



May 29, 2013

Mr. Mike Redmond
Chief, Tariff Investigations
Rail, Air and Marine Disputes Directorate
Canadian Transportation Agency
15 Eddy Street
Gatineau, Quebec K1A 0N9

Dear Mr. Redmond:

**RE: Complaint Concerning Air Transat's International Tariff Rules 5.2(a) and 5.2(b)
File No. M4120-3/13-02438**

This is further to the Complainant's reply of 27 May 2013 regarding the above-mentioned matter. Air Transat is compelled to propose that the present be included in the record as the Complainant's submission includes a prejudicial misstatement about a case not previously referred to in this matter.

Specifically, and contrary to the Complainant's submission, in *Lipson v. Air Transat* (212-C-A-2004) the Agency expressly accepted a provision in Air Transat's tariff which provided that remedies were only available for scheduling irregularities (including advancements) of not less than six hours as the threshold for certain remedies (paragraph 23)." The Complainant has not provided any facts or evidence that would militate in favour of the Agency reversing itself in this respect, as he has essentially requested.

Sincerely,

AIR TRANSAT A.T. Inc.

A handwritten signature in blue ink that reads "George Petsikas". The signature is stylized and includes a long horizontal stroke at the end.

George Petsikas
Senior Director, Government & Industry Affairs

GP/cta.3.2
encl

c.c. Gabor Lukacs