

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, DC**

Application of)
)
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Edelweiss Air AG)
)

For a statement of authorization)
pursuant to 14 C.F.R. Part 212)
(codesharing with Deutsche Lufthansa AG))
)

Docket DOT-OST-2020-____

**APPLICATION OF EDELWEISS AIR AG FOR A BLANKET STATEMENT OF
AUTHORIZATION (CODESHARING WITH DEUTSCHE LUFTHANSA AG)**

Communications with respect to this document should be addressed to:

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DATED: July 29, 2020

NOTE: The applicant requests expedited approval of this application and will poll the carrier representatives on the attached service list and report the polling results to the Department.

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Pursuant to 14 C.F.R. Part 212, Edelweiss Air AG (“Edelweiss”)¹ applies for a statement of authorization to display the “LH” designator code of Deutsche Lufthansa AG (“Lufthansa”) on flights between any point or points behind Switzerland via Switzerland and intermediate points to any point or points in the United States and beyond. Edelweiss requests blanket authority to display Lufthansa’s code to the full extent permitted under the Air Transport Agreement between the United States of America and the Swiss Confederation.² Edelweiss requests that the Department make this statement of authorization effective for an indefinite period, consistent with DOT precedent.

In support of this application and in compliance with the Department’s requirements under 14 C.F.R. § 212.10, Edelweiss states as follows:

¹ Edelweiss has authorized counsel for Lufthansa to submit this application on Edelweiss’ behalf.

² Air Transport Agreement between the United States of America and the Swiss Confederation, dated June 21, 2010.

1. Edelweiss is a licensed air carrier of Switzerland. Edelweiss holds a foreign air carrier permit pursuant to 49 U.S.C. § 41301 authorizing it to engage in foreign scheduled and charter air transportation of persons, property and mail from any point or points behind Switzerland via Switzerland and intermediate points to any point or points in the United States and beyond.³

2. Lufthansa is a licensed air carrier of Germany. Lufthansa holds a foreign air carrier permit pursuant to 49 U.S.C. § 41301 authorizing it to engage in foreign scheduled 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.⁴

3. Edelweiss has entered into a codeshare agreement with Lufthansa. Edelweiss is requesting a statement of authorization to display Lufthansa's "LH" designator code in conjunction with foreign air transportation of persons, property and mail on flights operated by Edelweiss between any point or points behind Switzerland via Switzerland and intermediate points to any point or points in the United States and beyond. Edelweiss initially plans to display Lufthansa's code on Edelweiss flights between Zurich, Switzerland, on the one hand, and Tampa, Florida, and Las Vegas, Nevada, on the other hand.⁵

³ Order 2011-6-24 (Docket DOT-OST-2002-11481).

⁴ Order 2008-1-20 (Docket DOT-OST-2007-29037).

⁵ Consistent with the Department's Notice in the Matter of Blanket Notification of Code-Share Service to Open-Skies Partners and Points, dated February 9, 2009, Edelweiss hereby provides a blanket 30-day notice for the open skies codesharing described in this application. Edelweiss will notify the Department regarding any codesharing involving service to points in non-open skies countries.

4. Approval of the statement of authorization requested herein is consistent with the public interest, the terms of the U.S.-Switzerland Air Transport Agreement,⁶ and the Air Transport Agreement between the United States and the European Union and its Member States.⁷

5. Edelweiss requests a waiver of the 45-day advance filing requirement contained in 14 C.F.R. § 212.10(d)(2). Edelweiss and Lufthansa plan to initiate codesharing on or around September 4, 2020. For this reason, Edelweiss respectfully requests expedited approval of this application and will poll the carrier representatives on the attached service list and report the polling results to the Department.

WHEREFORE, Edelweiss respectfully requests that the Department grant its request for a blanket statement of authorization to allow it to display the "LH" designator code on Edelweiss flights as described herein, and such other and further relief as the Department may deem appropriate.

Respectfully submitted,



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⁶ Air Transport Agreement between the United States of America and the Swiss Confederation, dated June 21, 2010.

⁷ Air Transport Agreement Between the United States of America and the European Union and its Member States, signed April 25, 2007, as amended by the Protocol dated June 24, 2010.

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Application of Edelweiss Air AG for a Statement of Authorization by electronic mail upon the following:

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Rachel Welford

DATED: July 29, 2020