

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

Application of)	
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)	
JETBLUE AIRWAYS CORPORATION)	Docket DOT-OST-2016-0021
)	
2017 U.S.-Cuba Frequency Allocation Proceeding)	
)	

CONSOLIDATED REPLY OF JETBLUE AIRWAYS CORPORATION

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JetBlue¹ submits this consolidated reply in support of its service proposal for additional U.S.-Havana frequencies, and to correct certain statements made by its fellow applicants. The record in this proceeding demonstrates, beyond a doubt, that JetBlue’s proposal for additional U.S.-Havana frequencies is superior to those filed by American, Delta, FedEx, Southwest, and United/Mesa. An award to JetBlue is the best use of the limited available frequencies because it will maximize public benefits and satisfy the Department’s multi-pronged objectives in this proceeding.

I. JetBlue’s proposal would maintain and enhance the competitive balance in South Florida, inject competition in existing U.S.-Havana markets, and open access to an entirely new gateway, thereby ensuring maximum public benefits

In the *2016 U.S.-Cuba Frequency Allocation Proceeding*, the Department reviewed thousands of pages of arguments, statistics, and data submitted by JetBlue and others and reached two important decisions about the Cuba market. First, that Florida markets, and two South Florida markets in particular, Miami and Fort Lauderdale, deserved the majority of frequencies due to their significant populations of Cuban-Americans.² And second, that the public interest would best be

¹ Common names for airlines used throughout.

² See Order 2016-7-4, at 7.

served by offering a wide range of travel options, from different gateways, carriers, and at different levels of service.³ Nothing has been submitted in this proceeding to justify a departure from the Department's well-reasoned and well-balanced determination and DOT should allocate the available frequencies using a similar methodology. JetBlue's proposal, more than any other, satisfies these goals.

Allocating frequencies to fund JetBlue's additional service from Fort Lauderdale (six days a week, Sunday-Friday), Boston (Saturdays only), Newark (daily), and New York (daily) would promote and provide tangible benefits to the U.S.-Cuba traveling public by further supporting a carrier with demonstrated knowledge of, and a strong commitment to, the Cuban market, offer an opportunity for further meaningful competition against legacy carriers as this unique market continues to develop, and provide direct nonstop service to Havana from Boston, a deserving and currently unserved city with much potential demand.

As discussed in detail below, granting American's request would disrupt DOT's carefully crafted balance in South Florida and inhibit competition from low-cost carriers, while at the same time adding to the mountain of frequencies that are currently held by American (already the most dominant carrier in the market). Southwest, with its weak commitment to Cuba, penchant for cutting service, and limited experience operating internationally and to the Caribbean, is a second-tier option compared to JetBlue. Despite its claims to the contrary, Delta has extremely limited connectivity from MIA and cannot adequately compete with American from that gateway. United/Mesa have not shown a need for additional service from Houston, and their planned down-gauging and noncommittal statements about demand on the route raise serious questions as to the need for allocation of additional frequencies from that city. Finally, FedEx has proposed to operate

³ See Order 2016-8-38, at 3.

with the smallest aircraft in its fleet and has been unable to inaugurate any service to Cuba despite attempting to do so for more than a year.

II. American's and Delta's arguments against Fort Lauderdale service are not supported by the data; FLL has proven to be a preferred airport for Havana travelers

Despite the arguments made by American (and echoed by Delta), Miami International Airport (MIA) is not the “only gateway with the demand to support more U.S.-Havana service.”⁴ The Department should look past American's misleading graphics and baseless arguments about Fort Lauderdale, which fly in the face of *actual* demand. DOT should not depart from its initial competitive analysis, as it correctly determined that the public interest would be maximized by dividing the majority of frequencies between Miami *and* Fort Lauderdale, with a smaller ratio going to other deserving cities.

It is uncontested that MIA and Fort Lauderdale/Hollywood International Airport (FLL) are virtually equal in terms of local traveler preference.⁵ As JetBlue and others have demonstrated in their filings, there is strong and growing demand from FLL. In fact, that destination, with its lower fares and ease of use, is actually preferred by many consumers in South Florida. FLL enjoys a higher volume of passengers per flight than MIA, with a larger average gauge (189, compared to 159 at MIA) and a greater average number of passengers per departure (128.6, compared to 127.6 at MIA).⁶

American has presented confusing and misleading data, clearly because it is concerned about the strong demand for Cuba service out of FLL. In its answer American states that nearly

⁴ See Consolidated Answer of American Airlines, Inc., at 3, September 19, 2017, DOT-OST-2016-0021.

⁵ See Consolidated Answer of Southwest Airlines, at 5, September 19, 2017, DOT-OST-2016-0021.

⁶ See Consolidated Answer of JetBlue Airways Corporation, at 9, September 19, 2017, DOT-OST-2016-0021. Note, these figures exclude flights operated by F9 and NK. Source: U.S. DOT T-100 data via Diio Mi (December 2016 - February 2017).

50% of the total U.S. Cuban-American population resides in Miami-Dade county⁷ and that the Cuban-American population in Miami-Dade county is ten times larger than the next largest county,⁸ Broward (conveniently, where FLL is located). American claims that FLL primarily serves Broward County⁹ and that because the population of Miami-Dade is so much greater than that of Broward – ten times higher, in fact – there is significantly more demand at MIA. American even goes so far as to suggest that “there is no reason for the Department to restore FLL-HAV capacity...while depriving MIA of the additional frequencies it needs to serve proven demand.” American argues that MIA should have 67% more frequencies than FLL.

To the contrary, *actual* data for the first year of service from the two airports unquestionably supports DOT’s decision to allocate frequencies equally among FLL and MIA. Despite its repeated arguments that 90% of local demand resides within the shadow of MIA, and that this population vastly prefers MIA (with its high ticket prices, congestion, and poor service), total onboard passenger numbers belie this conclusion. American’s own figures show that 43% of travel from South Florida to Havana originates from FLL.¹⁰ This is a far cry from the numbers American claims based on population and, together with the gauge and average number of passenger data cited above, clearly show that a very large number of MIA-based passengers are choosing to bypass MIA in favor of the far superior passenger experience and lower fares available at FLL. This is likely due to the competition injected into the market by low-cost carriers such as JetBlue. JetBlue also notes that the 43% figure is very much in line with the Department’s initial

⁷ See Exhibit AA-R-101.

⁸ See Exhibit AA-R-102.

⁹ See Consolidated Answer of American, at 9.

¹⁰ See Exhibit AA-R-201.

split of frequencies between MIA and FLL and is likely to rise based on, among other things, the increased ticket sales JetBlue is realizing from the opening of its two ticket offices in Havana.¹¹

As Southwest correctly notes, FLL offers the best option for low fare travel from South Florida, with 70% of FLL's seat-departures operated by low-cost carriers or ultra-low-cost-carriers, compared to just seven percent at MIA.¹² FLL enjoys a higher volume of passengers per flight than MIA, with a larger average gauge and a greater average number of passengers per departure. In order to maintain the competitive structure of the Department's original allocation, and to best promote public benefits, JetBlue urges the Department to re-allocate South Florida frequencies to low-cost carriers offering Fort Lauderdale-Havana service and to consider service from new routes before awarding additional flights to a legacy carrier looking to strengthen its monopoly hub position from Miami, especially when there is no evidence of preferred demand of MIA over FLL. As noted below, failing to do so would lead to a competitive imbalance and undermine the ability of low-cost carriers like JetBlue to discipline the prices of competitors operating from Miami such as American and Delta.

III. Awarding additional frequencies to American would inhibit competition, lead to higher fares and further monopolization of the South Florida-Havana market, and be contrary to the public interest

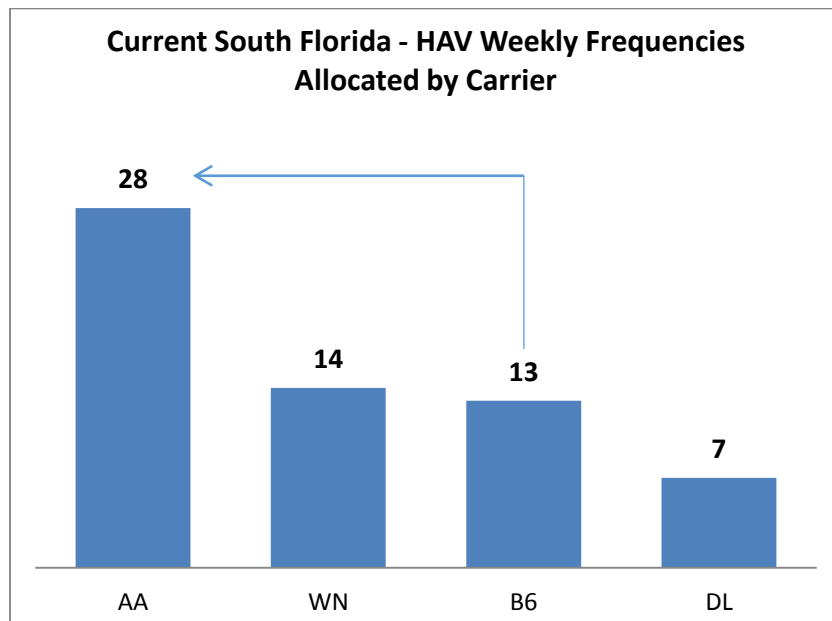
JetBlue agrees with Southwest and others that an award of additional frequencies to American is not warranted. American is already the dominant carrier in Miami, as well as in the U.S.-Cuba market as a whole. An award of frequencies to American would unduly strengthen this monopolistic position and result in further industry concentration and reduced competition in the South Florida-Havana market. As noted herein passenger metrics do not support an award of frequencies to American at MIA, and certainly not before an award to a low-cost carrier from FLL,

¹¹ JetBlue expects its Havana ticket offices to account for more than 10% of total HAV-based bookings.

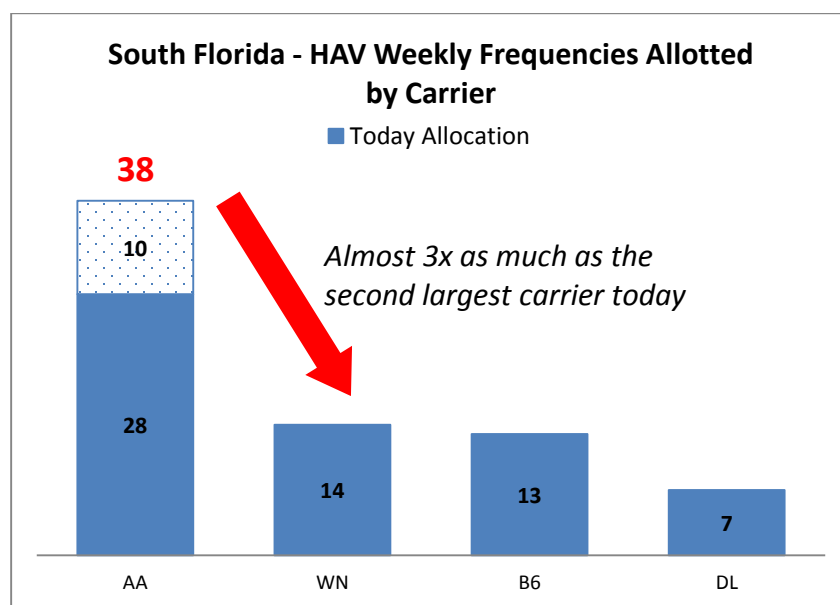
¹² See Consolidated Answer of Southwest, at 6.

and doing so would inextricably harm the competitive balance that was so carefully crafted in the *2016 U.S.-Cuba Frequency Allocation Proceeding*.

