

---

## Instructions: Filing a Formal Complaint with the DOT

*\*REMOVE THESE INSTRUCTION PAGES BEFORE SUBMITTING OR SERVING YOUR COMPLAINT\**

---

### 1) Review this complaint form generated from the Covid Cancellations – DOT Complaint Generator

Ensure all information in the complaint is accurate and reflects your situation, including all attachments (i.e. relevant screenshots, call recording transcripts, ticket printouts, correspondence with customer relations, etc.) used to support the factual allegations. Feel free to change any part of the document and adapt it to your circumstances.

To note:

- On the title page and first page of this complaint, leave the \_\_\_\_ placeholder (after the year) blank. This blank space is where a docket number (which gets assigned by the DOT staff after submission of the initial complaint) will go. If you use the template to file a reply or other supplemental document(s), insert the docket number then.
- Avoid including personal information you do not want to reveal to the public. If needed, you can prepare two versions of the file:
  - (1) A “public” version (a redacted version that does not contain sensitive information such as postal address, ticket/PNR numbers, etc., to upload to Regulations.gov [see Step 4 below]. You should keep your email address in the public version)
  - (2) A private version (with ticket numbers, passenger names, etc. for sending to DOT staff and airline attorneys via email in Step 5 below)

### 2) If the registered agent for the airline is not included in the generated formal complaint, you must find the registered agent for the airline specified in your complaint and insert it in the “Certificate of Service” section.

The name and contact information of the registered agent can be found on the Certificate of Service (see the last page of the generated formal complaint document).

1. Use the DOT’s dockets for [agents for service of process for foreign airlines](#) or domestic airlines, as required. Search within the results for the name of your airline and select the most recent registration.
2. If the email address of the registered agent is not provided, use Google or the agent’s law firm website to search for the email address, or you can call the firm’s mainline to request the attorney’s email address.

3. Insert the agent's name and email onto the Certificate of Service page, where indicated.
  - 3) Save the Word file (both public and private versions of your complaint) as a PDF for upload and submission. To save your document as a PDF, click File, then Save As, and choose File Format: PDF.
  - 4) File the public version of the complaint on Regulations.gov
    1. Go to: [Instructions on Filing a Submission to DOT-OST for applications/petitions/exemptions and any other items for which a Docket does not exist.](#)
    2. The Comment can be simply, "Please see the attached complaint."
    3. Use the Upload Files feature to submit the public version of your complaint (PDF).
    4. Provide your name (Note: You do not need to provide your contact information through this tool).
    5. For the Category, select "Other."
    6. Keep a note of the Comment Tracking Number that results from your successful submission for the next step.
  - 5) Serve the private version of the complaint on the airline's agent and the DOT by email.
- 

To: [agent email from the Certificate of Service/the first email listed on the Certificate of Service], blane.workie@dot.gov; robert.gorman@dot.gov; kimberly.graber@dot.gov

Subject: Third party complaint of Luke Kinzie – Air Canada – August 29, 2020

Greetings,

A redacted public complaint (as to certain practices of Air Canada) was filed on Regulations.gov earlier today. Attached is the full version, including private information. Regulations.gov Comment Tracking Number: [insert comment tracking number]

Thank you,  
Luke Kinzie

---

Complete the parts highlighted in yellow using information relevant to you and your complaint. Make sure there is no more yellow highlighted text afterwards.

*Please note that this instruction sheet is current as of July 31, 2020, but the information contained therein can change from time to time.*

## What to Expect After Filing

---

Once your complaint is docketed at Regulations.gov, you should receive an email from DOT staff to that effect. If not, wait a few days, then run a search for your last name on Regulations.gov. Each Regulations.gov docket page provides a mechanism for automatic email notification when new filings are made in that docket. We highly recommend using that notification mechanism, including renewing it annually if your complaint remains unresolved after one year.

Formal complaints are governed by DOT rules contained in [14 CFR 302 subpart D](#). We recommend that you read those rules to learn more about what to expect.

An airline must respond to your complaint (by filing its “Answer”) within 15 days unless it requests and receives an extension from the DOT. Expect that the DOT staff will grant such an extension, as this is often the case when requested. Airline representatives will ask you to accept the request for the extension, which you virtually must – in the sense that if you declined, it is likely the DOT would grant the extra time regardless. It is also polite to grant the extra time. The benefit of this formal complaint process is its formality and rigour, not its speed.

There is no guarantee of any particular timing for a DOT judgment or resolution. Many complaints have gone more than a year without resolution. After a lengthy wait, you could inquire with DOT staff or contact your federal representatives to seek their assistance. Please note we are not aware of a likely resolution would result from these methods.

In general, a complainant has no right to respond to an airline’s Answer. If you want to file such a response (a “Reply”), you should seek agreement from the airline to do so (typically followed by a counter-response from the airline, called a “Surreply”). You must then seek DOT permission to reply. This can be an informal email to DOT attorneys, CC’ing the airline representative. You may want to propose a maximum page length, timing, and purpose. You must adapt the Complaint Template to file your reply, including replacing the “Complaint” heading with “Reply” (in every location including the first-page caption, second-page caption, first-page header, and subsequent page header) and adding the docket number on the first and second pages.

