

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

Application of )  
)  
)

**JETBLUE AIRWAYS CORPORATION** )  
)

For an exemption )  
pursuant to 49 U.S.C. § 40109 )  
(New York-Buenos Aires codesharing) )  
)

Docket DOT-OST-2021-\_\_\_\_

**APPLICATION OF JETBLUE AIRWAYS CORPORATION  
FOR AN EXEMPTION**

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April 14, 2021

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U.S. DEPARTMENT OF TRANSPORTATION  
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<b>JETBLUE AIRWAYS CORPORATION</b>	)	
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For an exemption	)	Docket DOT-OST-2021-_____
pursuant to 49 U.S.C. § 40109	)	
(New York-Buenos Aires code-sharing)	)	
	)	

**APPLICATION OF JETBLUE AIRWAYS CORPORATION  
FOR AN EXEMPTION**

Pursuant to 49 U.S.C. § 40109 and Subpart C of the Department’s Rules of Practice, JetBlue Airways Corporation (JetBlue) applies for exemption authority to provide scheduled foreign air transportation of persons, property and mail between New York, New York and Buenos Aires, Argentina, on a codeshare-only basis. In support of this application, JetBlue states as follows:

1. JetBlue is a corporation organized under the laws of the state of Delaware with its principal place of business at 27-01 Queens Plaza North, Long Island City, NY 11101.

2. JetBlue is a citizen of the United States as that term is defined in 49 U.S.C § 40102(a)(15). JetBlue’s President and Chief Executive Officer and at least two-thirds of the members of its board of directors and managing officers are citizens of the United States, and at least 75 percent of JetBlue’s voting stock is owned by citizens of the United States.

3. JetBlue holds a Certificate of Public Convenience and Necessity for Interstate Air Transportation and various exemption and certificate authorities authorizing it to engage in foreign

air transportation.<sup>1</sup> JetBlue remains fit, willing and able to provide the services proposed herein and respectfully requests the Department take official notice of all information contained in these dockets and orders pursuant to Rule 24.

4. JetBlue intends to place its B6\* designator code on flights operated by American Airlines, Inc. (American) between New York, New York and Buenos Aires, Argentina, pursuant to the JetBlue-American codeshare agreement reviewed and cleared by DOT under 49 U.S.C. § 41720.

5. The codeshare-only exemption authority sought herein is fully consistent with the U.S.-Argentina Air Transport Services Agreement, as amended, and with the overall state of aviation relations between the United States and Argentina. Issuance of this authority is consistent with the public interest. JetBlue requests that the exemption be issued for a period of at least two years.

6. Approval of this application is consistent with long-standing precedent and Department policy. The Department has consistently permitted carriers to implement various codeshare/block space arrangements, and has noted that:

Increased international code sharing and other cooperative arrangements can benefit consumers by increasing international service options and enhancing competition between carriers, particularly for traffic to or from cities behind major gateways. By stimulating traffic, the increased competition and service options should expand the overall international market and increase overall opportunities for the aviation industry.<sup>2</sup>

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<sup>1</sup> See DOT Order 2000-2-7, February 4, 2000 and DOT Order 2007-7-3, May 7, 2007. See also Notice of Action Taken, Docket DOT-OST-2010-0228, September 28, 2010 (granting exemption authority to serve Turks & Caicos), Notice of Action Taken, Docket DOT-OST-2015-0019, February 11, 2015 (granting exemption authority to serve Grenada), and Notice of Action Taken, Docket DOT-OST-2016-0154, August 10, 2016 (granting exemption authority to serve Mexico).

<sup>2</sup> Statement of United States International Air Transportation Policy, 60 Fed. Reg. 21841 (May 3, 1995).

7. Approval of this application will have no effect on JetBlue's Civil Reserve Air Fleet commitments, nor will it result in the near-term consumption of ten (10) million or more gallons of fuel.

8. JetBlue will conduct its code-sharing activities in compliance with Part 257 of the Department's economic regulations and any other applicable rules and regulations, and will accept the Department's standard conditions on code-sharing service.

WHEREFORE, JetBlue respectfully requests the Department grant it exemption authority as discussed herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert C. Land". The signature is fluid and cursive, with the first name "Robert" and last name "Land" being clearly distinguishable.

Robert C. Land  
Senior Vice President Government Affairs and  
Associate General Counsel

April 14, 2021

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by electronic mail this 14<sup>th</sup> day of April, 2021, on the following:

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