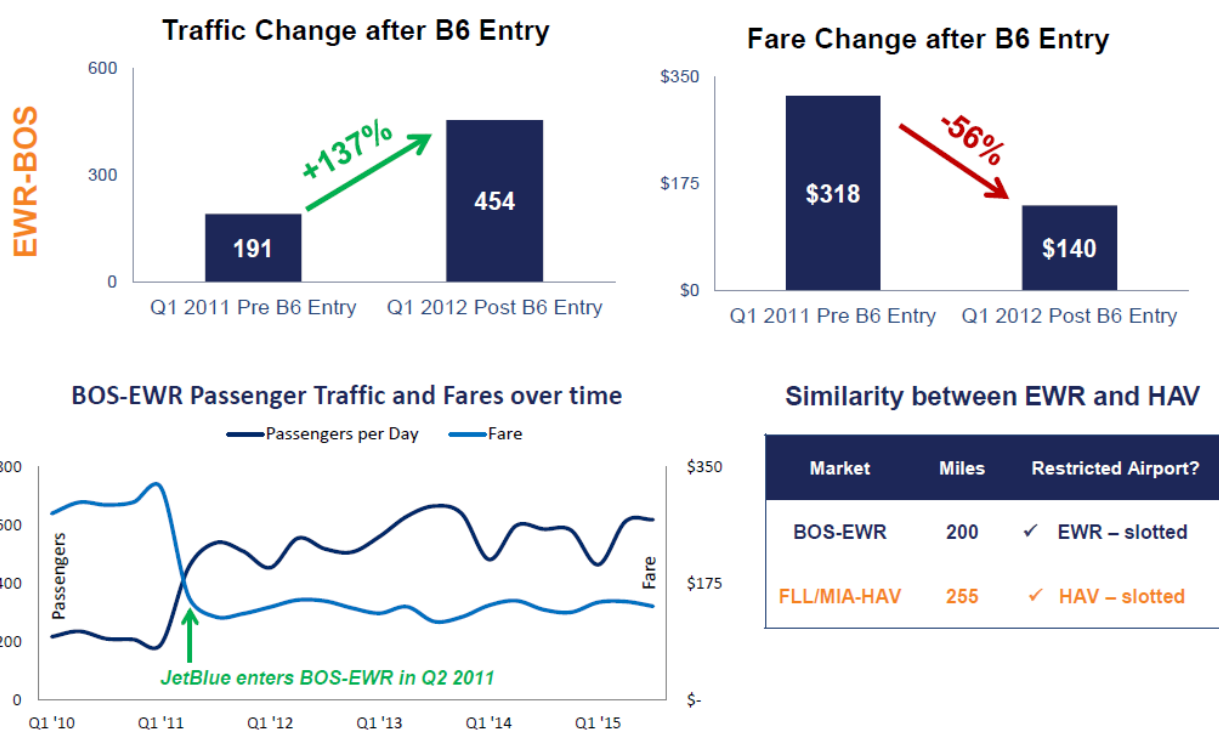
American currently holds the greatest number of South Florida-Havana frequencies – more than twice that of JetBlue.



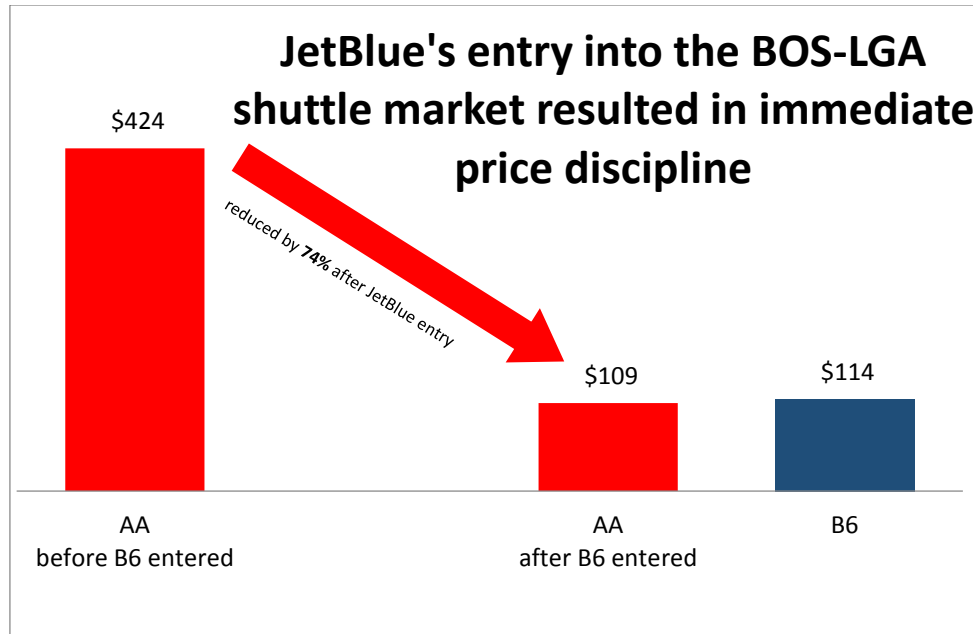
An award of additional frequencies to American would further skew this imbalance and consequently lead to reduced competition.



Without meaningful competition from low-cost carriers like JetBlue, American's already high fares will continue to rise. JetBlue has a strong history of disciplining legacy carrier airfares when it enters a new market, in the Caribbean and elsewhere. For example, as the graphic below depicts, JetBlue's entry into the Newark-Boston market in 2011 resulted in immediate and consumer-friendly effects: traffic on the route increased by 137%, while fares (previously only offered by legacy carriers) dropped 56%.



The same pro-passenger effects occurred after JetBlue entered the New York (LGA) – Boston shuttle market in October 2016, which had previously been dominated by legacy carriers that held passengers hostage with high fares (*e.g.*, \$424, each way) and poor service. Following JetBlue's entry into the market, the LGA-BOS traveling public saw an immediate and significant fare reduction by American to \$109 (a 74% percent drop!) because it had to compete with JetBlue. As noted in the attached exhibits, American's BOS-LGA fares remain low today thanks to the competitive balance JetBlue brings to the marketplace.



Finally, and most importantly, JetBlue has a demonstrated history of disciplining American's sky-high fares *in Cuba*. When American filed its fares to serve several destinations in Cuba from Miami, including Camaguey, Holguin, and Santa Clara, its lowest base fare to these cities was \$279.50. JetBlue filed its own fares shortly thereafter, charging just \$128.00 to the same destinations from Fort Lauderdale. This represented a 54% discounted option for the traveling public in South Florida. Notably, immediately after JetBlue filed its fares, American dropped its own fares from MIA *by \$151.50* (or 54%) in order to match JetBlue's reasonably priced service from FLL. This immediate reduction in fares by American is not surprising – it had no choice if it was to compete in the market. These low fares continue to exist in large part because of JetBlue's presence in the Fort Lauderdale market and its ongoing ability to discipline the fares of legacy carriers operating from MIA. American eventually dropped its fares from Miami to Camaguey, Holguin, and Santa Clara to as low as \$46 in order to compete with JetBlue's service.

These are just three of many examples that demonstrate how, without meaningful competition from low-cost carriers like JetBlue, passengers are and will be held hostage to higher

fares and poorer service. Awarding additional frequencies to American, on top of the frequency imbalance already in place, would be counterproductive to the Department's public interest mandate and would impede JetBlue's ability to act as a price inhibitor to dominant legacy carriers operating from MIA.

IV. JetBlue is committed to continued growth in Havana and throughout Cuba

Several carriers, including American and Southwest, criticize JetBlue's recent decision to down-gauge certain flights to Havana. JetBlue does not dispute that it, like several of its competitors including American and Delta, has down-gauged certain Cuba flights. As the Department is well aware, this unique and one-of-a-kind market is still developing and is significantly hindered by OFAC travel restrictions. As a result, estimating passenger demand is complex. JetBlue's decision to down-gauge certain routes, rather than showing a lack of commitment, was necessary to right-size operational parameters and ensure future viability of the service and, equally as significant, it did not in any way impact the customer experience.

Despite claims to the contrary made by some of JetBlue's fellow applicants, down-gauging is not an indicator of weak demand or lack of market share. Nor is it permanent. Delta seems to agree with this position, and acknowledges that "adjustments to gauge are common industry practice and reflect the operational realities that airlines face when beginning service in a still-developing, restricted market such as HAV."¹³ Departmental precedent, too, supports a carrier's ability to tailor its operation to market needs so as to best serve the traveling public.¹⁴ JetBlue notes that it has the ability to up-gauge to 200-seat Airbus A321 aircraft as the market continues

¹³ See Answer of Delta Air Lines, Inc., at 10. Delta, unlike JetBlue, never even attempted to operate with its 199-seat B757-200 aircraft, instead electing to down-gauge by 34% before inaugurating service to Havana.

¹⁴ See Order 94-3-40, at 4 (awarding an applicant that could "adjust capacity to actual traffic demand"); *see also* Order 92-4-33, at 22 (acknowledging that the applicant's proposed aircraft "responds rationally to the state of the market").

to develop, thereby adding additional capacity on an as-needed basis. Southwest, on the other hand, has no flexibility with respect to aircraft size and cannot offer more than 175 seats due to the limitations of its fleet.

This is in fact consistent with JetBlue's overall approach to tailoring its operation to meet market-specific needs. For example, when JetBlue inaugurated service between Fort Lauderdale and Cartagena, Columbia in late 2014, it utilized 150-seat Airbus A320 aircraft. Two years later, Columbia experienced an economic downturn which, coupled with concerns over the Zika virus, led to reduced demand on the FLL-CTG route. And in late 2016, rather than cutting service entirely, JetBlue down-gauged to 100-seat Embraer E-190 aircraft in response to the market's needs. When demand improved in early 2017, JetBlue up-gauged and is now, once again, operating the route with its 150-seat Airbus A320s. This flexibility (which other airlines like Southwest do not have) allows JetBlue to succeed in new markets, which tend to have a natural ramp for demand, as well as in economically challenged parts of the world. JetBlue's decision to inaugurate Havana service with 200-seat Airbus A321 aircraft (the largest aircraft in its fleet) is a sign of where JetBlue sees the market in the future and strong evidence of its long-term commitment to serving the U.S.-Cuba traveling public for years to come.

The record in this proceeding establishes, beyond a doubt, that JetBlue is the *most* committed carrier in the Cuban market. JetBlue was the first airline to operate scheduled service to Cuba in more than 50 years, and its desire to grow its presence in this market was the impetus for this proceeding. It has a very large presence in the Caribbean and Latin America (one of the largest among U.S. carriers), with concrete plans to further increase service in the region. Earlier this month it opened two ticket offices in Havana which will promote sales, increase load factors, and drive future demand. It is one of the first U.S. entities to secure a license from the Cuban

Chamber of Commerce's National Registry of Branches and Agents of Foreign Businesses, thereby permitting it to open its own branch office in Cuba (*i.e.*, a "sucursal"). It has close relationships with many Cuban entities, including Commercial Take Off, ECASA and ESICUBA, and leverages these contacts to improve the experience for its consumers.

Southwest, unlike JetBlue, has put forth no data evidencing it is committed to the Cuban market in the long term aside, of course, from requesting additional and unwarranted frequencies from Fort Lauderdale. It has not opened a ticket office (unlike all of its other U.S. competitors), nor does it appear to have plans to do so. It makes no mention of efforts undertaken to promote further U.S.-Cuba travel, investments in Havana or its surrounding communities, or relationships with local Cuban entities. This, to JetBlue, signals that Southwest is merely seeking to warehouse frequencies. Southwest appears to have taken a similar tact in Mexico where, following a required divestiture of slots by Delta and Aeromexico, it applied for and received four U.S.-MEX slot pairs. Now, even before inaugurating service on all of the routes, Southwest has notified the Department that it no longer wants 25% of the access it fought so hard to secure.¹⁵ It is worrisome that Southwest, based on its demonstrable lack of commitment to the market, and penchant for cutting service to Cuban (and other international) destinations, may take a similar approach here if it is awarded additional frequencies from Havana.

Furthermore, JetBlue is one of the few airlines that has not eliminated *any* service to Cuba. American reduced service from Holguín, Santa Clara and Varadero to one daily flight from two in December 2016, which resulted in a nearly 25% reduction of its seats in the U.S.-Cuba market.¹⁶

¹⁵ See Notice of MEX Phase Two Slot Availability, September 22, 2017, DOT-OST-2015-0070.

¹⁶ See <https://www.nytimes.com/2017/03/13/travel/airlines-reduce-flights-to-cuba-and-switch-to-smaller-planes.html?mcubz=0>. In addition to eliminating service from Holguín, Santa Clara and Varadero, American also down-gauged the aircraft used to operate between Charlotte and Havana. In its application, American initially applied to operate 144-seat A319 aircraft, but later down-gauged to a lower 128-seat configuration.

Southwest made a similar decision, and completely eliminated service to Varadero and Santa Clara earlier this month, cutting its capacity to Cuba by 45% - perhaps this would not have occurred if Southwest had the ability to meaningfully down-gauge. Delta, which actually asks for more authority in this proceeding, eliminated its New York (JFK)-Havana service on Mondays and Wednesdays.¹⁷

The Department should not be swayed by American's and Southwest's statements that JetBlue should up-gauge to back-fill demand rather than secure additional frequencies. JetBlue has thoroughly evaluated how best to serve the needs of FLL-Havana travelers and determined that additional frequencies, as opposed to up-gauging, would maximize public interest and provide the most benefits to the traveling public. JetBlue operates fewer flights than any other carrier operating from FLL. A third frequency from FLL would allow JetBlue to complement its existing departures at 0758 and 1227 with an afternoon flight that would depart at 1515 six days a week. This would in turn let JetBlue offer more schedule variety, better (shorter) connecting times, more connecting itineraries, and more U.S. origins that can connect to Havana. And, unlike Southwest, which cannot up-gauge based on its restricted single-type fleet, JetBlue has the ability to add additional, meaningful capacity into the market with its 200-seat A321 fleet if/when such up-gauging is appropriate based on reasonable market needs. As noted above, JetBlue has a history of up-gauging to meet demand and also, unlike Southwest, the flexibility to do so as the U.S.-Cuba market continues to develop.

