁶ *Id.*

³⁷ *Id.*, at 10.

³⁸ *Id.*

Narita.³⁹ United also asserts that it purposefully scheduled its flights between Houston and Haneda at different times than the existing ANA-operated Houston-Haneda flight, to allow for enhanced time-of-day coverage and to allow 10 U.S. destinations to gain same day connectivity with Haneda that is not achievable with the ANA flight.⁴⁰

United asserts that the Department should consider United's longstanding commitment to service in Tokyo and the Asia/Pacific region as a decisional factor in favor of allocating the slot pair to United. United states that 594,000 annual passengers flew through Tokyo Haneda or Tokyo Narita to destinations beyond in the Asia/Pacific region on United flights.⁴¹ Additionally, 30% of passengers connecting at Haneda or Narita fly to/from a destination served nonstop from the United States by United, demonstrating the benefits of United's Asia/Pacific network and benefiting consumers with a wealth of options in terms of flights, fares, and schedules.⁴²

United also notes that its proposal has received broad public support, including from the City of Houston, members of Congress and other elected officials, local chambers of commerce, U.S. airports that would gain connecting service through United's proposal, and various other civic parties.

In its answer, American argues that United's service proposal is not additive, as United would replace its current Houston-Narita service with Houston-Haneda service. American states that if selected, Houston will be in the same position just as today with two daily nonstop services to Tokyo. American argues, in contrast, that its proposed JFK-Haneda service is overwhelmingly additive, providing significant public benefits and enhancing inter-carrier, inter-alliance, and inter-gateway competition.⁴³

American asserts that the New York City metropolitan area has the most O&D Tokyo demand of any city in the eastern and central United States, and notes that United's Newark-Haneda flight is the only nonstop U.S. air carrier service from the New York City metropolitan area.⁴⁴ American argues that awarding the slot pair for JFK-Haneda service would break United's "stranglehold on U.S. air carrier service to Haneda from New York City," and help reduce a disparity in the number of Haneda flights between United and American.⁴⁵ American also asserts that the central United States has more Haneda gateways than the eastern United States, despite having less O&D demand, and argues that awarding an additional gateway to the central region would further the existing disproportionality of awards.⁴⁶

American also argues that United significantly overstates the scope and benefits of its proposed connectivity over Houston. American claims in this regard that 39 of United's proposed connections beyond/behind Houston have shorter and/or less circuitous one-stop connections via

³⁹ *Id.*, at 12-13.

⁴⁰ *Id.*, at 14.

⁴¹ *Id.*, at 19.

⁴² *Id.*, at 19-20.

⁴³ Answer of American, at 3-4.

⁴⁴ *Id.*, at 5.

⁴⁵ *Id.*, at 5-6.

⁴⁶ *Id.*, at 8-9.

other United hubs.⁴⁷ American further asserts that during the summer, all of United's claimed beyond/behind Houston connections have existing roundtrip service to Tokyo on United's Houston-Narita service (in the winter all but three communities have roundtrip service).⁴⁸

American also argues that United uses unreasonable parameters to identify the catchment area of behind/beyond U.S. communities for its proposed service by including connections that require an overnight stay, and by using a higher circuitry factor than American used when identifying potential connections for its JFK-Haneda service.⁴⁹ American asserts that United would lose nine connections representing 49,318 Haneda passengers if United used the same circuitry factor as American did.⁵⁰ American further states that if it used United's parameters, then American's behind/behind-JFK connectivity would increase significantly to include 14 U.S. cities.⁵¹

In its reply, United argues that its proposal outshines American's proposal in all respects, and that American has failed to explain, illustrate, and substantiate the benefits of its JFK-Haneda proposal. United asserts that it has provided exhibits, case studies, and exhaustive narratives detailing how traveling consumers would benefit from its proposed Houston-Haneda service, which would provide consumers in the southern region of the United States with an additional choice between Delta at Atlanta and American at Dallas/Ft. Worth.⁵² United also maintains that its service is additive, because its proposal connects two airports that the airline currently does not fly between.⁵³ United also maintains that award of this slot pair would allow United's customers to travel from Houston to the more attractive Haneda airport, as well as the possible connections behind/beyond Haneda.⁵⁴

United argues that American's lack of a Haneda gateway in the eastern United States is a direct result of American's own decisions, noting that American did not submit an application to serve the region in previous proceedings, and instead chose to propose Las Vegas-Haneda service in 2019.⁵⁵

United also counters American's claim that United can adequately serve Haneda through its other U.S. hubs. United asserts that its proposed service would open up a southern hub to provide more choice and flexibility for consumers choosing where to connect. United argues that there are a multitude of reasons why a consumer would want another hub to connect to Haneda, including departure time, the type of aircraft and seat class available, or even to avoid a potential weather-related challenge.⁵⁶ United also argues that its connection parameters are reasonable, noting that American itself sells flights from JFK to Haneda via Dallas/Ft. Worth or

⁴⁷ *Id.*, at 15.

