



September 5, 2014

File No. M4120-3/14-04165

**BY E-MAIL: [lukacs@AirPassengerRights.ca](mailto:lukacs@AirPassengerRights.ca)**

**BY E-MAIL: [andrea.novak@delta.com](mailto:andrea.novak@delta.com)**

Gábor Lukács  
Halifax, Nova Scotia

Delta Air Lines, Inc.  
1030 Delta Blvd. Dept. 982  
Atlanta, Georgia  
30354

Attention: Andrea Novak  
International Senior Paralegal

Dear Sir/Madam:

Re: Certain practices relating to the transportation of obese persons

This refers to the attached complaint filed by Gábor Lukács with the Canadian Transportation Agency alleging that certain practices by Delta Air Lines, Inc. (Delta) relating to the transportation of obese persons are “discriminatory”, contrary to subsection 111(2) of the *Air Transportation Regulations*, SOR/88-58, as amended, and inconsistent with the Agency’s findings in Decision No. 6-AT-A-2008 (Accessible transportation complaint: Additional Fares and Charges – one person, one fare; <https://www.otc-cta.gc.ca/eng/ruling/6-at-a-2008>).

It is not clear to the Agency that, on the basis of his submission, Mr. Lukács has an interest in Delta’s practices governing the carriage of obese persons. As such, his standing (or *locus standi*) in this matter is in question.

To enable the Agency to further consider this issue, Mr. Lukács is provided with the opportunity to file submissions with the Agency regarding his standing by not later than September 19, 2014. Delta will then have 5 business days from receipt of Mr. Lukács’ submissions to answer. On receipt of Delta’s answer, Mr. Lukács will have 3 business days to file his reply. The parties must copy each other when their respective submissions are filed with the Agency.

Should you have any questions regarding the foregoing, you may contact Mike Redmond by telephone at 819-997-1219 or facsimile at 819-953-5686.

**BY THE AGENCY:**

(signed)

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Geoffrey C. Hare  
Member