¹⁷ See Application of JetBlue Airways Corporation for Exemption Authority and U.S.-Cuba Frequencies, at FN 12, September 12, 2017, DOT-OST-2016-0021.

American, on the other hand, with its four daily flights from Miami and full schedule of departures at 0640, 0935, 1520, and 1915¹⁸ is the perfect candidate for up-gauging. JetBlue agrees with Delta that it would be more appropriate for American to up-gauge to its 181-seat Airbus A321 aircraft.¹⁹ This would add 30,660 seats to the MIA-HAV market per year and allow for carriers like JetBlue to fill out their existing schedules, provide more competitive travel times, and come closer to matching American's frequencies so as to ensure strong competition which will in turn maximize public benefits. It is no wonder that American is so staunchly opposed to this approach. An award of additional frequencies to JetBlue would put American in a position where it would have to compete on a more equal footing with a low-cost leader with significant experience in, and a serious commitment to, the marketplace.

Lastly, American's arguments regarding JetBlue's lids are misleading. Its smoke and mirrors calculations are unsubstantiated and nothing more than an attempt to distract the Department from what matters most in this proceeding: maximizing public benefits. Load factors are not the all-important metric, especially in a unique and developing market like Cuba with its challenging passenger restrictions. Carriers seeking long-term success in this market must take into account any number of factors when planning and adjusting an operation. As noted previously by JetBlue, it (and others, like Delta)²⁰ places passenger lids on certain operations to Cuba so as to better accommodate the very critical and well-recognized baggage needs of the U.S.-Cuba traveling public. JetBlue believes its market-conscious decision provides a service Cuba travelers

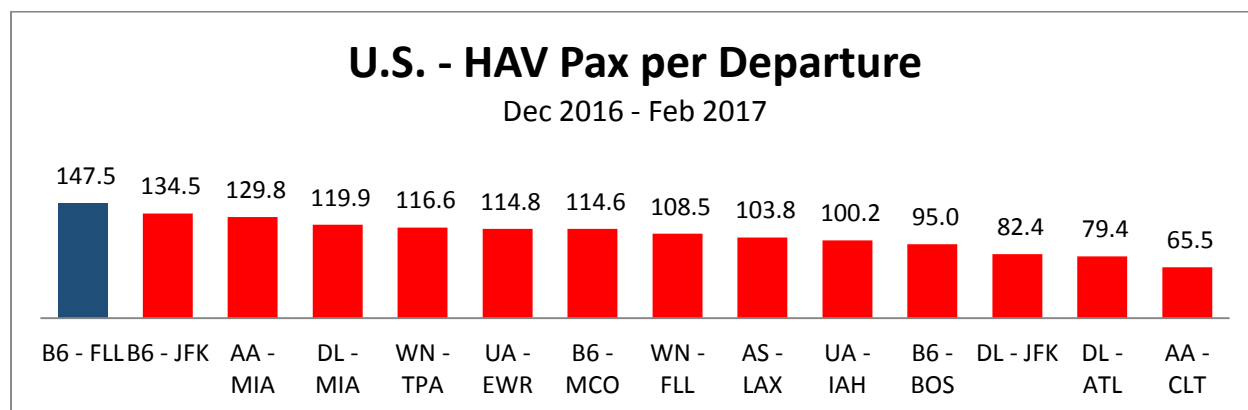
¹⁸ Source: October 2017 OAG schedules. JetBlue, conversely, operates just two departures at 0758 and 1227, and has no flights that compete with American's mid-to-late afternoon operations. Note: JetBlue only operates one departure on Saturdays.

¹⁹ See Answer of Delta, at 8.

²⁰ See Answer of Delta, at FN10.

are seeking, promotes the public interest and caters to the specific and unique needs of Cuba travelers (who need to bring goods to their families that are otherwise unavailable in Cuba).

The Department should similarly ignore American’s inappropriate and repeated insinuations that JetBlue was in any way attempting to deceive the Department or hide its traffic figures. To the contrary, JetBlue’s service from Fort Lauderdale has outperformed all other U.S.-Havana routes on a per departure basis.²¹



V. Southwest’s data is not reliable, and awarding extra frequencies to Southwest would not promote the public interest

While Southwest’s performance in the FLL-HAV market may have “improved significantly in recent months,”²² it is a second-tier option to JetBlue’s service proposal and Southwest should not be awarded frequencies from FLL before JetBlue. Southwest’s long-term commitment to the Cuban market is lacking as evidenced by its complete elimination of service to Varadero and Santa Clara and dearth of local investments in Cuba to support the continued growth of its operation. Southwest, in fact, has reduced its overall Cuba service by a staggering 50%.

Unlike JetBlue and every other applicant in this proceeding, Southwest does not sell international tickets through Online Travel Agents (OTAs) or via GDS. Moreover, it does not

²¹ JetBlue responded to American’s baseless Motion on September 14, 2017, and stands by the arguments in that filing.

²² See Consolidated Answer of Southwest, at 5.

have a ticket office in Havana (or anywhere else in Cuba, for that matter). The primary mechanism to purchase a ticket to Havana on Southwest is through its website. Cubans, however, have extremely limited access to the internet and are virtually unable to transact for goods and services with a credit card. Because Southwest does not have any tangible presence on the island and does not sell through OTAs, travel on Southwest simply is not a viable option for most Cuba-originating passengers. Surely if Southwest were truly committed to the market it would not sit idly by while the population of an entire country books travel on its competitors.

JetBlue's baggage policy is also much more favorable for Cuba travelers than Southwest's. Due to the well-known isolation of Cuba over the last 50 years, U.S. consumer goods are in very high demand.²³ Southwest's baggage policy, which is limited to two checked bags and no boxes, is significantly more restrictive than JetBlue's (which allows for three checked bags, and boxes). The Department's goal of maximizing the public interest in this proceeding does not stop at the edge of U.S. territory. It applies equally to passengers originating in both the United States and Cuba, and JetBlue believes that its service proposal offers more benefits to, and better caters to the needs of, the traveling public *in both countries* than that of Southwest.

Similarly, the Department should pay no mind to Southwest's assertion that it charges lower fares to Havana than JetBlue. Southwest is, once again, cherry-picking data.²⁴ The particular booking information cited was "pulled on 9/7 at 1:00 PM" and based on a single sample. This one-off ticket does not tell the whole story. Two minutes of research by JetBlue analysts revealed a one-way southbound FLL-HAV fare on Southwest of \$165, with a highly competitive

²³ See, e.g., <https://www.bcg.com/de-de/publications/2016/globalization-consumer-products-understanding-evolving-cuban-consumer.aspx>.

²⁴ See, e.g., Exhibit WN-A-507.

fare on JetBlue, sold for the same day of travel, priced at just \$99; a 40% savings.²⁵ Based upon this type of fare comparison, JetBlue's fares are approximately 40% less than those of Southwest. The Department should similarly ignore Southwest's boasts about its "lower unit cost,"²⁶ as such metrics have no bearing here considering the short overall stage length of Cuba service. Southwest's manipulative data about its apparent low fares can be easily disproven and therefore should be disregarded by the Department.

VI. An award of frequencies to Delta would not promote competition

JetBlue was bemused to learn of Delta's ironic desire for "competition" in this proceeding, given Delta's well-publicized support for restrictions on open skies, its propensity for limiting access at certain airports, its protectionism, and its unlimited and unchecked immunity from the antitrust laws with no periodic review. JetBlue wholeheartedly agrees with Delta that competition in the South Florida-Havana marketplace (and elsewhere) is needed, and also that preserving consumer choice and maintaining an adequate level of service in South Florida are paramount.²⁷ That being said, JetBlue does not believe Delta is the correct carrier to provide a counter-balance to American's current majority share of the South Florida-Havana market.

Delta presupposes that because it operates from MIA, it is the only carrier that can compete with American.²⁸ The Department should not go down this path, as it would do nothing but create a duopoly in Miami, leading to higher fares, poorer service, and few public benefits. Unlike JetBlue's proposal, which would offer connections to more than 40 U.S. cities, Delta's proposed second MIA-HAV flight will not offer any meaningful connecting service. Moreover, its claims

²⁵ Source: Southwest website and ITA Matrix Airfare search; data pulled 3:43 PM on September 25, 2017 for a one-way FLL-HAV flight on December 18, 2017.

²⁶ See Consolidated Answer of Southwest, at 14. While it is true that, by definition, an E-190 has higher unit costs because it has fewer seats, numerous examples exist where JetBlue has brought prices down, even when operating an E-190 (*see, e.g.*, JetBlue's BOS-LGA service, which caused a market-wide reduction of fares by nearly 75%).

²⁷ See Answer of Delta, at 2.

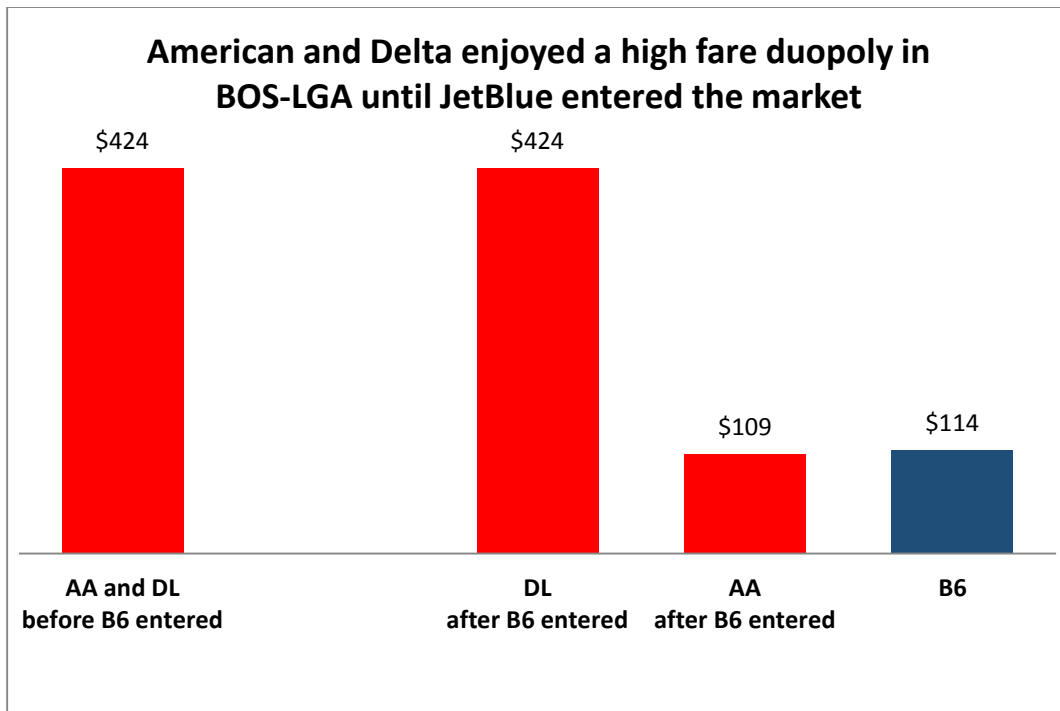
²⁸ See Answer of Delta, at 7.

about the need for “multiple travel classes” should be ignored. The flight to Havana is less than an hour, and the majority of passengers are visiting friends and relatives (VFR). If there is as much demand as Delta and American assert, they would be better suited operating a denser seating configuration or up-gauging aircraft. Both Delta and American also tout their first class service but ignore 90% of the aircraft. JetBlue’s flights offer more legroom for the *entire* plane, unlimited free food and drinks, a TV at every seat, and other award-winning benefits, and provide a passenger experience that is second to none.²⁹