Once you file a formal complaint, you should avoid informal communications with DOT staff on the same subject.

Others have reported that airlines sometimes attempt to “buy off” a complainant privately – provide some money or whatever a complainant is requesting, in exchange for the complainant withdrawing the complaint. If you accept such an offer and withdraw your complaint, there will probably be no further proceedings in the docket, and hence nothing to benefit other passengers with similar problems. On the other hand, you will get an immediate personal benefit.

We are unable to provide legal assistance to complainants, but we are often able to provide procedural info. If you require further assistance or have any other questions, we encourage you to check out [Air Passenger Rights](#).

## Credits

---

Our sincere thanks to Dr. Gábor Lukács of Air Passenger Rights and Simon Cyr. Their special knowledge of all things aviation-consumer and fare rules has greatly contributed and guided the production of this tool, Covid Cancellations – DOT Complaint Generator. Thanks also to Ben Edelman for providing detailed information about the DOT formal complaint process. A final thanks to the Bucerius Legal Technology Essentials Program and Documate for providing us with the opportunity to participate in the Law for Everyone Challenge, which has allowed us to create this tool.

-----END OF INSTRUCTIONS-----

*[BLANK PAGE]*

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

----- )  
 )  
Luke Kinzie, )  
 )  
v. ) Docket DOT-OST-2020-\_\_\_\_  
 )  
Air Canada )  
 )  
----- )

**COMPLAINT OF LUKE KINZIE**

Comments with respect to this document should be addressed to:

Luke Kinzie  
1475 NE 11th Ave  
Canby, OR, USA.  
97013

E-mail: kinz.glg20@gmail.com

Dated: August 29, 2020

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

----- )  
 )  
Luke Kinzie, )  
 )  
 )  
 )  
v. ) Docket DOT-OST-2020-\_\_\_\_  
 )  
Air Canada )  
 )  
----- )

**COMPLAINT OF LUKE KINZIE**

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”<sup>1</sup> (“Enforcement Notice”).
2. This complaint also arises out of Air Canada’s application of its refund policies, which constitutes an unfair or deceptive practice within the meaning of 49 U.S.C. § 41712<sup>2</sup>. According to 14 CFR § 399.80(1)(l), it is the policy of the Department to regard as an unfair or deceptive practice or unfair method of competition the practices

<sup>1</sup> 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](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).

<sup>2</sup> 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.

enumerated in paragraphs (a) through (n) of this section by a ticket agent of any size and the practice enumerated in paragraph(s) by a ticket agent that sells air transportation online and is not considered a small business under the Small Business Administration's size standards set forth in 13 CFR 121.201:

(I) Failing or refusing to make proper refunds promptly when service cannot be performed as contracted or representing that such refunds are obtainable only at some other point, thus depriving persons of the immediate use of the money to arrange other transportation, or forcing them to suffer unnecessary inconveniences and delays or requiring them to accept transportation at higher cost, or under less desirable circumstances, or on less desirable aircraft than that represented at the time of sale.

## **FACTS**

### **A. Flight cancelled by Air Canada**

3. On December 5, 2019, I purchased a ticket for a roundtrip flight on Air Canada from Portland (PDX) with a layover(s) in Taipei, Taiwan to Chiang mai, Thailand (CNX) departing on June 14, 2020 with a layover(s) in Taipei, Taiwan (Attachment 1). I booked the flight via Priceline.
4. On April 25, 2020, I learned that my flight was cancelled by Air Canada (Attachment 2).
5. On , I contacted Air Canada to request a refund for the cancelled flight, but my request was denied. I was not provided a voucher or a refund.
6. I had booked the flight on behalf of 4 person(s). The name(s) of the individual(s) are the following: Hataikarn Kinzie, Evan Kinzie, Devyn Kinzie.



**B. Air Canada's refund policy for cancelled flights**

7. 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 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).

**C. Air Canada's obligations**

8. 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.
9. 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.
10. 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.

11. On May 12, 2020, the Department issued a notice<sup>3</sup> 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**

12. 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.
13. 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

---

<sup>3</sup> 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](https://www.transportation.gov/airconsumer/FAQ_refunds_may_12_2020).

policy is applied by Air Canada based on the date of the cancellation or schedule change, and regardless of the policy in place at the time the passenger purchased the ticket.

14. The aforementioned no-refund policy is applied by Air Canada regardless of the policies and terms in place at the time consumers purchased flight tickets, which stipulate that Air Canada will issue refunds for cancelled flights. Air Canada's policy constitutes an unfair or deceptive practice within the meaning of 49 U.S.C. § 41712.
15. According to 14 CFR § 399.80(1)(l), it is the policy of the Department to regard as an unfair or deceptive practice or unfair method of competition the practices enumerated in paragraphs (a) through (n) of this section by a ticket agent of any size and the practice enumerated in paragraph(s) by a ticket agent that sells air transportation online and is not considered a small business under the Small Business

Administration's size standards set forth in 13 CFR 121.201:

(l) Failing or refusing to make proper refunds promptly when service cannot be performed as contracted or representing that such refunds are obtainable only at some other point, thus depriving persons of the immediate use of the money to arrange other transportation, or forcing them to suffer unnecessary inconveniences and delays or requiring them to accept transportation at higher cost, or under less desirable circumstances, or on less desirable aircraft than that represented at the time of sale.

