

BEFORE THE DEPARTMENT OF TRANSPORTATION
OFFICE OF AVIATION ENFORCEMENT AND PROCEEDINGS
WASHINGTON, D.C.

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| |) | |
| [Susan Wingert] |) | |
| |) | |
| v. |) | Docket DOT-OST-2020-____ |
| |) | |
| Air Canada |) | |
| |) | |
| ----- |) | |

COMPLAINT OF SUSAN WINGERT

Comments with respect to this document should be addressed to:

Susan Wingert

(ADDRESS DELETED)

E-mail: [southnorthca@yahoo.ca]

Dated: July 3, 2020]

BEFORE THE DEPARTMENT OF TRANSPORTATION
OFFICE OF AVIATION ENFORCEMENT AND PROCEEDINGS
WASHINGTON, D.C.

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[Susan Wingert],)
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v.) Docket DOT-OST-2020-____
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Air Canada)
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COMPLAINT OF SUSAN WINGERT]

1. This complaint arises out of Air Canada’s non-compliance with the Department’s rules regarding consumers’ right to be refunded for flights to or from the United States (“U.S. Flights”) cancelled by airlines, even for reasons outside the carriers’ control, as described in the Department’s “Enforcement Notice Regarding Refunds by Carriers Given the Unprecedented Impact of the COVID-19 Public Health Emergency on Air Travel”¹ (“Enforcement Notice”).

¹ Enforcement Notice Regarding Refunds by Carriers Given the Unprecedented Impact of the COVID-19 Public Health Emergency on Air Travel (April 3, 2020) at https://www.transportation.gov/airconsumer/enforcement_notice_refunds_apr_3_2020. See also 14 CFR § 259.5(b)(5), and Enhancing Airline Passenger Protections, 76 Fed. Reg. 23110-01, at 23129 (Apr. 25, 2011).

2. This complaint also arises out of Air Canada's retroactive application of changes to its refund policies, which constitutes an unfair or deceptive practice within the meaning of 49 U.S.C. § 41712².

I. FACTS

A. Flight cancelled by Air Canada

3. On [January 26, 2020] I purchased a ticket for an Air Canada flight from Ottawa, Ontario] to [Miami, Florida] via [Toronto, Ontario] departing on [May 7, 2020] (Attachment 1).
4. On April 6, 2020 I learned that my flight was cancelled by Air Canada (Attachment 2).
5. On May 23, 2020, I contacted Air Canada to request a refund for the cancelled flight, but my request was denied, and I was only offered a flight voucher/credit (Attachment 3). I again contacted Air Canada on July 3, 2020 to confirm if they would honour the US DOT Passenger Rights regulations. I reminded them that ***I did not*** cancel my flight arrangements and wish a full cash refund to the original form of payment (credit card).

B. Air Canada's refund policy for cancelled flights

6. Air Canada's current policy is that customers who purchased nonrefundable flight tickets are not entitled to receive full refunds for flights cancelled or changed by the carrier due to reasons outside its control, including cancellations attributed to the COVID-19 pandemic. Air Canada only offers

² Under 49 USC § 41712, the Department is authorized to investigate and decide whether a U.S. air carrier, foreign air carrier, or ticket agent engaged in an unfair or deceptive practice in air transportation or the sale of air transportation. The Department is also authorized to issue orders to stop an unfair or deceptive practice after notice and opportunity for a hearing.

flight vouchers or credits in such situations and claims in its United States English website that “in accordance with government regulations”, that such bookings are ineligible for a refund (Attachments 4 and 5). Also see that AC continued to deny responsibility under US DOT regulations in a Facebook Messenger record dated July 3, 2020 (see Attachment 3A)..

C. Air Canada’s obligations

7. Air Canada is an airline that operates flights from and to the United States and is therefore subject to the Department’s jurisdiction for such flights and bound by the rules enunciated in the Enforcement Notice, which apply to U.S. and foreign airlines operating flights from, to and within the United States.
8. In its Enforcement Notice, and based on existing federal regulation, the Department reminds airlines about their obligation to offer prompt refunds for flights significantly delayed or cancelled by the carriers, even if the reason of such flight disruptions are outside the carrier’s control, and regardless of the nonrefundability or cancellation penalty provisions of the ticket purchased by the affected consumers.
9. In page 2 of its Enforcement Notice, the Department lists the actions non-complying airlines must take to avoid enforcement action, as follows:
 - a. the carrier contacts, in a timely manner, the passengers provided vouchers for flights that the carrier cancelled or significantly delayed to notify those passengers that they have the option of a refund;
 - b. the carrier updates its refund policies and contract of carriage provisions to make clear that it provides refunds to passengers if the carrier cancels a flight or makes a significant schedule change;

- c. the carrier reviews with its personnel, including reservationists, ticket counter agents, refund personnel, and other customer service professionals, the circumstances under which refunds should be made.