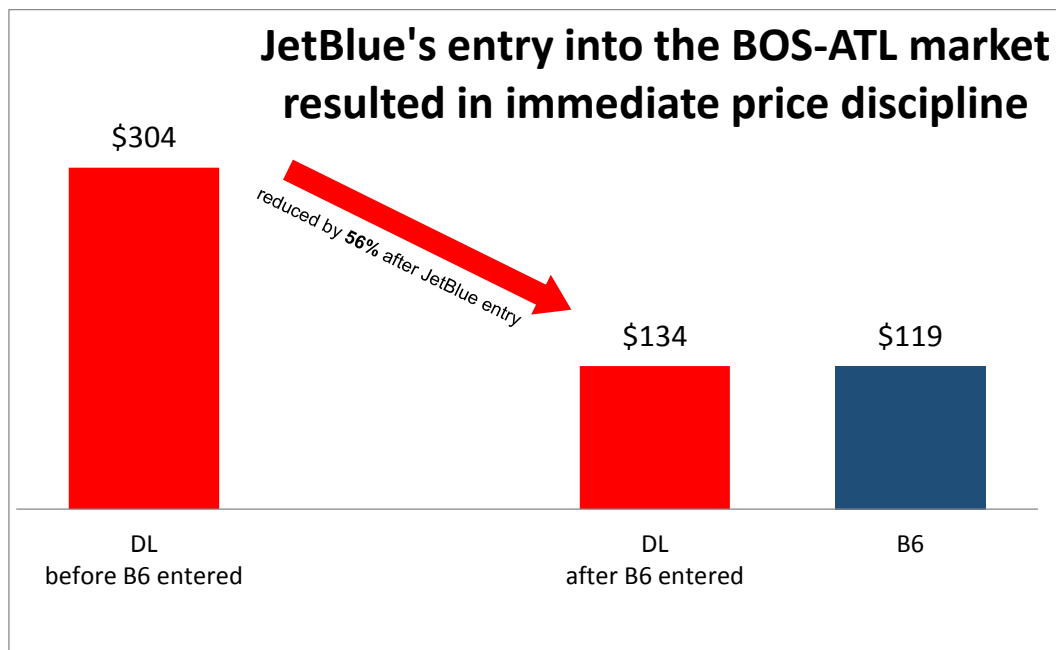
The Department should pay no mind to Delta’s argument that an award of frequencies would foster “competition” against American in Miami. To the contrary, Delta wants the Department to replicate in the Miami-Havana market a situation like its DCA-LGA “competitive” marketplace where, absent a low fare carrier providing true and meaningful competition, the two incumbent legacy carriers merely co-exist and charge outrageous duopoly high fares (up to \$286, minimum, one-way)³⁰ versus the competitive fares that result when there is meaningful low fare carrier competition (typically resulting in at least a 50% reduction). For example, before JetBlue entered the shuttle market from Boston to New York, American and Delta were “competing with each other” by charging walk-up fares of more than \$400 each way. True competition came only when low fare competitor JetBlue launched its LGA-BOS shuttle. JetBlue’s entry into the market fractured the duopoly, and the lowest walk-up fare was reduced by approximately 50%. The lowest 14-day advance purchase fare has been reduced along similar margins from \$165 to \$80.

²⁹ In fact, JetBlue was named the best coach-class airline in North America. *See* <https://www.usatoday.com/story/travel/flights/2015/07/16/best-airlines-coach-economy-class/30186857/>.

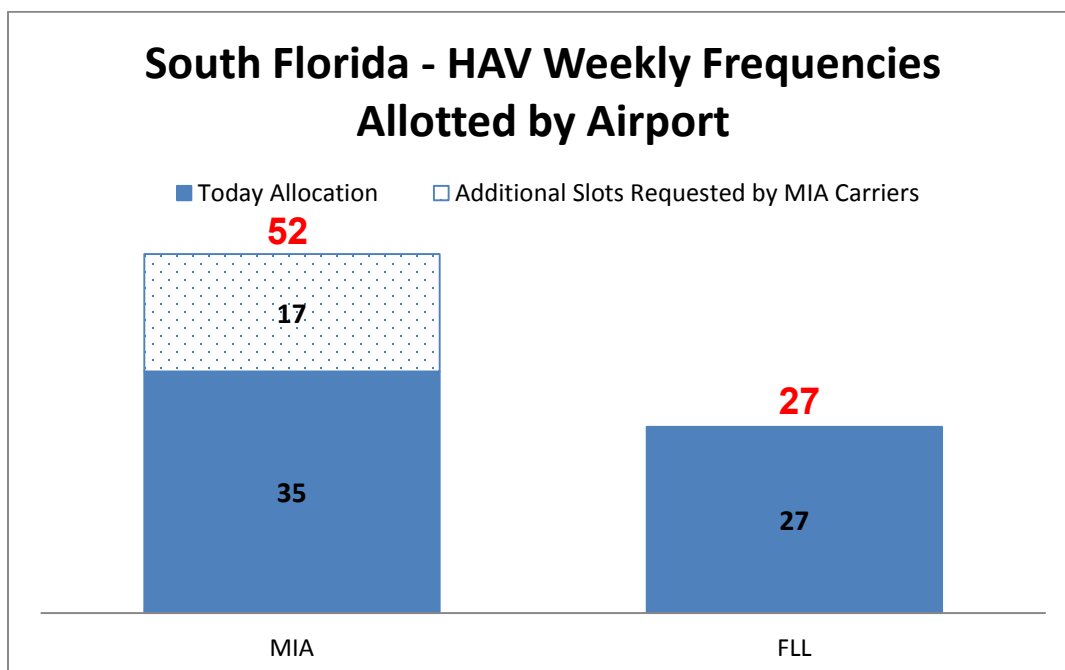
³⁰ Source: IATA Fares Matrix; data pulled at 3:49 PM on September 25, 2017 for a period of October 10, 2017 to November 10, 2017.



JetBlue saw similar numbers when it challenged Delta head-to-head at its Atlanta fortress hub by offering direct service from Boston. After JetBlue entered the market, Delta reduced its fares significantly (up to 56%) in order to compete with JetBlue's low fares and excellent service.



Most importantly, however, is the fact that a grant of Delta's and American's service proposals would skew the South Florida-Havana market far from what the Department initially intended. This would have a lasting negative impact on competition.



Delta, like its fellow legacy carrier American, is a mega-carrier that has built its immunized network over decades of consolidation. As evidenced by the record in this proceeding (and others), competition is best fostered when innovative, new entrants challenge the status quo of massive legacy carriers operating from global fortress hubs. Only an award to a low-cost carrier like JetBlue, with a demonstrated commitment to the marketplace and a superior product, can promote competition in the South Florida-Havana market and satisfy the Department's objectives in this proceeding. An award of six frequencies to JetBlue for FLL-HAV service would foster competition and maximize public benefits as compared to Delta's proposal for seven frequencies to fund a second daily MIA-HAV flight. Delta's proposal should be rejected.

VII. United’s daily service from Houston would squander much desired frequencies on regional jets from a city that has not demonstrated adequate demand

JetBlue agrees with United that the Department should take into consideration the need for geographic diversity in underserved (and unserved) communities when making a decision. JetBlue’s proposal to inaugurate new service from Boston would best maximize public benefits as compared to United’s proposal to add flights from Houston, a city which clearly has little appetite for such service. United claims that the central and western United States are underrepresented but ignores that the Northeast is completely *un*represented.

United concedes that the Department should favor new entry and geographic balance. Boston best meets this important criteria as it and the New England region have a sizeable Cuban American population, as well as significant educational, healthcare, and industrial ties with Cuba that will drive demand, even under the current restricted regulatory environment.

JetBlue also agrees with United that “operational flexibility” is needed in new markets such as Havana, where carriers are still determining how best to serve the traveling public. However, as detailed in its answer and elsewhere in its pleadings, JetBlue believes it is procedurally inappropriate for United to *de facto* transfer a frequency awarded in a contested proceeding to a completely separate airline, whether or not they are operating under a capacity purchase agreement. United’s comparison to the Silver Airways codeshare is perplexing and evidences United’s fundamental misunderstanding, as in that example the two carriers entered into a codeshare whereby JetBlue’s codes were carried on Silver flights to certain points in the Caribbean. There was no contested frequency proceeding underlying that cooperative agreement and Silver had all necessary underlying operating approvals. If United is awarded frequencies in this proceeding, those frequencies (or any other frequencies held by United) cannot be transferred

to an airline that did not itself file for a frequency in this proceeding and meet the Department's evidence criteria.

The bottom line is that there is insufficient demand to justify daily service between Houston and Havana. United's questionable and ambitious estimates about demand on the Houston-Havana route have been discussed at length in this proceeding, by JetBlue and others.³¹ United's claim for "operational flexibility" to use 76-seat regional jets operated by Mesa at the same time it claims heightened demand is paradoxical. Why is United seeking to decrease capacity by more than 50% and at the same time claiming adequate demand to fill seats on six additional weekly flights? Between December 2016 and June 2017, United averaged a load factor of 75%, *for Saturday-only service*. Notwithstanding United's position that additional flights from Houston will "leverage untapped demand," JetBlue does not believe United's current passenger figures are high enough to justify the 600% increase in capacity from Houston that United is proposing.

United places a premium on connectivity, estimating that 90% of its expected demand on the Houston-Havana route will come from connecting traffic.³² United believes this differentiates it from other applicants, including JetBlue. According to United, JetBlue's application is "woefully lacking in the area of connectivity" because its requested additional service from FLL would offer fewer connections than United's service from IAH and that, according to United, JetBlue's Newark service would not provide any connections.³³

United's argument is not relevant for South Florida, where the majority of traffic is local. JetBlue believes that the consumer benefits its third frequency³⁴ would generate, including better

³¹ See, e.g., Consolidated Answer of American, at 23 ("United's proposed IAH-HAV service is not warranted by existing and foreseeable demand.").

³² See Consolidated Joint Answer of United Airlines, Inc. and Mesa Airlines, Inc., at 12. United notes a local Cuban-American population of 19,000 and expects to connect this local traffic base with 179,000 connecting Cuban American passengers.

³³ See Consolidated Joint Answer of United and Mesa, at 9.

³⁴ Except on Saturdays, where JetBlue would continue to operate just one flight.

time of day coverage, shorter connection times and improved connectivity, far surpass any concerns about additional connecting points. Regarding United's claims about Newark, JetBlue's proposed EWR-HAV service would provide connectivity to Boston and provide additional service to the New York metropolitan region and the second largest Cuban-American population center in the United States. Moreover, what United does not mention, is that JetBlue's proposal would also provide meaningful competition against United's own daily Newark-Havana service.

Interestingly, the cities selected for their ability to provide enhanced connectivity in the *2016 U.S.-Cuba Frequency Allocation Proceeding*, Atlanta and Charlotte, have the lowest passenger departure numbers of any airport offering non-stop service to Havana.³⁵ This calls into question the importance of connectivity and United's reliance on that metric as justification for an award of additional frequencies. Moreover, many of the Cuban-American population centers United claims will benefit from its additional service via Houston (*i.e.*, Las Vegas and Los Angeles) already have one-stop³⁶ or non-stop³⁷ options every day of the week. And, in fact, 29 of the 44 cities that would "benefit" from new behind-Houston connections are already served by American's daily service over Charlotte or Miami. These factors, along with the fact that United's proposed service will be operated by a 76-seat regional jet³⁸ (the smallest seat capacity of any aircraft, *by far*, being proposed in this proceeding) call into question whether an award of six frequencies to United would maximize public benefits as compared to other applications.

³⁵ See Consolidated Answer of JetBlue, at 5 (chart of U.S.-Hav Pax per Departure).

³⁶ JetBlue, among other applicants, offers one-stop service from Las Vegas via its focus city of Fort Lauderdale.

³⁷ Alaska Airlines offers daily nonstop service from Los Angeles to Havana. JetBlue and others offer daily one-stop connections on the same route.

³⁸ For clarification purposes, JetBlue would like to remind United that its Embraer E-190 aircraft are not "regional jets". See Consolidated Joint Answer of United and Mesa, at 20 ("JetBlue itself has down-gauged to a regional jet between Orlando and Havana.").

VIII. The Department should take this opportunity to award frequencies outside of South Florida and JetBlue’s proposal to serve Boston, Newark and New York would provide new and important public benefits

Alternative cities, particularly Boston, but also Newark and New York, deserve additional access to Havana. An award of frequencies to cities outside of South Florida would satisfy the Department’s objective of maximizing public benefit through competition and consumer choice “in terms of type of carrier, specifically, network, low-cost, ultra-low-cost; choices of airport; choices of nonstop or connecting service.”³⁹ JetBlue believes that the public interest would be maximized by awarding some of the available frequencies to deserving cities outside of South Florida and notes that when DOT evaluated its prior service proposal for Boston-Havana service, the Department recognized that “Boston and New England are home to healthcare, technology, and educational institutions that would benefit from nonstop service to Havana.”⁴⁰ The Department’s decision not to select JetBlue’s Boston-Havana proposal at that time was “shaped by JetBlue’s [low] ranking of that proposal”⁴¹ and the fact that allocating service to Boston in the 2016 proceeding would require DOT to forego an award to another gateway.

The market has changed since the Department’s initial award of Havana frequencies in August 2016. Two carriers, both operating from South Florida, have terminated service, making available 21 frequencies for re-allocation. What has not changed, however, is the strong desire of JetBlue and the entire New England community for nonstop service from Boston. Nor the fact, as noted in Order 2016-8-38, that DOT concluded Boston and New England “would benefit from nonstop service to Havana” had additional frequencies been available. JetBlue believes that its service proposal (which garnered support from officials in all levels of government, universities,

³⁹ See Order 2016-8-38, at 3 (emphasis added).

⁴⁰ *Id.* at 10.