16. Many airlines are complying with their obligations to refund passengers, especially after the issuance of the Enforcement Notice on April 3<sup>rd</sup>. 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.

## **REQUESTED RESOLUTION**

17. I am seeking the airline provide me with an Refund. In addition, I ask that the Department of Transportation to do the following:

- (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.

Luke Kinzie  
Complaint – Air Canada

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Luke Kinzie', with a stylized, cursive script.

Luke Kinzie

Luke Kinzie  
Complaint – Air Canada

## Attachment 1

Copy of flight itinerary/eticket receipt

**CANCELLED**

**Portland, OR – Chiang Mai, Thailand**

---

**Sunday, June 14**  
Air Canada Flight 820  
**6:50AM** PDX → **10:25AM<sup>+</sup>** CNX  
2h 35m 1h 15m  
Operated by Air Canada Express / Jazz  
2 stops  
27h 35m

**Wednesday, July 15**  
EVA Airways Flight 238  
**13:30AM** CNX → **5:49PM<sup>+</sup>** PDX  
23h 30m 4h 45m  
Operated by Air Canada Express / Jazz  
2 stops  
44h 15m

---

<b>Departure Flight</b> Economy Class	<b>Return Flight</b> Economy Class
--	---------------------------------------

---

**Manage** Passengers Important Info

---

**Air Canada**  
Confirmation number: QOVV7X  
Phone number: 1-888-247-2282  
Manage your reservation

**EVA Airways**  
Confirmation number: QOVV7X  
Phone number: 1-800-695-1188  
Manage your reservation

**Cancellation policy**  
Your free cancellation window closed on **Friday, December 06, 12:59 PM**. And/or change penalties and restrictions apply.  
See your airline's full fare rules [here](#).

**EVA Airways**  
**Cancellation policy**  
Your free cancellation window closed on **Friday, December 06, 12:59 PM**. And/or change penalties and restrictions apply.  
See your airline's full fare rules [here](#).

**Trip Protection Information**

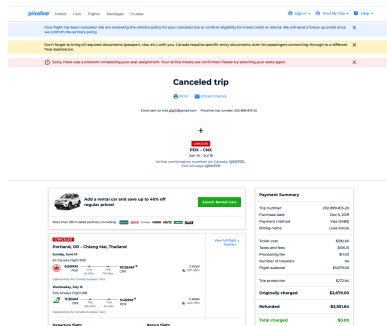
**Insurance Company:** Allianz Global Assistance  
**Coverage:** Description of coverage details  
**Claims:** Click here to file a claim.

---

**Phone Numbers**  
1 (888) 769-4353 US  
1 (800) 475-7282 International Assistance  
**Email address:** [customerservice@allianzassistance.com](mailto:customerservice@allianzassistance.com)

## Attachment 2

Confirmation/notice that a flight in your reservation has been cancelled by the airline.



### Attachment 3

Proof of communication that the Airline denied your request for a refund.





## 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](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](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. <sup>™</sup>Altitude Super Elite 100K, Air Canada Express and Air Canada rouge are trademarks of Air Canada. <sup>®</sup>Aeroplan is a registered trademark of Aimia Canada Inc. <sup>™</sup>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](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
	<b>CHNGFEE20</b>

### 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
<b>Rebooking:</b>	Permissible as per policy guidelines (allowed OAL). Add <b>DUE SKCH</b> in ticket endorsement.	Permissible as per policy guidelines (does not allow OAL*). Add <b>DUE SKCH</b> in ticket endorsement.
<b>Refund:</b>	Permissible, and applies only for a 014 ticket if an acceptable protection cannot be found.  Add <b>ACUSKEDCHG + flight number</b> in waiver code field.	As per fare rules. Non-refundable amounts will be lost (including non-refundable taxes). Any cancellation fees will apply. <b>or</b> Credit** ONLY for 24 months. Add <b>CV20VL22</b> 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 <a href="http://aircanada.com/agents">aircanada.com/agents</a> , 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.

**Additional Attachments**

**Certificate of Service**

I hereby certify that I have, this 29 day of August 2020 a copy of the foregoing Complaint to be served by electronic mail on the following persons:

Kimberly Graber, Esq.	kimberly.graber@dot.gov
Blane Workie, Esq.	blane.workie@dot.gov
Robert Gorman, Esq.	robert.gorman@dot.gov

Anita Mosner, Esq	Anita.Mosner@hklaw.com
-------------------	------------------------

A handwritten signature in black ink, appearing to read "Luke Kinzie", with a stylized flourish at the end.

Luke Kinzie