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March 10, 2016

VIA EMAIL

The Secretary
Canadian Transportation Agency
Ottawa, ON K1A 0N9

Dear Madam Secretary:

Re: Mr. Christopher C. Johnson and Dr. Gábor Lukács v. Air Canada
Application concerning failure to apply the tariff and application of terms and conditions not set out in the tariff and with respect to delayed passengers
Case No.: 15-05627
Air Canada's sabotaging compliance with Decision No. LET-C-A-6-2016

In Decision No. LET-C-A-6-2016 of the Agency, dated February 24, 2016, the Agency ordered Air Canada to disclose to the Applicants Document A-2, subject to the Applicants signing a Non-Disclosure Undertaking (NDU). On March 1, 2016, the Applicants provided the Agency and Air Canada with a signed NDU.

On March 2, 2016, Air Canada falsely claimed that the Applicants modified the wording of the NDU, and took issue with the pages having been marked as "UNDER PROTEST." Subsequently, on March 8, 2016, Air Canada advised the Agency that after all, it would provide the Applicants with Document A-2.

On March 8, 2016, Air Canada sent me a partially illegible 4-page PDF file, purporting to be Document A-2. Based on Air Canada's previous unreasonable refusal to provide the Applicants with Document A-2, it is submitted that this was not a mere accident, and that Air Canada is playing fast-and-loose with the Agency and is engaging in vexatious conduct to frustrate the ability of the Applicants to make meaningful submissions about the content of Document A-2.

In order to move the proceeding forward, the Applicants respectfully request that the Agency order Air Canada to serve the Applicants with a legible copy of Document A-2 (scanned at 600 DPI and in colour), and concurrently provide the PDF file to the Agency to ensure that the Agency and the Applicants have the same document.

Dr. Gábor Lukács
Co-applicant and
representative for Mr. Johnson

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