⁴¹ In the *2016 U.S.-Cuba Frequency Allocation Proceeding*, JetBlue ranked its Boston-Havana service proposal 10th among its 12 proposals for daily service.

local institutions, healthcare providers, and many others) satisfies the Department's concerns from 2016 and should be granted. Specifically, JetBlue's proposed Saturday-only service from Boston is, together with its request for six additional frequencies from Fort Lauderdale, its top priority. And, with 21 frequencies available, the Department can replace much of the capacity that was lost in South Florida while at the same time fund service from additional gateways such as Boston, thereby increasing competition in the entire U.S.-Cuba marketplace.

The service proposals put forth by American, Delta, Southwest and FedEx seek only to add additional service from South Florida to Havana. United's proposal, which would provide additional access from a point outside South Florida, is associated with marginal demand, small aircraft size, and does not create an entirely new U.S. point of entry. JetBlue's proposal for Boston-Havana service opens an entirely new gateway for U.S.-Cuba travel, complementing the Department's goals and benefitting the entire New England region.

JetBlue disagrees with American and others that all of the available frequencies should be allocated to the South Florida-Havana market. Local demand from a large Cuban-American population is not the only factor needed to build successful service to Havana and to connect the two countries after more than 50 years of economic separation; after all, all 21 of the frequencies at issue in this proceeding were abandoned by carriers operating from South Florida (14 frequencies from FLL; seven frequencies from MIA). Rather, the Department should utilize a holistic approach in evaluating each applicant's service proposal, keeping in mind there are multiple sources of demand under the current OFAC restrictions.

Boston is the gateway to all of New England, which has a population of nearly 15 million,⁴² including **more than one million students**, and perfectly embodies the educational, scientific,

⁴² See <http://www.discovernewengland.org/about-new-england/new-england-usa-quick-facts>.

health and cultural travel categories that will be the focus of scheduled service under the current sanctions regime. As noted in JetBlue's initial application, and echoed by Massport,⁴³ Boston is host to a robust local economy anchored by healthcare, biotechnology and some of the most prestigious educational institutions in the world (all of which drive current demand in the OFAC-approved travel categories). The New England region has over 120 institutions of higher education and more university students per capita than any other region in the U.S. or the world, including Harvard,⁴⁴ Tufts, Yale University, Dartmouth College, the Massachusetts Institute of Technology, Boston College, Boston University, and Northeastern University. Many if not most of these institutions *currently* have study abroad programs in Cuba and are a significant driver of current and future demand while travel to Cuba remains restricted. Boston and Cuba are also deeply connected in the area of agriculture. Overall, food/agricultural exports to Cuba are currently valued at \$24,379,155, up from \$3,342,526 just two years ago. More than 50% of the agricultural goods exported are poultry products, and two of the largest poultry exporters are located in and around Boston.⁴⁵ Notwithstanding comments to the contrary from JetBlue's competitors, there is ample and significant demand to support new, nonstop service from Boston and JetBlue believes an award of one Saturday-only frequency to fund this service is reasonable and would satisfy the Department's objective of promoting the public interest.

Even Southwest recognizes the potential demand that is available from Boston. The 185,770 Cuban Americans located within 35% circuitry of Boston is comparable to the figures noted for JFK (currently awarded 14 weekly frequencies + seven additional being applied for),

⁴³ See Answer of Massachusetts Port Authority, September 19, 2017, DOT-OST-2016-0021.

⁴⁴ Since 1999, the Cuban Studies Program at the David Rockefeller Center for Latin American Studies has evolved into one of the most extensive and diverse ventures of its kind. It caters to scholars from areas across a variety of fields including social sciences, history, environment, education, chemistry, public health and medical sciences and frequently sends scholars and students to Cuba for research, symposia and other related events. See http://drclas.harvard.edu/files/drclas/files/drclas_cubanstudies_web.pdf.

⁴⁵ See U.S.-Cuba Trade and Economic Council, Inc., Economic Eye on Cuba, September 2017.

EWB (currently awarded seven weekly frequencies + seven additional being applied for), and IAH (currently awarded one Saturday-only frequency + six additional frequencies being applied for).⁴⁶ Surely, if Houston, New York and Newark can sustain multiple daily frequencies based on these levels, Boston is deserving of one Saturday-only flight so that the entire population of New England can enjoy nonstop service to Havana.

Gateway	Cuban-Americans within 35% Circuitry	Frequencies Awarded (+ applied for)
Newark	248,926	7 (+7)
Houston	245,908	1 (+6)
New York (JFK)	239,952	14 (+7)
Boston	185,770	0 (+1)

Finally, JetBlue disagrees with American and others as to the need for additional service from Newark and New York (JFK). As noted throughout this proceeding, these destinations serve the New York metropolitan area, which has the second highest population of Cuban Americans and numerous cultural, educational, and business ties with Cuba. It is no wonder they enjoy some of the highest load factors of any destination outside of South Florida.

IX. Nothing in FedEx's answer supports an award of frequencies

FedEx has not adequately demonstrated how its service proposal would generate superior public benefits as compared to JetBlue's (or any other carrier involved in this proceeding). FedEx plans to operate its smallest aircraft to Havana and has a questionable history attempting to launch operations to the island nation. Nothing in the record indicates FedEx has, or will be able to, overcome the logistical obstacles it has been battling for the last year. Given the lack of public benefits that would flow from FedEx's service proposal and the uncertainty of its ability to operate

⁴⁶ See Consolidated Answer of Southwest, at 4.

in Cuba, JetBlue believes that the five frequencies requested by FedEx would be better used by another applicant.

X. Conclusion

The record in this case clearly demonstrates that JetBlue's proposed U.S.-Havana service will maximize public benefits and satisfy the Department's established goals in this proceeding. JetBlue appreciates the Department's time and effort in reviewing and evaluating the filings submitted to date, and commends the Department on its continued work to help foster connections in the U.S.-Cuba market. JetBlue believes its application is the superior choice and respectfully requests the Department grant its proposal for 21 frequencies to operate additional service to Havana from Fort Lauderdale, Boston, Newark, and New York in full.

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 of Government
Affairs & Associate General Counsel

Dated September 26, 2017



CONSOLIDATED REPLY OF JETBLUE AIRWAYS CORPORATION

DOT DOCKET DOT-OST-2016-0021

Proposed Service: Overview

US Origin		Cuba Destination		Daily Frequency
FLL	Fort Lauderdale/Hollywood FL ¹	HAV	Havana	6x Weekly(X-Sat)
BOS	Boston	HAV	Havana	1x Weekly (Sat Only)
EWR	Newark ²	HAV	Havana	1x Daily
JFK	New York ²	HAV	Havana	1x Daily

Total: 3

JetBlue intends to fly 3 additional, daily frequencies to Havana from three origins: A split slot between FLL (Sun-Fri) and BOS (Sat only) plus daily service from EWR and a second daily JFK frequency.

¹ Also serving the greater Miami/West Palm Beach metro area

² Also serving the greater New

Proposed New Service Schedules

Flt #	Day of Week	Dep Station	Dep Time	Arv Station	Arv time	Equip	Flt #	Dep Station	Dep Time	Arv Station	Arv time	Equip
113	Sat	BOS	11:15	HAV	15:30	320	114	HAV	16:45	HAV	20:23	320
1699	All (X Sat)	FLL	15:15	HAV	16:40	320	1700	HAV	17:55	FLL	19:12	320
1365	All	EWR	12:32	HAV	16:10	320	1366	HAV	17:25	EWR	21:00	320
443	All	JFK	13:46	HAV	17:40	320	442	HAV	18:55	JFK	22:12	320

Other US Carriers: 9k, 3M, F9 & G4

NW, CO, FL and US data is represented as DL, UA, WN and AA

Flight Schedule: BOS – HAV (New Service)

Boston, Massachusetts (BOS) – Havana, Cuba
(HAV)

Non-Stop Service (Year Round)

Effective March 17th, 2018

B6 113 Saturday A320	Flight Number Frequency Equipment	B6 114 Saturday A320
11:15	Boston (BOS)	16:45
15:30	Havana (HAV)	20:23
<hr/> 4:15	Elapsed Time	<hr/> 3:38

Flight Schedule: FLL – HAV (New Service)

Fort Lauderdale, Florida (FLL) – Havana, Cuba
(HAV)

Non-Stop Service (Year Round)

Effective March 15th, 2018

B6 1699
Sunday - Friday
A320

Flight Number
Frequency
Equipment

B6 1700
Sunday - Friday
A320

15:15

Fort Lauderdale (FLL)

17:55

16:40

Havana (HAV)

19:12

1:25

Elapsed Time

1:17

Flight Schedule: EWR – HAV (New Service)

Newark, New Jersey (EWR) – Havana, Cuba
(HAV)

Non-Stop Service (Year Round)

Effective March 15th, 2018

B6 1365
Daily
A320

Flight Number
Frequency
Equipment

B6 1366
Daily
A320

12:32

Newark (EWR)

17:25

16:10

Havana (HAV)

21:00

3:38

Elapsed Time

3:35

Flight Schedule: JFK – HAV (New Service)

New York, New York (JFK) – Havana, Cuba (HAV)

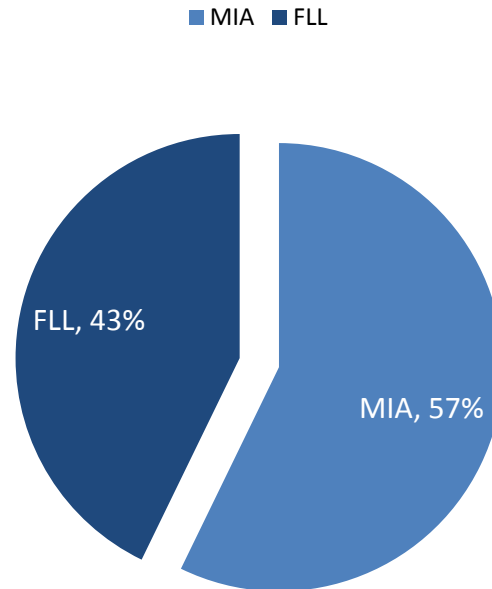
Non-Stop Service (Year Round)

Effective March 15th, 2018

B6 443 Daily A320	Flight Number Frequency Equipment	B6 442 Daily A320
13:46	New York (JFK)	18:55
17:40	Havana (HAV)	22:12
<hr/> 3:54	Elapsed Time	<hr/> 3:17

Despite claims by American, the vast majority of South Florida passengers do not prefer MIA.

South Florida - HAV Passengers



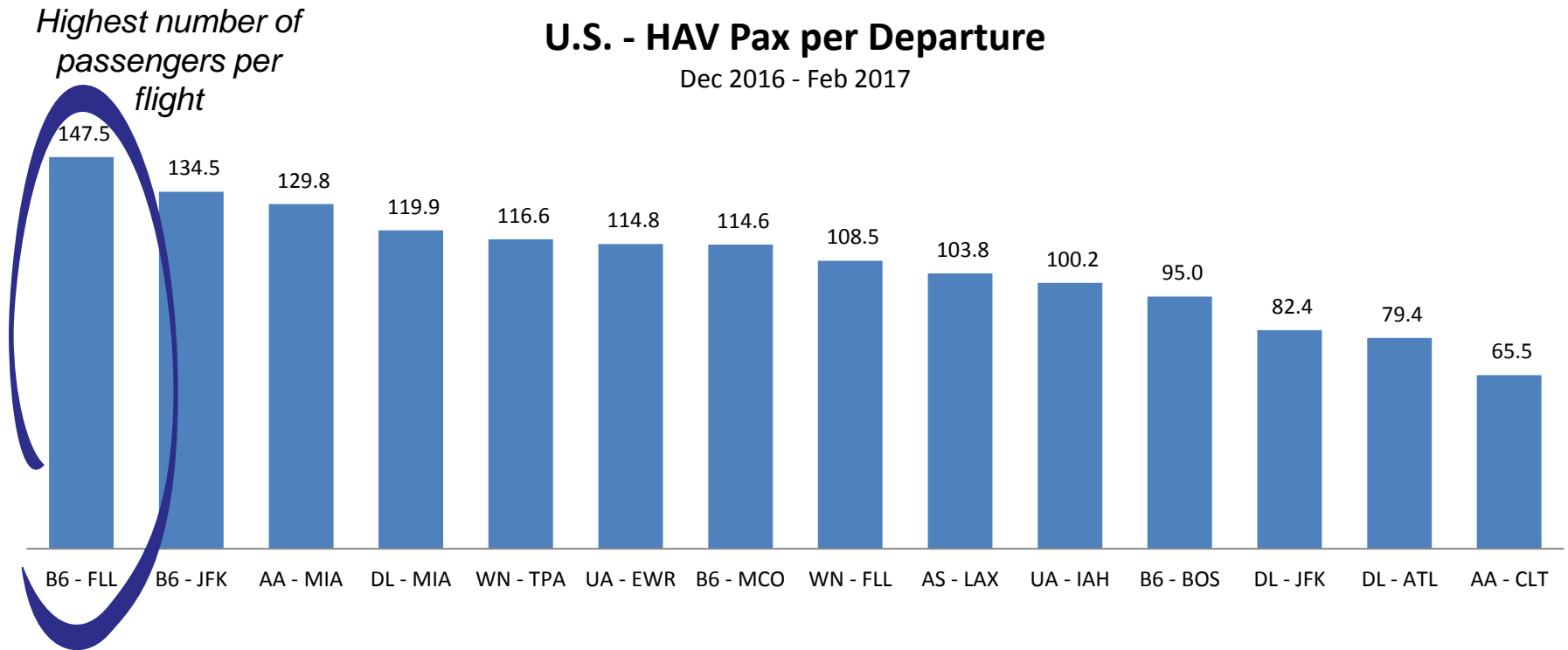
Total Passenger Count

MIA: 368,460

FLL: 274,274

Source: US DOT T-100 Nov 2016 – July 2017; See also Exhibit AA-R-201.