10. On May 12, 2020, the department issued a notice³ in the form of answers to frequently asked questions regarding airline ticket refunds. In the answer to question 4 of the notice, the Department reiterates that airlines may not retroactively apply changes to their refund policies and must honor the policies in place at the time of ticket purchase.

D. Air Canada's non-compliance and violations

11. Air Canada's policy of not issuing prompt refunds for U.S. Flights that are significantly delayed or cancelled by the carrier for reasons outside its control, and regardless of the nonrefundability and cancellation penalty provisions of the purchased ticket, is in direct violation of its obligation to offer prompt refunds to affected consumers as per the rules detailed in the Department's Enforcement Notice.
12. Before March 19, 2020 (Attachments 6), Air Canada's policies indicated that consumers can receive refunds for schedule changes and cancellations attributed to the COVID-19 pandemic. However, and since that date, Air Canada changed its refund policies for cancellations and schedule changes in a way that negatively affects consumers by no longer permitting refunds (Attachments 7A, 7B and 8). The new policy is applied by Air Canada based

³ U.S. Department of Transportation, Office of Aviation Enforcement and Proceedings, Frequently Asked Questions Regarding Airline Ticket Refunds Given the Unprecedented Impact of the COVID-19 Public Health Emergency on Air Travel (See answer to question 4: "May airlines and ticket agents retroactively apply new refund policies?") https://www.transportation.gov/airconsumer/FAQ_refunds_may_12_2020.

on the date of the cancellation or schedule change, and regardless of the policy in place at the time the passenger purchased the ticket. This represents a retroactive change in policy and represents an unfair or deceptive practice within the meaning of 49 U.S.C. § 41712.

13. Many airlines are complying with their obligations to refund passengers, especially after the issuance of the Enforcement Notice on April 3rd. These airlines will be in an unfairly disadvantageous situation if other airlines, such as Air Canada are allowed to continue practices that violate the same obligations without incurring any penalty.

