

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

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Application of)	
)	
GLOBAL CROSSING AIRLINES, INC.)	DOCKET OST-2020-
)	
for a Certificate of Public Convenience)	
and Necessity (Interstate Passenger)	
Charter Service))	
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MOTION OF GLOBAL CROSSING AIRLINES, INC.
FOR CONFIDENTIAL TREATMENT

Communications with respect to this document should be sent to:

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AIRLINES, INC.

April 10, 2020

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

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GLOBAL CROSSING AIRLINES, INC.)	DOCKET OST-2020-
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FOR CONFIDENTIAL TREATMENT

Pursuant to Rule 12 of the Department's Rules of Practice, 14 C.F.R. § 302.12, Global Crossing Airlines, Inc. respectfully moves to withhold from public disclosure the contents of Confidential Exhibits A (1 page) and B (2 pages) to the above-captioned certificate application. In accordance with Rule 12, the exhibits have been marked “Confidential” and are being filed under seal.

Confidential Exhibit A contains the FAA certificate numbers of certain Global key personnel. The Department previously has found in this docket that confidential treatment of such numbers is appropriate, among other reasons, because they may be keyed to social security numbers and are otherwise private. *See Eastern Air Lines Group, Inc.*, letter ruling of March

14, 2015 at 3, document OST-2014-0012-0020. *See also Rhoades Aviation, Inc. dba Transair*, Order 2013-1-13, at 7.

Confidential Exhibit B contains unredacted pages from public Exhibit 5 that show Global's revenue forecast for its first full year of operations and its forecast assumptions; these were redacted in the public version. The Department routinely grants confidential treatment to information, such as applicants' revenue forecasts and details of expense calculations, where public disclosure would give competitors the ability to readily calculate sensitive commercial terms. *See, e.g., Dynamic Airways; Independence Air, Inc. and Compass Airlines, Inc.*, letter ruling of August 23, 2006, document OST-2006-24295-4 ("the Department has generally granted confidential treatment to contractual agreements and financial projections when the nature of the information reflected in the financial statements could well provide commercially sensitive information to competitors") (emphasis added).

Thus, the information sought to be withheld from public disclosure meets Department Rule 12 policy for nondisclosure, that is, the standards found in exemption (4) of the Freedom of Information Act, 5 U.S.C.

§ 552(b)(4), in that it is: (1) commercial or financial, (2) obtained from a person outside the government, and (3) privileged or confidential. *See Gulf & Western Indus., Inc. v. United States*, 615 F.2d 527, 529 (D.C. Cir. 1979);

National Parks and Conservation Assoc. v. Morton, 498 F.2d 765, 770 (D.C.
Cir. 1974).

WHEREFORE, Global respectfully requests that Confidential Exhibits
A and B be accorded confidential treatment under Rule 12.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John R. Mietus, Jr.", written in a cursive style.

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CERTIFICATE OF SERVICE

I hereby certify that I have, this tenth day of April, 2020, caused the attached Motion of Global Crossing Airlines, Inc. for Confidential Treatment to be served by electronic mail on the following persons:

David.B.Lusk@faa.gov

Vincent.Rossi@faa.gov

A handwritten signature in black ink, appearing to read "John R. Mietus, Jr.", written in a cursive style.

John R. Mietus, Jr.