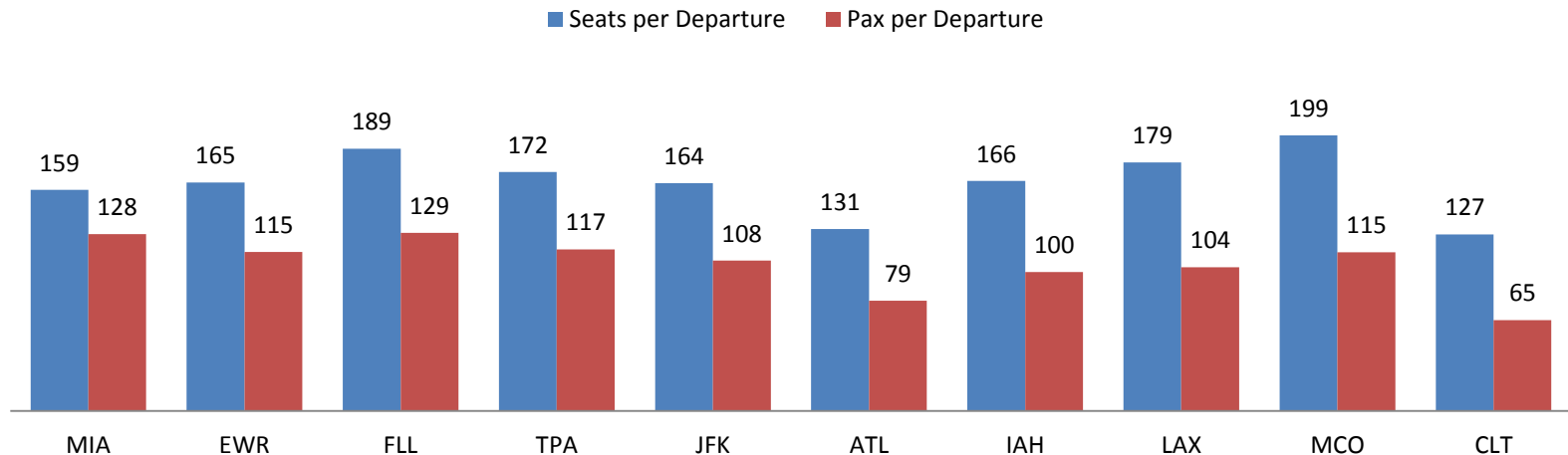
On per departure basis, B6 FLL-HAV service outperformed all other U.S. - HAV routes



Source: U.S. DOT T-100 data via Diio Mi (December 2016 - February 2017).

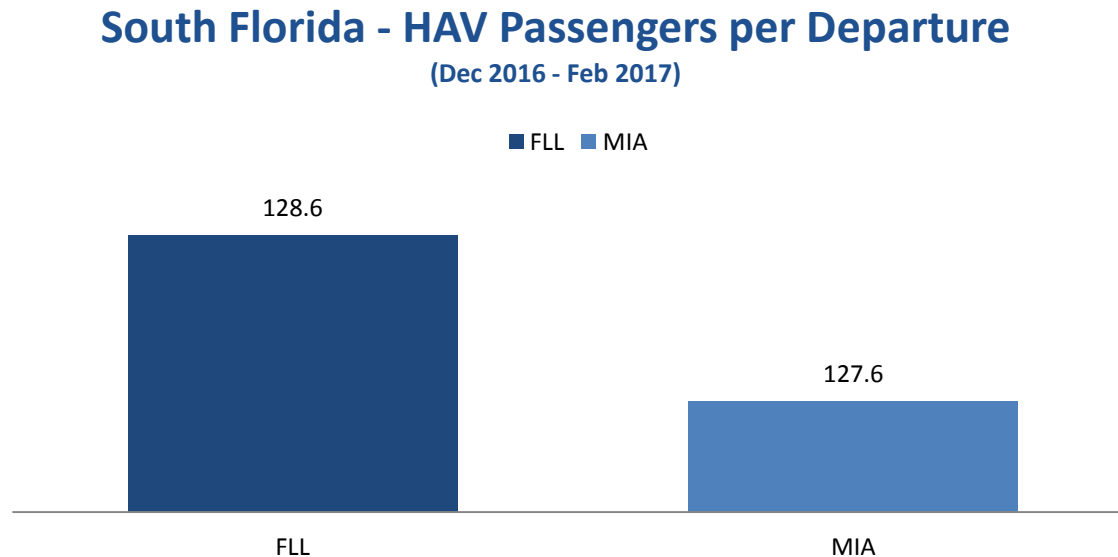
FLL is superior to MIA in both seats *and* passengers per departure, proving that passengers prefer FLL

U.S. - HAV Seats and Passengers per Departure
(Dec 2016 - Feb 2017)



Source: U.S. DOT T-100 data via Diio Mi (December 2016 - February 2017).

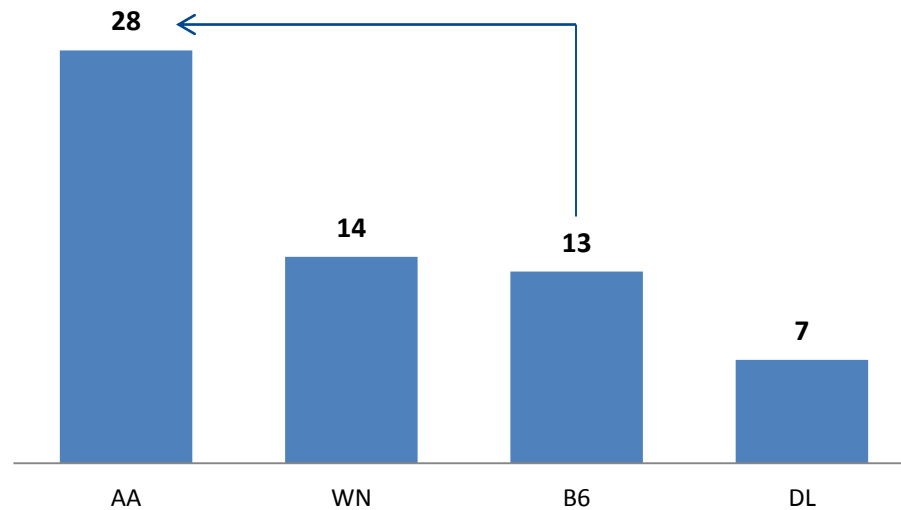
South Florida – HAV Pax per Departure



Source: U.S. DOT T-100 data via Diio Mi (December 2016 - February 2017).

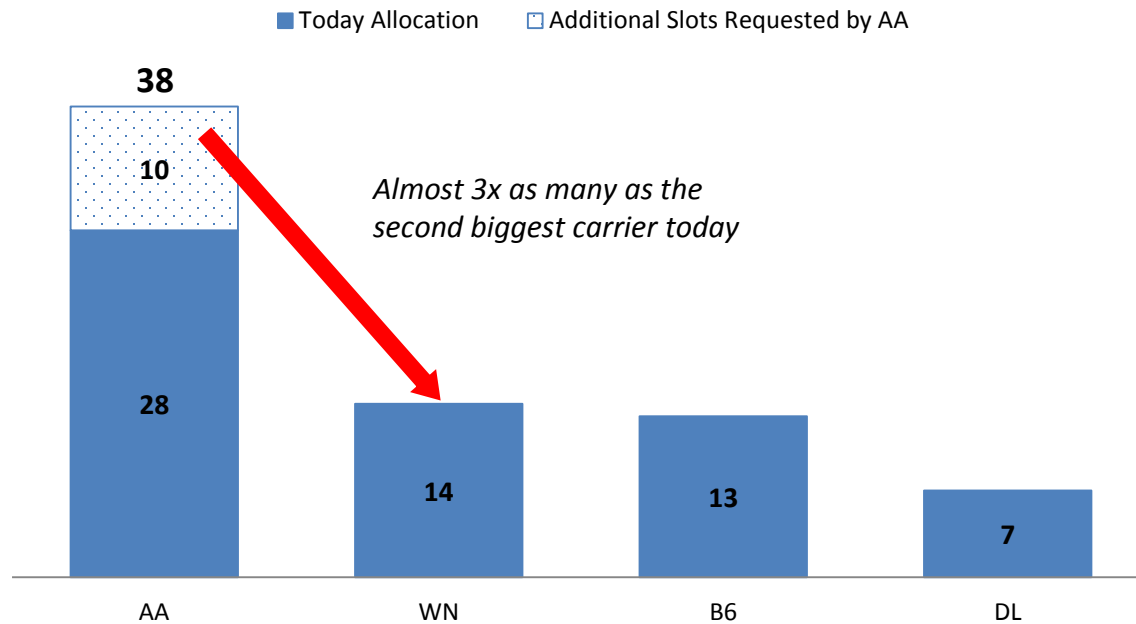
American already has 2.2x more South Florida-Havana frequencies than JetBlue

Current South Florida - HAV Weekly Frequencies Allocated by Carrier



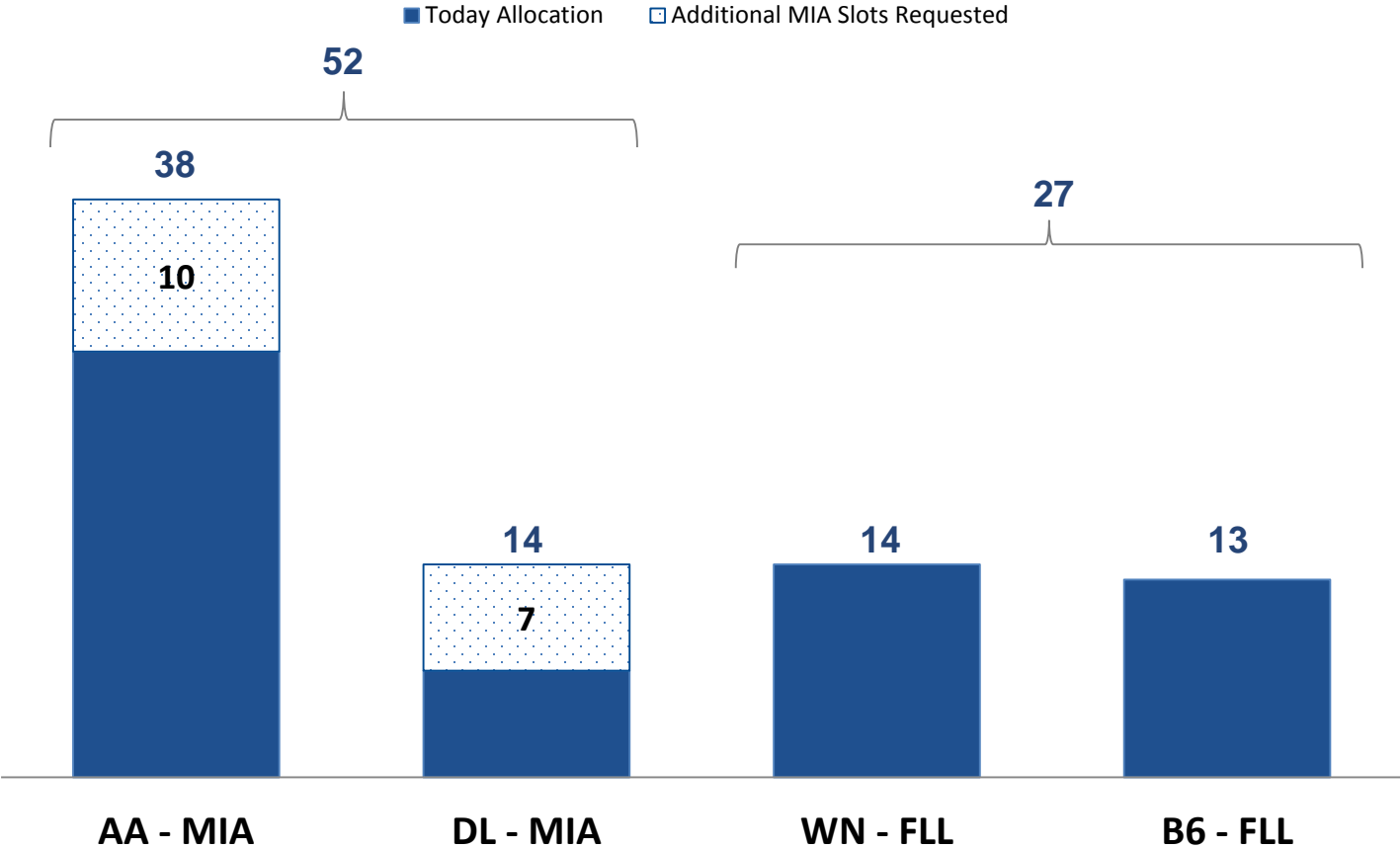
An award of additional frequencies to American would result in an even greater competitive imbalance

