



**U.S. Department of  
Transportation**  
Office of the Secretary  
of Transportation

**DEPARTMENT ACTION ON APPLICATION IN DOCKET DOT-OST-2021-0102**  
**(Filed August 30, 2021)**

**Joint Application of Alaska Airlines, Inc. (Alaska); Horizon Air Industries, Inc. (Horizon); and SkyWest Airlines, Inc. (SkyWest) (together, the “Joint Applicants”) for a blanket statement of authorization under 14 CFR Part 212 to display the IB\* designator code of Iberia Líneas Aéreas de España Sociedad Anónima Operadora (Iberia) on flights operated by the Joint Applicants in conjunction with foreign air transportation of persons, property and mail (i) between points in the United States, and (ii) between points in the United States and points in third countries for the purpose of transporting Iberia’s Spain-U.S./beyond passengers.**

**The Joint Applicants also request a waiver of the 45-day advance filing requirement under 14 CFR Part 212.**

\* Approved under assigned authority (14 CFR §385.13).

Date of Action: September 13, 2021

A handwritten signature in black ink, appearing to be "D. J. ...", written over a horizontal line.

Director, Office of International Aviation

This action is subject to the conditions attached. Persons entitled to petition the Department for review of this action under the Department’s regulations, 14 CFR §385.30, should file their petitions within seven days of the date of this action. This action is effective immediately, and the filing of a petition for review will not alter its effectiveness.

We may amend, modify, or revoke the authority granted at any time without hearing at our discretion.

*An electronic version of this document is available on the World Wide Web at*  
<http://www.regulations.gov>

The code-share operations authorized here are subject to the following conditions:

(a) The statement of authorization will remain in effect only as long as (i) Alaska, Horizon, SkyWest, and Iberia continue to hold the necessary underlying authority to operate the code-share services at issue, and (ii) the code-share agreement providing for the code-share operations remains in effect;

(b) Alaska, Horizon, SkyWest, and/or Iberia must notify the Department no later than 30 days before they begin any new code-share service under the code-share services authorized here. Such notice shall identify the market(s) to be served and the date on which the service will begin. Such notices should be filed in Docket DOT-OST-2021-0102;<sup>1</sup>

(c) Alaska, Horizon, SkyWest, and/or Iberia must notify the Department immediately if the code-share agreement under which these code-share services are operated is no longer in effect or if the carriers decide to cease operating all or a portion of the approved code-share services. Such notices should be filed in Docket DOT-OST-2021-0102;<sup>2</sup>

(d) The code-sharing operations conducted under this authority must comply with 14 CFR Part 257 and with any amendments to the Department's regulations concerning code-share arrangements that may be adopted. Notwithstanding any provisions in the contract between the carriers, our approval here is expressly conditioned upon the requirements that the subject foreign air transportation be sold in the name of the carrier holding out such service in computer reservation systems and elsewhere; that the carrier selling such transportation (i.e., the carrier shown on the ticket) accept responsibility for the entirety of the code share journey for all obligations established in its contract of carriage with the passenger; and that the passenger liability of the operating carrier be unaffected;

(e) The authority to operate to third countries is subject to the condition that any service provided under the statement of authorization shall be consistent with all applicable agreements between the United States and the foreign countries involved. Furthermore, (i) nothing in the award of this blanket statement of authorization should be construed as conferring upon Alaska, Horizon, and/or SkyWest rights (including code-share, fifth freedom intermediate and/or beyond rights) to serve markets where U.S. carrier entry is limited unless Alaska, Horizon, and/or SkyWest notifies the Department of their intent to serve such a market and unless and until the Department has completed any necessary carrier selection procedures to determine which carrier(s) should be authorized to exercise such rights; and (ii) should there be a request by any carrier to use the limited-entry route rights that are included in the authority of Alaska, Horizon, and/or SkyWest by virtue of the blanket statement of authorization granted here, but that are not then being used by Alaska, Horizon, and/or SkyWest, the holding of such authority will not be considered as providing any preference for Alaska, Horizon, and/or SkyWest in a competitive carrier selection proceeding to determine which carrier(s) should be entitled to use the authority at issue;<sup>3</sup>

(f) The authority granted here is specifically conditioned so that neither Alaska, Horizon, SkyWest, nor Iberia shall give any force or effect to any contractual provisions between themselves that are contrary to these conditions; and.

(g) We may amend, modify, or revoke the authority granted at any time without hearing at our discretion.

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<sup>1</sup> Pursuant to the Department's Notice in the Matter of Blanket Notification of Codeshare Service to Open Skies Partners and Points, dated February 9, 2009, the Joint Applicants provide blanket notification of their intent to display the Iberia designator code on their flights between points in the United States, and between points in the United States and points beyond the United States in countries with which the United States has entered into an open-skies agreement. The Joint Applicants further state that they will notify the Department no later than 30 days before commencing any codeshare service to non-open skies points, including between points in the United States and Mexico. A list of initial code-share routes is attached as Appendix B.

<sup>2</sup> We expect this notification to be received within 10 days of such non-effectiveness or of such decision.

<sup>3</sup> The notice in paragraph (b) above can be used for this notification.

## Initial Code-Share Routes

Initial Codeshare Routes			
ANC-LAX	LIH-LAX	SNA-LAX	LAS-SFO
AUS-LAX	LIR-LAX	STS-LAX	LAX-SFO
BOI-LAX	LTO-LAX	TPA-LAX	LTO-SFO
BOS-LAX	MFR-LAX	ZIH-LAX	MCO-SFO
BZN-LAX	MSO-LAX	ZLO-LAX	MSO-SFO
CUN-LAX	MZT-LAX	ANC-SFO	MZT-SFO
DAL-LAX	OGG-LAX	AUS-SFO	OGG-SFO
DCA-LAX	ORD-LAX	BOI-SFO	ORD-SFO
EUG-LAX	PAE-LAX	BOS-SFO	PAE-SFO
EWL-LAX	PDX-LAX	BZN-SFO	PDX-SFO
FAT-LAX	PVR-LAX	CUN-SFO	PVR-SFO
FCA-LAX	RDM-LAX	DAL-SFO	RDM-SFO
FLL-LAX	RNO-LAX	DCA-SFO	RNO-SFO
GDL-LAX	RSW-LAX	EWL-SFO	SEA-SFO
GEG-LAX	SEA-LAX	FLL-SFO	SJD-SFO
HNL-LAX	SFO-LAX	GEG-SFO	SLC-SFO
IAD-LAX	SJC-LAX	HNL-SFO	SNA-SFO
JFK-LAX	SJD-LAX	IAD-SFO	TPA-SFO
KOA-LAX	SJO-LAX	JAC-SFO	ZIH-SFO
LAS-LAX	SLC-LAX	JFK-SFO	