II. REQUESTED RESOLUTION

14. I ask that the Department of Transportation:

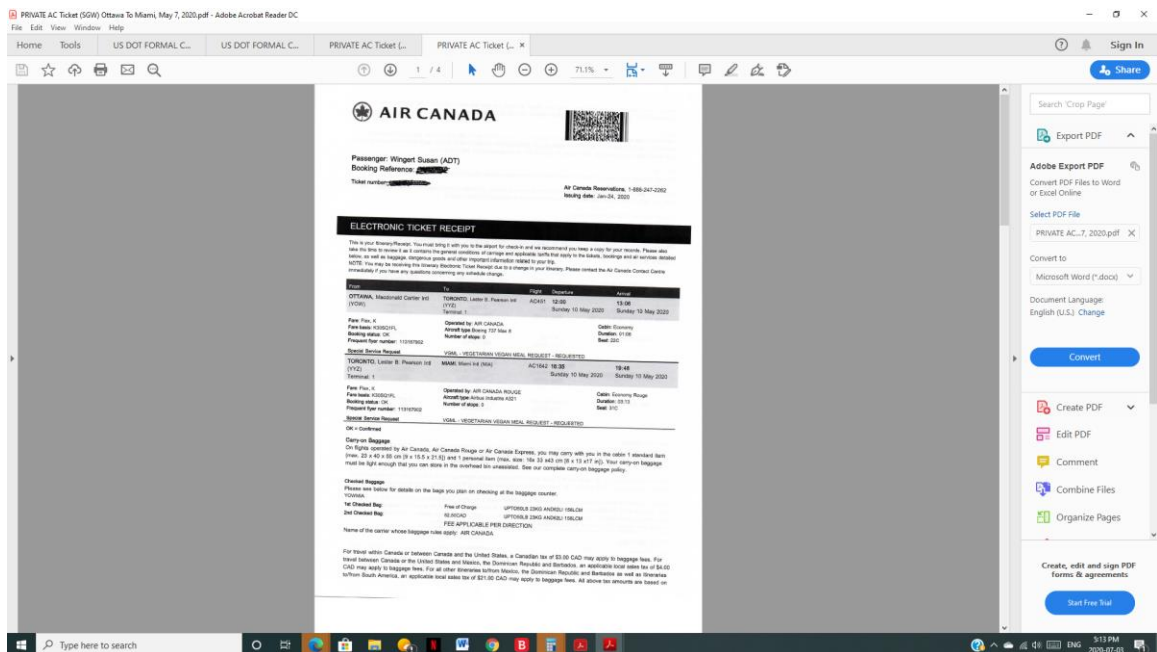
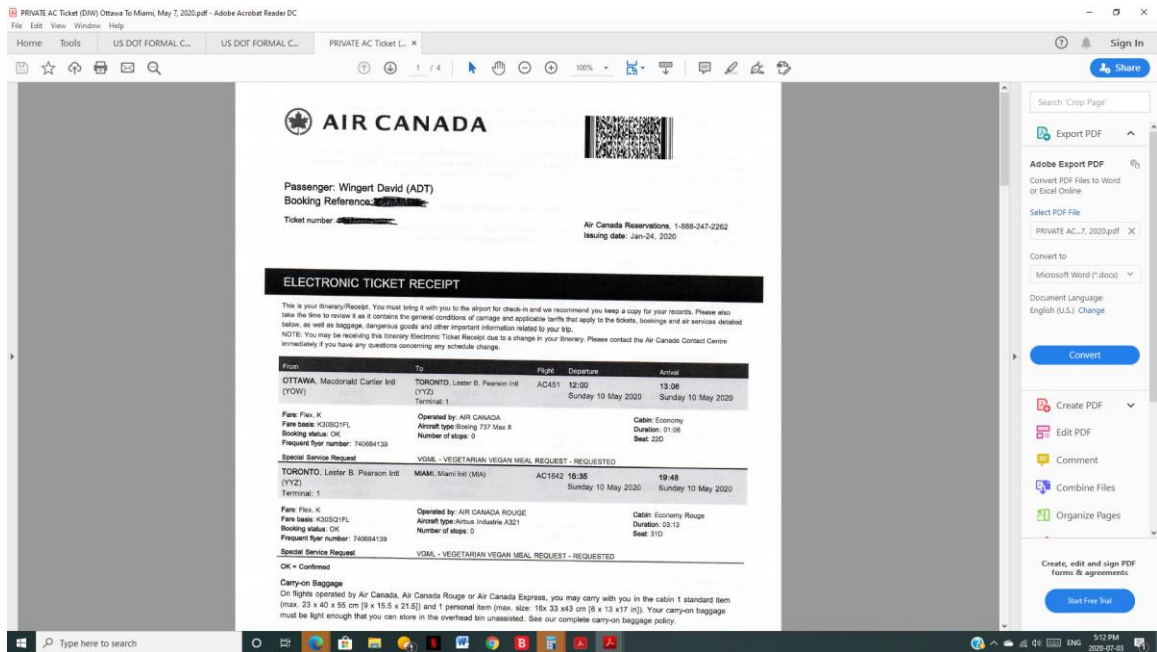
- (1) Exercise its authority under 49 USC 41712 to open an investigation of Air Canada for its non-compliance with the Department's Enforcement Notice and the regulations on which the notice is based;
- (2) Order Air Canada to comply with its obligation to offer prompt full refunds to original form of payment for U.S. flights that are significantly delayed or cancelled by the carrier, regardless of the reason of such flight disturbances and regardless of the nonrefundability or the cancellation penalty of the tickets purchased by affected customers.
- (3) Order Air Canada to:
 - a. contact, in a timely manner, the passengers provided vouchers for U.S. Flights significantly delayed or cancelled by the carrier to notify those passengers that they have the option of a refund;

- b. update its refund policies, contract of carriage and tariff provisions to make clear that it provides prompt refunds to passengers if the carrier cancels a U.S. Flight or makes a significant schedule change, regardless of the reason of such flight disruptions and regardless of the nonrefundability or the cancellation penalty provisions of the tickets purchased by the affected customers;
 - c. review with its personnel, including reservationists, ticket counter agents, refund personnel, and other customer service professionals, the circumstances under which refunds should be made.
- (4) Impose appropriate civil penalties on Air Canada.