South Florida - HAV Weekly Frequencies Allotted by Carrier



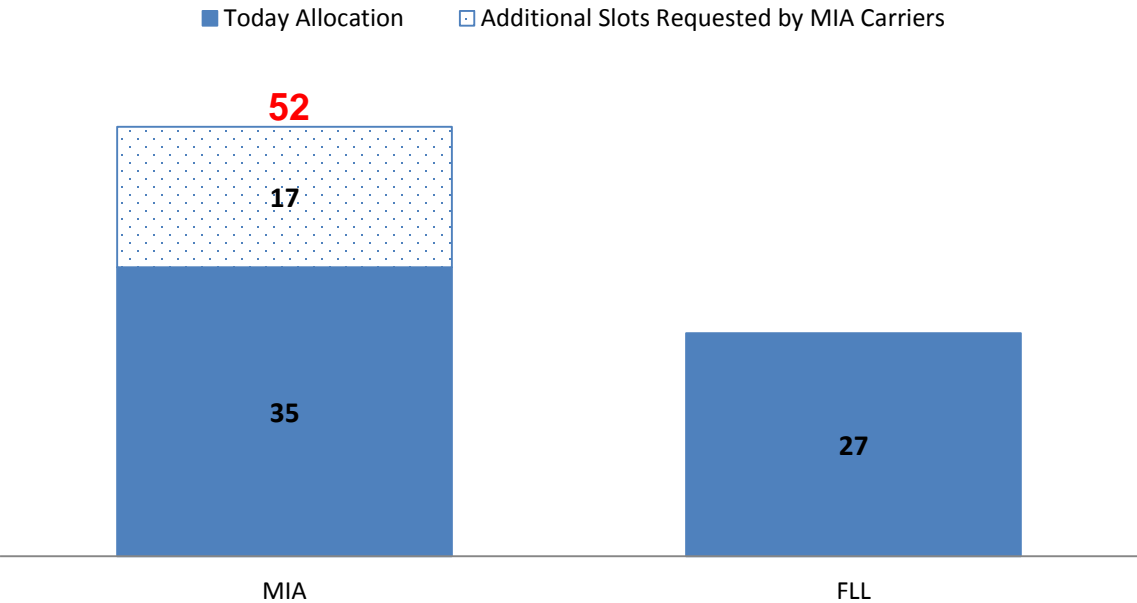
An award of additional frequencies to American and Delta would offset the carefully crafted competitive balance between MIA and FLL

South Florida - HAV Weekly Frequencies Allotted by Carrier

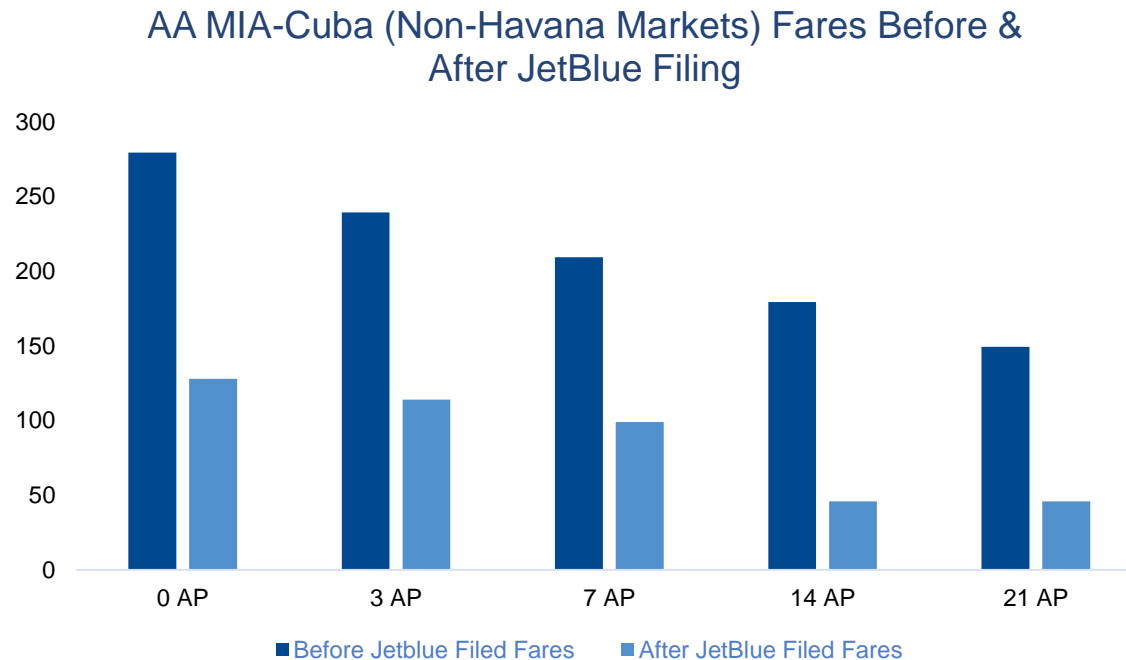


An award of additional frequencies to American and Delta would offset the carefully crafted competitive balance between MIA and FLL

South Florida - HAV Weekly Frequencies
Allotted by Airport



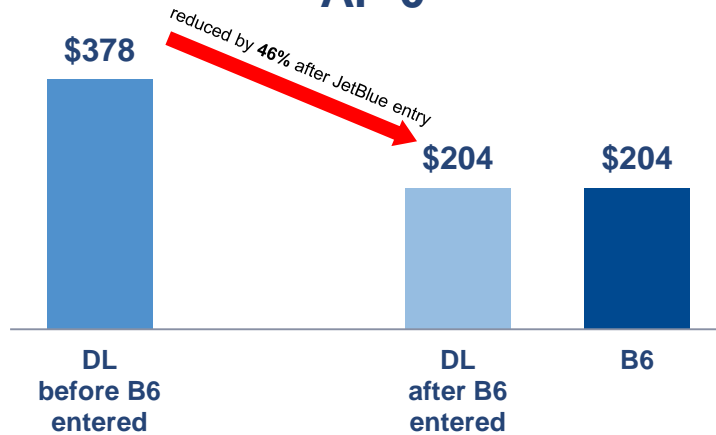
JetBlue's entry into non-HAV markets Camaguey, Holguin, and Santa Clara forced American to drastically reduce its own fares, to the benefit of the U.S.-Cuba traveling public



American Airlines clearly showed its intention to take advantage of its dominant position in MIA by offering much higher fares in three non-Havana markets before JetBlue filed its lower, more competitive fares.

BOS-ATL DL Fares for 0, 7, 14 and 21 AP Before and After JetBlue Entry

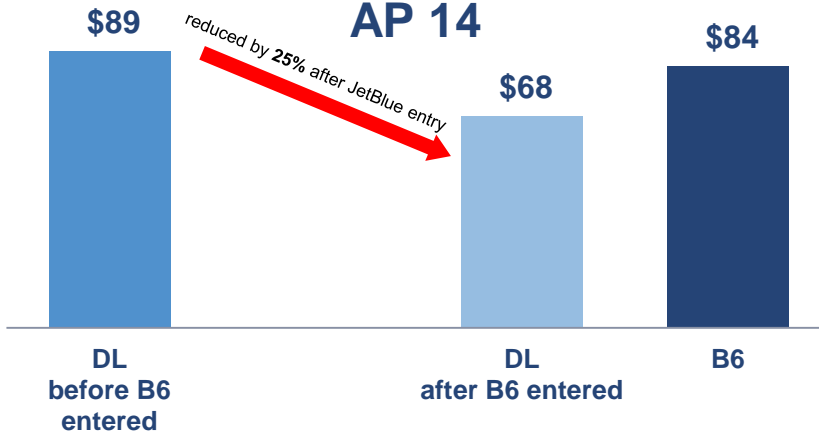
AP 0



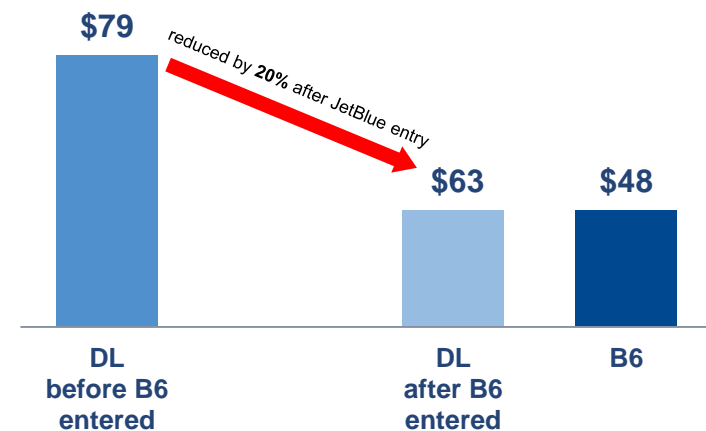
AP 7



AP 14

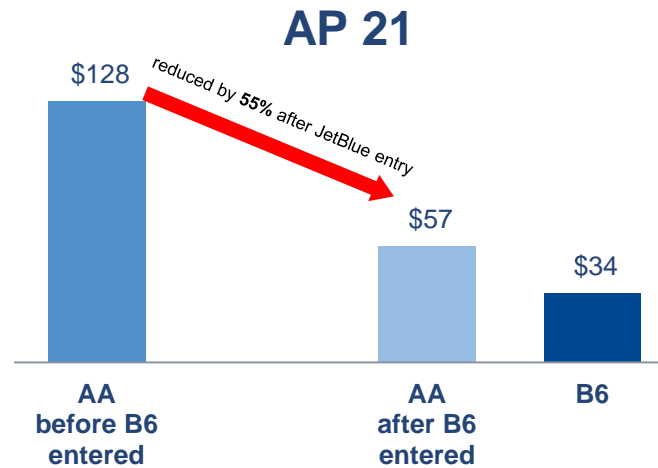
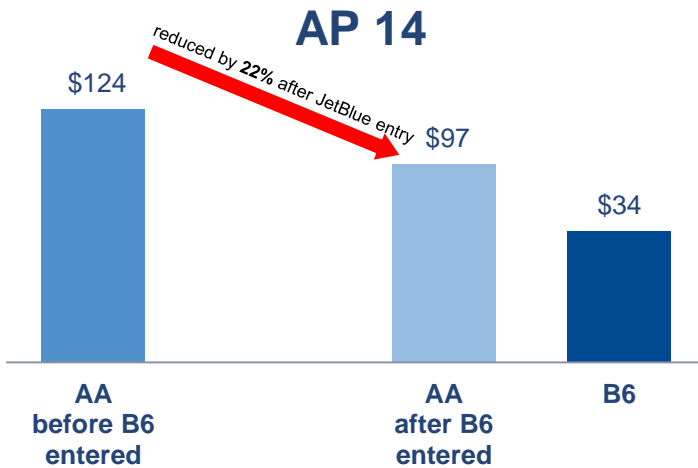
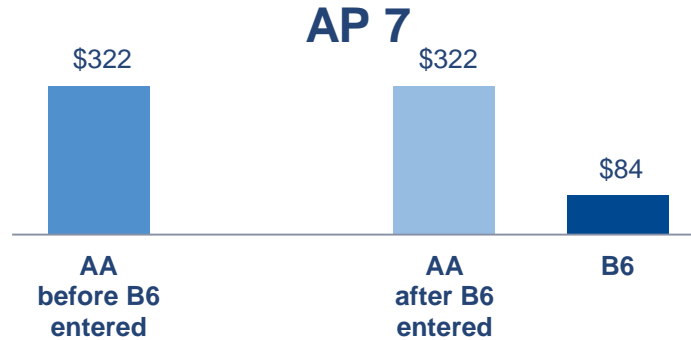
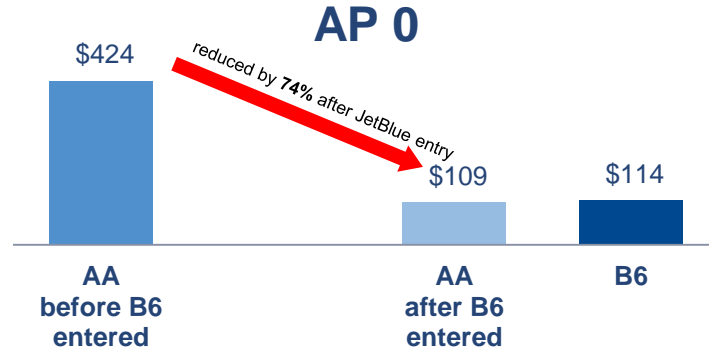


