



April 2, 2012

File No. M 4120-3/11-06673

**BY FACSIMILE: 514-422-5839**

**BY E-MAIL:**

Air Canada  
Law Branch  
P.O. Box 7000, Airport Station  
Dorval, Québec  
H4Y 1J2

Gábor Lukács  
Halifax, Nova Scotia

Attention: Julianna Fox  
Counsel Regulatory and International

Dear Madam/Sir:

Re: Overselling practices and denied boarding compensation (domestic)

This refers to the complaint dated December 12, 2011 by Gábor Lukács respecting Air Canada's current practice of overselling its domestic flights, and certain portions of Rule 245 of Air Canada's domestic tariff governing compensation for denied boarding.

On December 16, 2011, the Canadian Transportation Agency (Agency) opened pleadings regarding Mr. Lukács' complaint. On January 16, 2012, Air Canada filed its answer, and on January 24, 2012, Mr. Lukács filed his reply. Pleadings are now closed.

In separate complaints dated June 8, 2009, Mr. Lukács has raised questions that also relate to Air Canada's denied boarding policy, as found in its domestic and international tariffs. In those complaints, he argues that certain provisions of Air Canada's tariffs related to denied boarding are unreasonable and contrary to the principles of the Montreal Convention. After an extensive exchange of pleadings, including interrogatories and show cause decisions, pleadings have now closed and the Agency is in the process of making a determination on the issues.

While the June 8, 2009 and December 12, 2011 complaints are separate, they each deal with some aspect of the reasonableness of Air Canada's denied boarding policy. The Agency is of the opinion that, in order to ensure the practical and efficient management of these files, it will first conclude its consideration of Mr. Lukács' earlier filed complaints of June 2009 before proceeding further with its consideration into the December 2011 complaint.

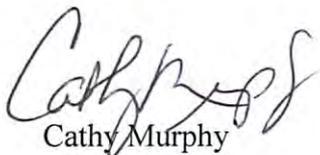
Accordingly, the Agency has determined that, as pleadings are closed in the December 2011 complaint, it is an appropriate time to stay those proceedings. The Agency will resume its consideration of that complaint immediately upon rendering final decisions respecting the issues raised in Mr. Lukács' complaints of June 8, 2009.

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[www.otc.gc.ca](http://www.otc.gc.ca)

Ottawa Ontario K1A 0N9  
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Should you have any questions regarding the foregoing, you may contact Mike Redmond by telephone at (819) 997-1219, by facsimile at (819) 953-7910, or by e-mail at [mike.redmond@otc-cta.gc.ca](mailto:mike.redmond@otc-cta.gc.ca).

Sincerely,



Cathy Murphy  
Secretary

**BY THE AGENCY:**

J. MARK MACKEIGAN  
Member

Geoffrey C. Hare  
Member