Respectfully submitted,

Susan Wingert

Attachment 1



Susan Wingert]
Complaint – Air Canada

Attachment 2

The screenshot shows a web browser window displaying a Yahoo Mail inbox. The browser's address bar shows a URL from mail.yahoo.com. The page header includes the Yahoo Mail logo, a search bar, and user information for Susan Wingert. The left sidebar lists folders like Inbox (422), Drafts (244), and various folders. The main content area displays an email from 'Air Canada - FLIGHT CANCELLATION - OUMAD2 - AC1628/May 07, 2020'. The email body contains a Microsoft sign-in banner, a flight cancellation notice, and a list of steps for rebooking. The right sidebar features a shopping section with images of shoes and dresses, and logos for Hudson's Bay and Thebay.com. The Windows taskbar at the bottom shows the search bar and several application icons.

yahoo/mail Search your mailbox Susan Wingert Account Info Go Sign Out Home

Disney Cruise ... Contacts Notepad Calendar Switch to the newest Yahoo Mail

Compose

southnorthca@y... 422
gailswingert
dwingert1951
bramblesandbushes

Inbox 422
Drafts 244
Sent
Archive
Spam
Trash

Folders Edit Hide
+ New folder
Aeroplan
Amazon.ca
Apple
ARTA Benefits Plan
Australian Visa Application ...
Brambles and Bushes
Business Contacts 1
Cedarstone Builders
Designer Services
Draperies

Microsoft Sign in as securely as you do at the office Access for any employee from any device with Azure Active Directory and I Ad

Air Canada - FLIGHT CANCELLATION - OUMAD2 - AC1628/May 07, 2020 southnorthca@ya.../Disney Cruise M...

Air Canada Notification <flightnotification@aircanada.ca>
To: southnorthca@yahoo.ca Apr. 6 at 2:20 p.m. Print Raw message

We regret to inform you that AC1628 from Toronto, Lester B. Pearson Intl (YYZ) to Ft Lauderdale, Fil Intl (FLL) on May 07, 2020 has been cancelled due to the impacts of COVID-19, government travel advisories and/or health and safety concerns.

The full value of what you paid will become a future travel credit valid for 24 months. To store this value, if you booked with:

1. Air Canada: Visit <https://www.aircanada.com/mybookings> and enter your booking details. Select "Cancel Booking" and when you select confirm, any change fees will be waived.
2. A travel agency: They will process this for you on your behalf.
3. Air Canada Vacations: Your credit will be stored automatically.
4. Aeroplan: Visit <https://www.aeroplan.com> and select "Manage Your Bookings" to return the Aeroplan Miles into your account.

When you're ready to rebook within 24 months, if you booked with:

- Air Canada: Please call us and make sure to provide your original ticket number starting with "014".
- A travel agency: Please contact them directly.
- Air Canada Vacations: Please contact them directly.
- Aeroplan: You can rebook anytime at <https://www.aeroplan.com>.

Booking Reference: OUMAD2
Wingert Susan, Wingert David

This is an automated message - Please do not reply to this email.

We've sent you this email about an Air Canada product or service that you've requested - this is not a promotional email. Your privacy is very important to us. To see how we're protecting your personal information, please take a look at our Privacy Policy (<http://aircanada.com/privacy>).