⁴⁸ *Id.*, at 16.

⁴⁹ *Id.*, at 17.

⁵⁰ *Id.*, at 17-18.

⁵¹ *Id.*, at 19.

⁵² Reply of United, at 9-10.

⁵³ *Id.*, at 12.

⁵⁴ *Id.*, at 13.

⁵⁵ *Id.*, at 14-16.

⁵⁶ *Id.*, at 16.

Los Angeles which involve a circuitry factor greater than the 1.15 factor that American used in its application.⁵⁷

The City of Houston, through its Department of Aviation (Houston), submitted an answer and reply in the proceeding in strong support of United's application. Houston asserts that it is home to an economic powerhouse, and that international air travel is an essential component to Houston's success and ongoing growth.⁵⁸ Houston states that Japan is Houston's fifth largest trading partner by dollar value (fourth largest by volume) and the city has had a nonstop service to Tokyo since 1998.⁵⁹

Houston asserts that George Bush Intercontinental Airport is a world class facility, a leading international hub, and is currently undergoing a \$1.43 billion redevelopment to redefine the passenger experience and elevate the airport's status as a key international gateway.⁶⁰ Houston argues that the geographic and connecting benefits, namely to the South-Central United States, from United's Haneda service would be far greater than those offered by American's proposal at New York.⁶¹

The City of Houston also argues that American prioritizes its own self-interest, and that its record of seeking Haneda service and its application in this proceeding are deficient.⁶² Houston also asserts that American has not addressed whether its partner, JAL, could and/or would withdraw one of its New York-Haneda flights, if American is awarded the slot pair.⁶³

Tentative Decision

After carefully considering the record in this case, we have tentatively decided to select American's proposal for daily service between New York (JFK) and Haneda. In reaching this decision we note that both carriers present attractive proposals that would introduce significant public benefits for the traveling and shipping public. The nature of the benefits that each proposal would offer differ, however, and we tentatively find, on balance, that selection of American's proposal at New York (JFK) would enhance competition and better achieve our principal objective of maximizing public benefits.

The record shows that New York City is the second largest mainland U.S.-Tokyo O&D market, second only to Los Angeles, and the largest such market proposed in this proceeding. Selection of American would add the only U.S. carrier-operated Haneda service from JFK, and offer an additional competitive option for travelers between the largest cities and commercial/financial hubs of the United States and Japan, respectively. American's proposal also adds nearly 200,000 annual passenger seats between the United States and Tokyo.

⁵⁷ *Id.*, at 20.

⁵⁸ Answer of the City of Houston, at 3.

⁵⁹ *Id.*, at 7-8.

⁶⁰ *Id.*, at 11-12.

⁶¹ *Id.*, at 13.

⁶² Reply of the City of Houston, at 6-7.

⁶³ *Id.*, at 8.

Selection of American's New York (JFK) proposal would also be consistent with an objective important to the Department in past Haneda proceedings; namely, enhancing competition between U.S. carriers serving Haneda, as well as promoting inter-alliance competition. Selection of American/JFK would result in American holding four daytime U.S.-Haneda slot pairs, compared to five daytime slot pairs for United, six daytime slot pairs for Delta, and two daytime slot pairs for Hawaiian. Selection would also establish an east coast Haneda gateway for American. We tentatively find that selection of American considering these potential competitive benefits would best serve the public interest in the circumstances presented.

We have considered United's and the City of Houston's arguments that the New York City/Newark area is overserved with Haneda service as JFK currently enjoys four daily flights to Haneda, and Newark-Haneda is served once daily. American's proposal also provides for round-trip connections to only three U.S. cities, meaning it would need to primarily rely on the local New York traffic base to support the service. We tentatively find persuasive American's arguments that traffic demand in the New York-Tokyo market justifies additional Haneda service, and that New York would still be underserved relative to Houston if the Department awards the slot pair to JFK. Viewed together with the potential competitive benefits to be achieved through selection of American, we tentatively find that additional service at New York (JFK) would offer the greater combination of public benefits.