AP 21



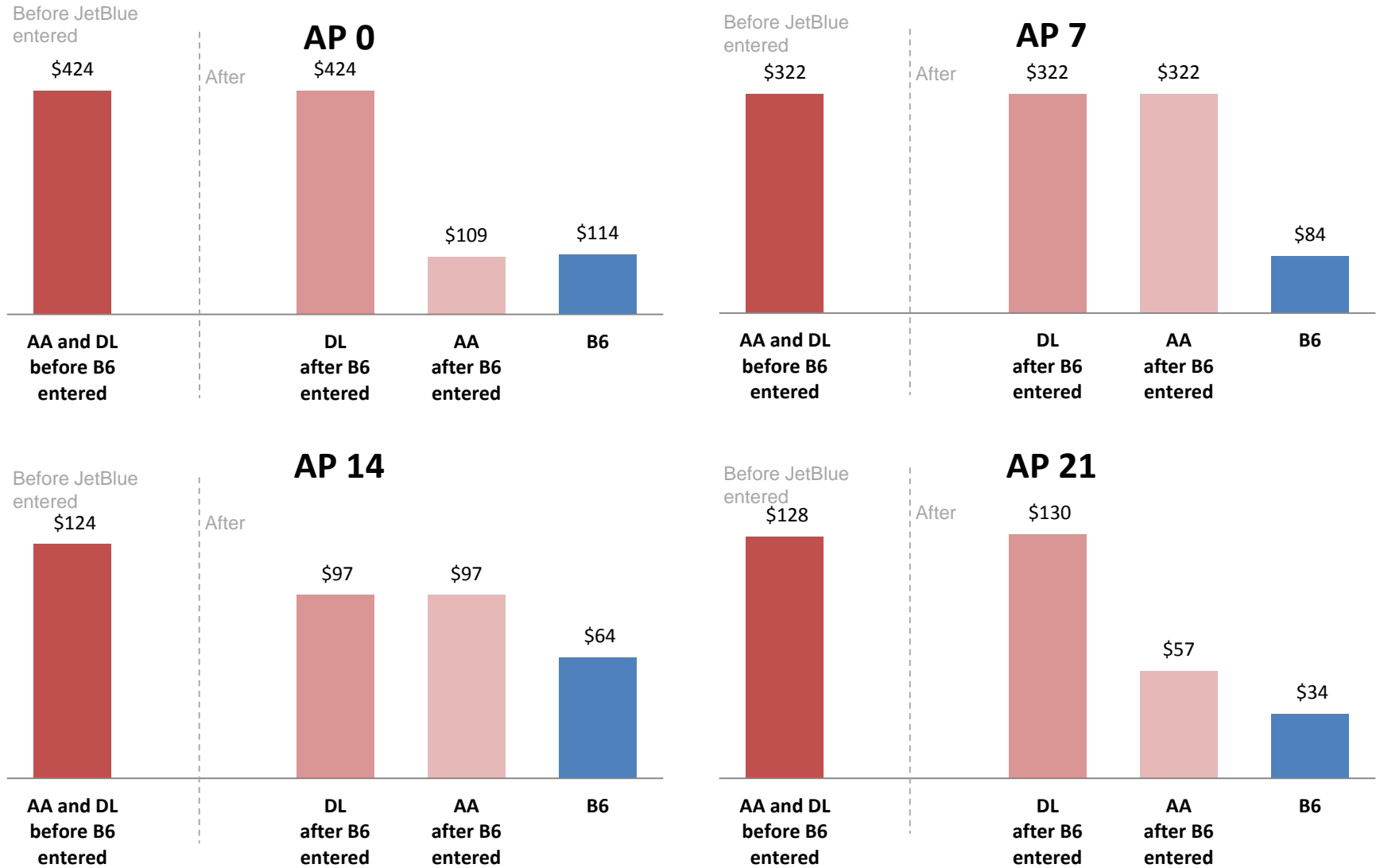
Source: Sabre Airprice / ATPCO

BOS-LGA AA Fares for 0, 7, 14, and 21 AP Before and After JetBlue Entry



Source: Sabre Airprice / ATPCO

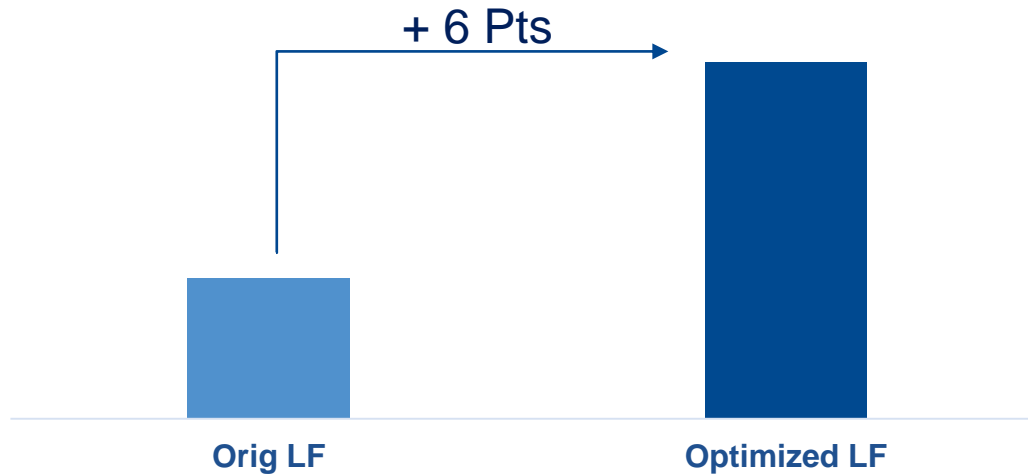
BOS-LGA AA Base Fares for 0, 7, 14, and 21 AP Before and After JetBlue Entry



Source: AirPrice / ATPCO before JetBlue entry and one month after JetBlue entry

JetBlue's decision to right-size its aircraft to meet current demand has led to higher load factors...

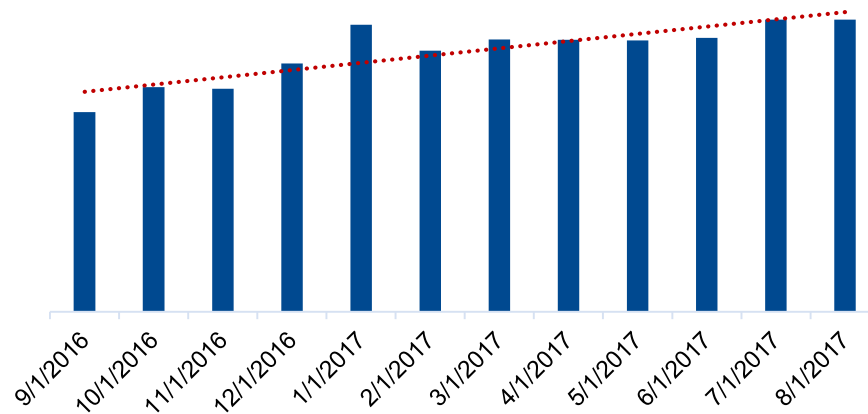
All of Cuba: Original Load Factor Performance Vs. Optimized Performance



JetBlue's optimized Cuba capacity has resulted in better load factors and more robust performance.

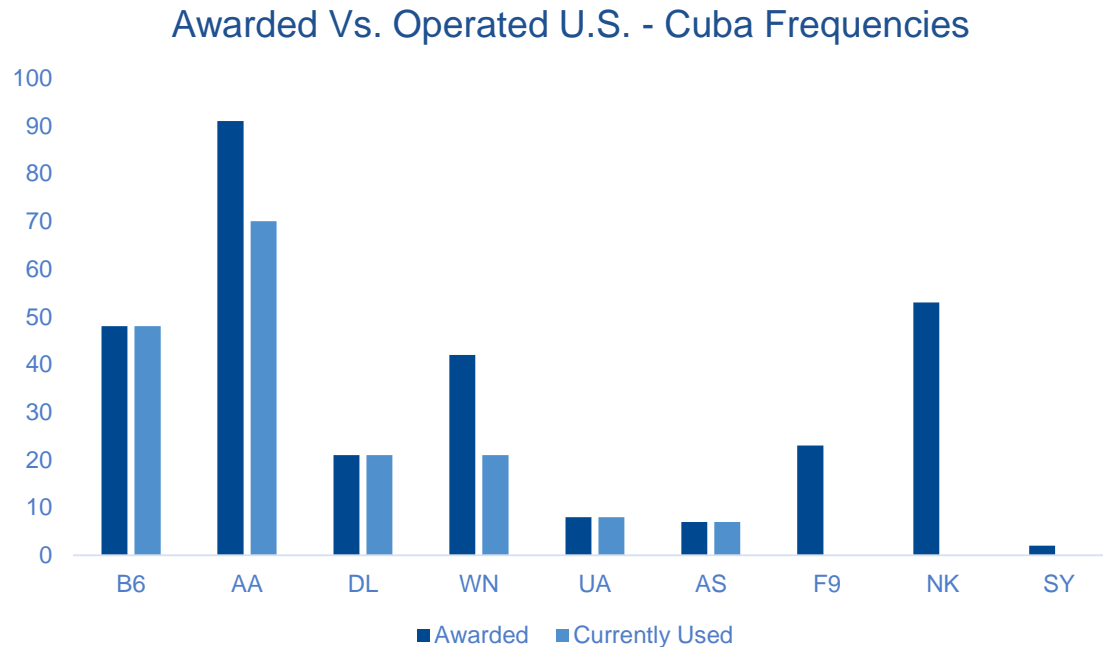
Which continue to improve.

Cuba Load Factors to Date Are Improving



JetBlue's optimized Cuba capacity has resulted in better load factors and more robust performance.

U.S.-Cuba Frequencies Awarded (in 2016) vs. Operated (Current)



While carriers such as American, Southwest, Spirit and Frontier cut service, JetBlue remains committed to the market

Awarded vs. Operated U.S. – Cuba Frequencies

Carrier	Origin	Awarded Weekly Flights	Weekly Flights Operated Today
B6	FLL	13	13
WN	FLL	14	14
NK	FLL	14	exit
FLL subtotal		41	27
AA	MIA	28	28
DL	MIA	7	7
F9	MIA	7	exit
MIA subtotal		42	35
SoFL subtotal		83	62

B6	JFK	7	7
DL	JFK	7	7
UA	EWR	7	7
NYC Total		21	21

WN	TPA	7	7
B6	MCO	7	7
DL	ATL	7	7
AA	CLT	7	7
AS	LAX	7	7
UA	IAH	1	1
Other subtotal		22	22

Total		140	119
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Carrier	Origin	Destination	Awarded Weekly Flights	Weekly Flights Operated Today
AA	MIA	SNU	14	7
AA	MIA	HOG	14	7
AA	MIA	VRA	14	7
AA	MIA	CMW	7	7
AA	MIA	CFG	7	7
F9	ORD	SCU	7	0
F9	ORD	VRA	1	0
F9	PHL	CMW	4	0
F9	PHL	SNU	3	0
F9	PHL	VRA	1	0
B6	FLL	CMW	7	7
B6	FLL	HOG	7	7
B6	FLL	SNU	7	7
NK	FLL	CMW	5	0
NK	FLL	CCC	3	0
NK	FLL	CYO	1	0
NK	FLL	CFG	2	0
NK	FLL	HOG	7	0
NK	FLL	MZO	3	0
NK	FLL	SNU	7	0
NK	FLL	SCU	7	0
NK	FLL	VRA	4	0
WN	FLL	VRA	14	0
WN	FLL	SNU	7	0
SY	MSP	SNU	1	0
SY	MSP	VRA	1	0

Source for non-HAV DOT Order: <https://www.transportation.gov/sites/dot.gov/files/docs/CubanonHavanaFactSheet.pdf>.

JetBlue's baggage policy is much more favorable than that of Southwest, and better caters to the specific requirements of the U.S.-Cuba traveling public

Accepted Check-in Items for HAV Flights	JetBlue	Southwest
Max # of bags	3	2
Max bag size (L+W+H)	80" or 90 lbs.	62" or 50 lbs.
Boxes	✓	✗
Most sporting equipment	✓	✗

Source: <https://www.jetblue.com/flights/cuba/> and <https://www.southwest.com/html/air/airport-information.html>

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by electronic mail this 26th day of September, 2017, on the following:

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