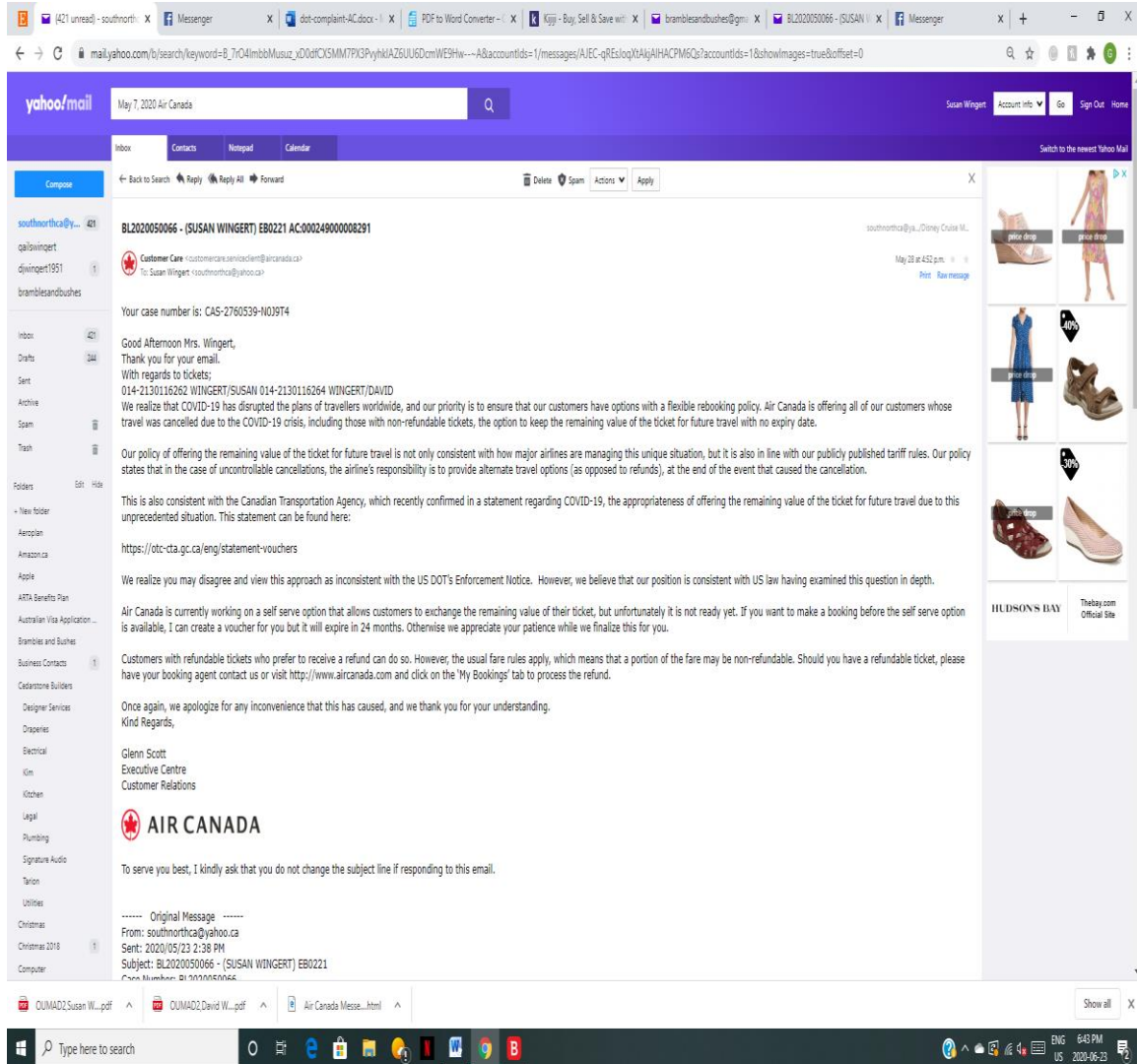
Si le présent courriel n'est pas dans la langue de votre choix (français ou anglais), appelez les Réservations d'Air Canada au 1 888 247-2262 et nous serons heureux de mettre à jour votre réservation et de vous envoyer une nouvelle copie de l'itinéraire.

HUDSON'S BAY Thebay.com Official Site

OUMAD2,Susan W...pdf OUMAD2,David W...pdf Air Canada Messe...html Show all X

Type here to search 6:48 PM 2020-06-23

Attachment 3



Attachment 3A

Susan Wingert

Since AC Messenger is currently Live and I have not received a response to my repeated requests above for AC to grant me a CASH refund under the rules of the US DOT Passenger Rights regulations, I can only assume that AC will not respond other than to say the party line. AC is not above the law of any country and trying to use internal "policy" as justification won't make it so.

Jul 3, 2020, 2:32 PM

Susan Wingert

It is now 1:57 and have been waiting since 1:06 PM for a response. Check your records and you will see that AC cancelled my flight. I did not cancel my flight. Therefore "the original rule of fare" DOES NOT APPLY!. Will AC give me back a CASH refund.

Jul 3, 2020, 2:29 PM

Susan Wingert

It is now 1:49 pm and the above questions were asked starting at 1:06 PM. I have been waiting over 43 minutes for an answer to a live message session. Sam, I will keep sending messages until I receive a response from AC Customer Service

Jul 3, 2020, 1:51 PM

Susan Wingert

I am still waiting Sam for AC's answer to my demand for a CASH refund., Will AC honour its obligations under the US DOT Passenger Rights regulations?

Jul 3, 2020, 1:46 PM

Susan Wingert

I'm waiting Sam. What is AC's response to my demand for a CASH refund?

Jul 3, 2020, 1:06 PM

Susan Wingert

Sam, that answer is no answer and skirts the question. I want a CASH refund, not a voucher that I cannot use. I am ENTITLED to cash under US DOT Passenger Rights. I demand my CASH refund within these rights.

Jul 3, 2020, 11:19 AM

Air Canada

Hello Susan,

We have implemented highly flexible and expanded booking options. You can make a one-time change without a fee for all new or existing bookings made through June 30, 2020 for original travel between March 1, 2020 and June 30, 2021. If you booked directly with Air Canada and you need to cancel for any reason, you can convert your ticket to an Air Canada Travel Voucher

which can be used for future travel with no expiry date or to Aeroplan Miles with an additional 65% bonus miles. However, for any refund request, the original fare rule of your ticket will apply.
Regards,

Air Canada Social Media /Sam

Jul 3, 2020, 11:11 AM

Susan Wingert

Again, now that AC is back today. See above....I ask the same question. Are you going to follow US DOT regulations which say I am entitled to a full cash refund on demand

Jul 3, 2020, 11:05 AM

Air Canada

Chers utilisateurs, nous vous disons «à demain»! Nous serons de retour dès 6h AM (HE). Bonne soirée!