The Department recognizes the strength of Houston's economy, its extensive international trade and ties to Japan, and Houston's importance as an international gateway for communities across the south and central United States. We also appreciate the strong support on the record from the City of Houston, local civic parties, and other U.S. airports. The record of this proceeding shows, however, that traffic demand for Houston-Tokyo service is far smaller than the demand for New York-Tokyo service. We also note that Houston currently enjoys two daily Tokyo flights and would continue to have just two daily Tokyo flights if we were to select United's proposal, as United has stated it would shift its daily Houston-Tokyo Narita flight to Tokyo Haneda.

We are also mindful that United's proposal offers connecting opportunities over Houston to 64 U.S. cities across 18 states. We note, however, that many of these proposed connecting cities are already served by United over its other U.S.-Haneda gateways; many, as American argues, with shorter travel times than would be achieved through Houston. We find merit in United's assertions that consumers consider a variety of factors in choosing a connecting itinerary, and United's proposal would provide travelers with a meaningful additional option in that regard. We tentatively find, however, that selection of United would not promote inter-carrier and inter-alliance competition in the nonstop U.S.-Haneda market or promote parity among U.S. carrier nonstop access to Haneda to the same degree as would selection of American. We tentatively find those factors most dispositive in this proceeding, thereby giving American's proposal an advantage in maximizing public benefits.

Against that background, we tentatively conclude that the overall combination of potential service and competitive benefits that could be achieved through selection of American at New York (JFK) outweigh the benefits that would result in selection of United at Houston.

Terms, Conditions, and Limitations

The Department has tentatively decided to impose a startup condition for this award. If our tentative decision is made final, we will require American to institute its proposed services within 90 days of American's proposed March 31, 2024, startup date.

In addition, consistent with the Department's standard practice, the slot pair allocation tentatively made here will be subject to the Department's standard 90-day dormancy condition, wherein any slot pair not utilized for a period of 90 days (once inaugurated) would be deemed dormant and the allocation as to that slot pair would expire automatically and the slot pair would revert to the Department for reallocation.

Finally, the slot pair allocation tentatively granted here will also be subject to the Department's standard condition that the Department may amend, modify, or revoke the authority at any time and without hearing, at its discretion.

ACCORDINGLY,

1. The Department tentatively allocates to American Airlines, Inc. one daytime slot pair for its proposed New York (JFK)-Haneda service;
2. The slot pair tentatively allocated by ordering paragraph 1 above would be effective immediately and would not expire, *provided that* the holder continues to hold the necessary underlying authority to serve the markets authorized; that the holder begins service with the allocated slot pair within 90 days after March 31, 2024; and also *provided further* that any slot pair will become dormant and will revert automatically to the Department if not used for a period of 90 days (once inaugurated);
3. The slot pair tentatively allocated by ordering paragraph 1 above would be subject to the Department's standard condition that the Department may amend, modify or revoke the allocation at any time and without hearing, at its discretion;
4. To the extent not tentatively granted, the Department tentatively denies the remaining requests in this proceeding;
5. The Department directs any interested parties having objections to the tentative findings and conclusions set forth in this order and in ordering paragraphs 1 through 4 above, to file their objections in the above-captioned docket, with the Department's Docket Section, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, S.E., Washington, D.C., 20590, no later than 14 calendar days from the date of service of this order; answers thereto shall be filed no later than seven (7) calendar days thereafter;⁶⁴

⁶⁴ The original filing should be on 8½" x 11" white paper using dark ink and be unbound without tabs, which will expedite use of the Department's docket imaging system. In the alternative, filers are encouraged to use the electronic filing submission capability available through the Dockets/FDMS Internet site (<http://www.regulations.gov>) by following the instructions at the web site.

6. If timely and properly supported objections are filed, the Department will afford full consideration to the matters or issues raised by the objections, and any answers thereto, before taking further action; if no objections are filed, the Department will deem all further procedural steps to be waived and will proceed to enter a final order awarding the authority proposed in this Order; and

7. The Department will serve this order on the parties to the proceeding; the U.S. Department of State (Office of Aviation Negotiations); the Federal Aviation Administration; and the Ambassador of Japan in Washington, D.C.

By:

Carol A. (Annie) Petsonk
Assistant Secretary for
Aviation and International Affairs

(SEAL)

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