

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

Application of)
)
Kalitta Air, L.L.C.)
)
for four Hong Kong Fifth Freedom All-Cargo)
Frequencies (Hong Kong – Singapore))
)

Docket OST-2020-0013

**AMENDMENT TO APPLICATION OF
KALITTA AIR, L.L.C.
FOR ALLOCATION OF FREQUENCIES**

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Counsel for **Kalitta Air, L.L.C.**

May 5, 2020

NOTE: Applicant has requested expedited consideration for this application.
Accordingly, undersigned counsel will be polling the parties on the attached service list.

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)	

On January 28, 2020, Kalitta Air, LLC filed an application in this docket for allocation of four Hong Kong – Singapore Fifth Freedom all-cargo frequencies. At the time of the application, the carrier was anticipating that United Parcel Service (UPS) would shortly be returning the four HKG-SIN fifth freedom cargo frequencies it then held. Indeed, by letter to the Department on April 30, 2020, UPS gave notice that it was returning all four of these allocations. However, the following day, UPS modified that notice to return only three; the carrier stated that it had decided to use one of the frequencies.

Kalitta's plans require the use of four weekly HKG-SIN frequencies. Kalitta has therefore determined to reallocate one frequency that it now holds for Sharjah-HKG operations to be used on the SIN-HKG route. This Sharjah frequency was awarded to the carrier by NOAT dated February 22, 2011, in Docket OST 2011-0035. Added to the three SIN frequencies being relinquished by UPS, this redesignated slot would bring Kalitta's holdings of SIN-HKG rights to four, the number needed for the carrier's

proposed service. This service is currently being operated on a Cincinnati (CVG)-Los Angeles-Sydney-Singapore-Hong Kong-Anchorage-Cincinnati routing, using 230,000 pound capacity B777-200F aircraft; the SIN-HKG leg, however, must be operated as a blind sector without traffic rights, pending allocation of the requested frequencies. This causes significant inconvenience and lost revenue to the carrier's freight forwarder customer.

The requested action would be consistent with the October 19, 2002 Memorandum of Understanding between the United States and Hong Kong ("the MOU"), which imposes a limit of 64 weekly fifth freedom U.S. carrier cargo flights between specified points and Hong Kong, a maximum of seven of which can involve Singapore. While the total cap of 64 flights is fully subscribed, only five of the SIN-HKG flights have been allocated. Thus, the return of three of UPS's frequencies, plus the redesignation of Kalitta's one Sharjah frequency, will allow for allocation of four SIN flights to Kalitta under both the point-specific cap and the overall cap.

All of the factual statements contained in Kalitta's initial application as the predicate for its request remain correct, and are incorporated herein by reference.

Kalitta asks that the Department make this allocation as quickly as possible. The carrier has already gone past the March 29 deadline for operating SIN-HKG revenue flights, and its customer is very anxious for this service to begin. To that end, counsel will poll the carriers on the attached service list.

WHEREFORE, Kalitta Air requests that it be allocated the three Hong Kong-Singapore fifth freedom all-cargo frequencies recently returned by UPS, and further that the Department redesignate Kalitta's one Sharjah-Hong Kong frequency for Singapore-

Hong Kong fifth freedom service, together with such other and further relief as the Department deems necessary.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark W. Atwood".

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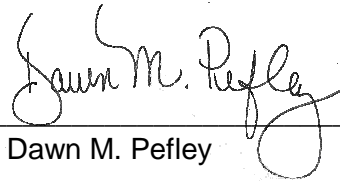
Counsel for **Kalitta Air, L.L.C.**

Dated: May 5, 2020

Certificate of Service

I hereby certify that I have this date served a copy of the foregoing Amendment to Application of Kalitta Air by electronic mail upon the following:

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Dated: May 5, 2020