Jul 2, 2020, 5:18 AM

Air Canada

Dear followers: We'll be signing off and we'll be back online at 6 AM. Have a good night!

Jul 2, 2020, 5:18 AM

Susan Wingert

My flight to Miami, Florida scheduled for May 7th under booking OUDMAD2 was cancelled by Air Canada. The US DOT regulations require airlines to provide customer with refunds, not travel vouchers. After many long waits on hold making phone calls to Air Canada including calls where the AC tele I still do not have a refund. Why are you not following US DOT regulations?

Jul 2, 2020, 5:18 AM

Susan Wingert

Hi Air Canada, sorry, my correct booking number is OUMAD2. Thank you for checking on my issue and in advance, for getting back to me.

Apr 2, 2020, 4:25 AM

Air Canada

Hello Susan, thank you for reaching out to us. The booking number provided is invalid. May you please double check the booking number so we can better assist? /Junior

Apr 1, 2020, 10:02 PM

Susan Wingert

Hi Air Canada, my booking reference is OUDMAD2. I received the email today from AC notifying me that I had to either confirm my flight or to Cancel. I have not received any replies from AC to my posts while others have been invited to DM. I did not want to state this in a public post, but by Air Canada not acknowledging that my flight on May 7 will not be operational, I cannot claim a refund from my travel insurance provider. While my insurance will cover a cancelled flight, it will

not cover one which I “Cancelled”. A credit voucher offered by AC with an expiry date by end of 2021 is also not useful for us. Can you PLEASE confirm that my flight has been cancelled

Apr 1, 2020, 9:13 PM

Susan Wingert

Help! I have two paid fares for flights between Ottawa and Miami for May 7, 2020 under reservation code OUMAD2. Fact: Air Canada no longer has any flights to Miami. While I was advised by an automated email from Air Canada that a departure time have changed, there was no notice of cancellation. Makes no sense. Clearly there will be no service by AC to that destination on that scheduled day. I need a full refund in tender paid, not a voucher. Like many of your passengers, my income has been slashed. I am also suspicious of the “option” to cancel flights since it is the airline that cannot provide the service and not a passengers decision.

Mar 31, 2020, 6:04 AM

Susan Wingert

Hi, How can I confirm seat arrangements? I called the Customer Service number many times today and can't get through. AC changed the flight confirmation #. As a result, I need to ensure there was no change in the previous seat assignment. I can't do this online. There seems to be no assistance available for people who are not within 72 hours of flight time??

Dec 2, 2019, 8:26 PM

Generated by Susan Wingert on Friday, July 3, 2020 at 3:20 PM UTC-04:00

Attachment 4

Captured on May 24, 2020 from

<https://www.aircanada.com/us/en/aco/home/fly/customer-support/cancellation-options.html#/current-booking>

If you booked directly with Air Canada, please select one of the following:

Air Canada has already cancelled my booking

If you have a booking cancelled by Air Canada for travel prior to March 1, 2020, please [click here](#) to learn more about your options.

If you have a booking cancelled by Air Canada for travel after March 1, 2020, you have several options available to you depending on the type of fare you purchased and whether the cancellation was within Air Canada's control.

Cancellations outside of Air Canada's control

If Air Canada has already cancelled your booking, and the cancellation is outside of Air Canada's control (for example, due to the impacts of COVID-19, government travel advisories and/or health and safety concerns), you have two expanded options to choose from:

1. **Air Canada Travel Voucher** – Transfer the remaining value of all tickets in a booking and associated services to an Air Canada Travel Voucher. The voucher has no expiry date, is fully transferable and can be used multiple times.
2. **Aeroplan Miles** – Convert and transfer the remaining value of all tickets and associated services in a booking, minus any taxes, into Aeroplan Miles, and get an additional 65% bonus miles.

If you purchased a non-refundable fare, please note that in accordance with government regulations, non-refundable bookings that are cancelled due to the impacts of COVID-19, government travel advisories and/or health and safety concerns are outside of Air Canada's control and ineligible for a refund.

