

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

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Application of )  
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S.C. COMPANIA NATIONALA DE )  
TRANSPORTURI AERIENE ROMANE - ) Docket DOT-OST-2010-0270  
TAROM S.A. )  
 )  
for renewal of an exemption pursuant to )  
49 U.S.C. § 40109 (EU-U.S. Open Skies) )

**APPLICATION OF S.C. COMPANIA NATIONALA DE TRANSPORTURI  
AERIENE ROMANE - TAROM S.A. FOR RENEWAL OF AN EXEMPTION**

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TAROM S.A.

October 16, 2019

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**APPLICATION OF S.C. COMPANIA NATIONALA DE TRANSPORTURI  
AERIENE ROMANE - TAROM S.A. FOR RENEWAL OF AN EXEMPTION**

S.C. Compania Nationala de Transporturi Aeriene Romane — TAROM S.A. (“TAROM”) hereby applies for renewal of an exemption pursuant to 49 U.S.C § 40109, Subpart C of the Department’s Rules of Practice (14 C.F.R. § 302.301 *et seq.*), and the U.S.-EU Reciprocal Recognition Procedures<sup>1</sup> to permit TAROM to continue to engage in foreign scheduled air transportation of persons, property, and mail under the EU-U.S. “Open Skies” Agreement:

- From any point or points behind any Member State of the European Union, via any point or points behind any Member State of the European Union, via any point or points in any EU Member State and via intermediate points, to any point or points in the United States and beyond; and
- Between any point or points in the United States and any point or points in any member of the European Common Aviation Area.

TAROM requests that its exemption authority be renewed for a period of at least two years, consistent with the Department’s practice and prior renewals of TAROM’s exemption authority.

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<sup>1</sup> See DOT Notice, “Application Procedures for Foreign Air Carriers of the European Union,” dated February 19, 2009.

In support of this Application for renewal, TAROM states the following:

1. By Notice of Action Taken, dated November 29, 2017, in this Docket, the Department granted TAROM the broad EU-U.S. exemption authority described above for a period of two years, through November 29, 2019.

2. The exemption authority was initially obtained in order to permit operations on a code-share basis with Societe Air France (“Air France”), and later extended to certain flights operated by Air Europa Lineas Aereas, S.A.U. (“Air Europa”).<sup>2</sup> Those code-share operations with Air France continue. At this time, there are no code-sharing operations with Air Europa.

3. The public interest considerations that supported the original grant of the exemption authority remain and warrant renewal here. The ability of TAROM to have its designator code displayed on flights operated by SkyTeam partner Air France provides substantial benefits to passengers and to the carriers themselves.

4. Renewal of TAROM’s broad exemption is also consistent with, and authorized by, the EU-U.S. “Open Skies” Agreement. TAROM’s homeland, Romania, is a member state of the EU.

5. This renewal application does not raise environmental or energy issues. Furthermore, renewal of this exemption authority will not result in a near-term increase in fuel consumption of ten million gallons or more, and thus will not constitute a “major regulatory action” under 14 C.F.R. Part 313.

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<sup>2</sup> The Department contemporaneously granted Air France a statement of authorization for an indefinite duration to display TAROM’s “RO\*” code on certain flights operated by Air France. *See* Notice of Department Action, dated November 17, 2010 (Docket DOT-OST-2010-0269). The Department subsequently granted TAROM and Air Europa a statement of authorization for an indefinite duration to display TAROM’s “RO\*” code on certain flights operated by Air Europa. *See* Notice of Department Action, dated March 25, 2011 (Docket DOT-OST-2011-0047).

6. As noted above, the exemption authority at issue is set to expire on November 29, 2019. Accordingly, TAROM hereby invokes, and intends to rely on, the automatic extension provisions of the Administrative Procedure Act, 5 U.S.C. § 558(c), as implemented by 14 C.F.R. Part 377, to continue its exemption authority in effect pending final Department action on this Application for renewal. This renewal application is timely filed pursuant to 14 C.F.R. § 377.10(c).

7. TAROM requests that this exemption authority be renewed for a period of at least two additional years, consistent with Department practice in similar cases. TAROM is in compliance with the Exemption Conditions set out in the November 29, 2017 Notice of Action Taken renewing its exemption authority, and will continue to accept and comply with all standard conditions imposed by the Department on exemptions of the type at issue in this request.

WHEREFORE, TAROM respectfully requests that the Department promptly renew its exemption authority as described herein, and grant such additional relief as the Department deems appropriate and in the public interest.

Respectfully submitted,



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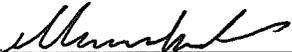
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TAROM S.A.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Application of S.C. Compania Nationala de Transporturi Aeriene Romane — TAROM S.A. for Renewal of an Exemption has been served this 16<sup>th</sup> day of October, 2019, upon each of the following addressees:

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