If you purchased a refundable fare, you have the additional option of returning the remaining refundable value of all tickets and associated services in a booking, minus any applicable fees, back to your original form of payment.

[How to process a cancellation](#)

Cancellations within Air Canada's control

For both refundable fares and non-refundable fares, if Air Canada has already cancelled your booking, and the cancellation is within Air Canada's control, you have three expanded options to choose from:

1. **Air Canada Travel Voucher** – Transfer the remaining value of all tickets in a booking and associated services to an Air Canada Travel Voucher. The voucher has no expiry date, is fully transferable and can be used multiple times.
2. **Aeroplan Miles** – Convert and transfer the remaining value of all tickets and associated services in a booking, minus any taxes, into Aeroplan Miles, and get an additional 65% bonus miles.
3. **Return to original form of payment** – Return the remaining refundable value of all tickets in a booking and associated services back to your original form of payment.


[How to process a cancellation](#)

Attachment 5

Captured on May 18, 2020 from <https://www.aircanada.com/us/en/aco/home/fly/flight-information/delayed-flights-and-cancellations/refund-options.html>

[Home](#) | [Fly](#) | [Flight Information](#) | [Delayed Flights / Cancellations](#) | [Refund Options](#) ^

Refund Options

 For flight cancellations due to the impacts of COVID-19, government travel advisories and/or health and safety concerns, click [here](#).

In the event of a flight cancellation or a delay of more than three hours, **for situations other than those outside our control**, Air Canada offers you the option of requesting a refund for the unused portion of your ticket, or using the unused portion toward future travel with us. **Cancellations resulting from the COVID-19 crisis are considered outside our control.**

To Request a Refund

If your flight is cancelled or delayed by more than 3 hours for reasons other than those outside Air Canada's control, and you'd like to obtain a refund for the unused portion of your ticket (including some fees and/or purchased travel options), please call **Air Canada Reservations**. You'll be directed to present your refund request via your original point of purchase.

If you choose to request a refund, the method with which you are refunded will accord with the method in which you paid. Your refund will include your fare and all taxes, as well as certain charges paid for added travel options.

To Retain the Ticket Value for Future Travel

To retain the value of your ticket for future travel:

- Contact **Air Canada Reservations**. Please provide the booking reference number or ticket number. A customer service agent will cancel your current reservation.
- Air Canada will retain the value of all unused portions of your ticket and certain related travel options. (Fares available online are not necessarily available through Air Canada Reservation.)
- You may also cancel your entire reservation or all remaining portions of your ticket online. Please keep your booking reference number so we can better assist you when you are ready to use the value of your ticket.

When you're ready to use the unused portion of your ticket for travel with us:

- Please contact **Air Canada Reservations**, and make sure to have your **booking reference** handy.
- Please keep in mind that:
 - Any change fee associated to your original ticket will be waived.
 - The value can be used for future travel on Air Canada, Air Canada rouge or Air Canada Express.
 - Unused non-refundable travel options, such as assigned seat selection, Maple Leaf Lounge access, and Air Canada Bistro snack or meal vouchers may be used on future flights, subject to availability.
 - If your ticket is fully unused, you must commence your travel within 12 months of the original issue date.
 - If your ticket was partially used, you must complete your travel within 12 months of the first used portion.
 - Tickets are non-transferable: the original booking passenger(s) must use their respective amount(s).
 - Any amount remaining unused after booking a new flight is forfeited.

Attachment 6

Captured on March 17, 2020 from


<https://www.aircanada.com/us/en/aco/home/book/travel-news-and-updates/2020/covid-19.html>

Note: Air Canada removed the information displayed in this attachment on or around March 19, 2020.

My flight has been cancelled. What should I do? ▼

For flight cancellations, we will contact you via the email address or phone number you provided when you booked your flight.

At a later time, when you decide you want to travel, you can apply your credit to a future booking. Please call Air Canada at **1-888-247-2262** to book your new flight with your credit.

If you decide to have your credit refunded to the original payment method, please fill out the refund form and submit it [here](#) .

Attachment 7A

Captured on May 21, 2020 from pagepages 2 of
https://www.aircanada.com/content/dam/aircanada/portal/documents/PDF/agents/en/ca/policies/SKCH_EN_V13.pdf

Overview

Air Canada has revised the Schedule Change policy, effective immediately, for schedule changes processed as of March 19, 2020.

This policy and these procedures cover Air Canada operated flights affected by schedule changes. A schedule change (SKCH) is a flight cancellation, time change, flight number change, routing/airport change or operating carrier change which occurs **more than 48 hours prior to the original scheduled departure time.**

Attachment 7B

Captured on May 21, 2020 from page 8 of

https://www.aircanada.com/content/dam/aircanada/portal/documents/PDF/agents/en/ca/policies/SKCH_EN_V13.pdf

Refunds

Schedule Change **occurred on/before** March 18, 2020

A refund is permitted and applies only for a 014 ticket if an acceptable protection cannot be found due to a schedule change on Air Canada, Air Canada Rouge, Air Canada Express (Jazz, Sky Regional, Air Georgian, EVAS), AC*/OAL or OAL that is:

- A schedule change of 60 minutes or more.
- A change of operating carrier.
- A routing/airport change.
- Not permitting a same-day connection.
- An aircraft change that results in a cabin change.
- Refunds are processed back to the original form of payment.
- Apply waiver code: **ACUSKEDCHG** along with the flight number.

Schedule Change **occurred on/after** March 19, 2020

Full refunds are not permitted.

Please refer to the *Save as Future Credit* and *Cancel and Refund as per Fare Rules* sections below.

Exception: Refunds are permitted for flights originating from the below countries; apply waiver code **ACUSKEDCHG** along with the flight number (e.g. **ACUSKEDCHGXXXX**).

| Flight Origin | Refund of Unused Coupons | Deadline to request refund after SKCH |
|---------------|--------------------------|---------------------------------------|
| From Algeria | Yes + return to origin | 8 days |

Information subject to change without notice. *Altitude Super Elite 100K, Air Canada Express and Air Canada rouge are trademarks of Air Canada. ®Aeroplan is a registered trademark of Aimia Canada Inc. ®Star Alliance is a trademark of the Star Alliance Members. May 14, 2020. V12.

| | | |
|----------------|-----|---------|
| To/From Israel | Yes | 21 days |
|----------------|-----|---------|

Attachment 8

Captured on May 18, 2020 from

https://www.aircanada.com/content/dam/aircanada/portal/html/flash-files/20/200323_en.html

As of May 7, 2020 - V8

We've waived changes for new and existing bookings made by customers worldwide. See below for additional details.

For quick reference on which policy to apply (Goodwill or Schedule Change), please refer to our helpful [one-page document](#).

AIR CANADA CANCELLED YOUR FLIGHTS?

NO

Apply Goodwill Policy

not cancelled.
k.

cancelled up to 2 hours prior to the departure flight.

| | MAY 31, 2020 |
|-----|---|
| | Between March 1, 2020 and up to May 31, 2021 |
| | 24 months from the date you cancel your booking |
| | As per fare rule |
| | Waived - one time |
| OL) | Applies |
| | CHNGFEE20 |

YES

Involuntary Changes - Apply Schedule Change Policy

Applies when there is a flight cancellation, time change, flight number change, cabin change, routing/airport change or operating carrier change, which occurs more than 48 hours prior to the original scheduled departure time.

| | SCHEDULE CHANGE PRIOR TO MARCH 19, 2020 | SCHEDULE CHANGE ON/AFTER MARCH 19, 2020 |
|------------|---|---|
| Rebooking: | Permissible as per policy guidelines (allowed OAL). Add DUE SKCH in ticket endorsement. | Permissible as per policy guidelines (does not allow OAL*). Add DUE SKCH in ticket endorsement. |
| Refund: | Permissible, and applies only for a 014 ticket if an acceptable protection cannot be found. | As per fare rules. Non-refundable amounts will be lost (including non-refundable taxes). Any cancellation fees will apply. |
| | Add ACUSKEDCHG + flight number in waiver code field. | or Credit** ONLY for 24 months. Add CV20VL22 in ticket endorsement. Change fee waived – ADCOL collected if applicable. |
| * | Over-the-water re-protection flight must be Air Canada-operated and Air Canada-marketed. | |
| ** | Ticket will need to be exchanged prior to the ticket expiry. Instructions can be found in the Schedule Change policy located at aircanada.com/agents , on the Online DRS or by contacting the GDS Help Desk. | |

Version 4: May 7, 2020

For complete details, please refer to the Schedule Change policy.

Certificate of Service

I hereby certify that I have, this 3rd day of July, 2020 caused a copy of the foregoing Complaint to be served by electronic mail on the following persons:

| | |
|-----------------------|-------------------------|
| Anita Mosner | Aita.Mosner@hklaw.com |
| Kimberly Graber, Esq. | kimberly.graber@dot.gov |
| Blane Workie, Esq. | blane.workie@dot.gov |
| Robert Gorman, Esq. | robert.gorman@dot.gov |

/s/
Susan Wingert

[Susan Wingert]