

BEFORE THE DEPARTMENT OF TRANSPORTATION
OFFICE OF AVIATION ENFORCEMENT AND PROCEEDINGS
WASHINGTON, D.C.

-----)
)
Benjamin Edelman and Jason Steele,)
third-party complainants)
)
v.) Docket DOT-OST-2015-____
)
Delta Airlines)
)
-----)

COMPLAINT OF BENJAMIN EDELMAN AND JASON STEELE

Comments with respect to this document should be addressed to:

Benjamin Edelman
169 Walnut St.
Brookline, MA 02445
E-mail: ben@benedelman.org

Jason Steele
1795 Krameria St.
Denver, CO 80220
E-mail: jasondsteele@gmail.com

Dated: January 6, 2015

BEFORE THE DEPARTMENT OF TRANSPORTATION
OFFICE OF AVIATION ENFORCEMENT AND PROCEEDINGS
WASHINGTON, D.C.

-----)
)
Benjamin Edelman and Jason Steele,)
third-party complainants)
)
v.) Docket DOT-OST-2015-____
)
Delta Air Lines)
)
-----)

COMPLAINT OF BENJAMIN EDELMAN AND JASON STEELE

1. This complaint arises out of Delta Air Lines mischaracterizing fees as “tax” and thereby failing to comply with applicable DOT requirements.
2. On January 2, 2015, Steele noticed that the Delta web site appeared to be making false statements of “tax” beyond the amounts actually provided by law.
3. On January 5, 2015, Edelman used the Delta web site, Delta.com, to quote round-trip award coach travel from CDG to/from JFK. He found that the Delta site misrepresented carrier-imposed surcharge as “tax.”
4. Specifically, Delta provided the fare quote shown in Attachment 1. Delta quoted a “tax” of €388.33 on the outbound segment CDG-JFK. This “tax” was shown for itineraries entirely operated by DL (e.g. the nonstop DL 100, the seventh option listed in Attachment 1) as well as itineraries entirely operated by partners (e.g. AF 22, the first option listed in Attachment 1) and multicarrier itineraries (e.g. AF 84 connecting to DL

2040, the fifth option listed). When I reviewed options for the return segment JFK-CDG, Delta quoted an adjusted total “tax” of €383.72, again applying to itineraries operated by Delta, partners, and a combination.

5. On information and belief, there is no “tax” of €383, €388, or a similar amount on this route. On the itinerary confirmation screen (Attachment 2), I clicked the link to “View detailed Charges” (s.i.c.), yielding the screen in Attachment 3. There, Delta admits that €282 of the “tax” is in fact “Carrier-imposed International Surcharge*¹”. We thus conclude that Delta overstated the amount of “tax” by €282 per passenger on this route.

6. Delta’s statement of “tax” is literally false.

7. It is unfair and deceptive to characterize a charge as “tax” when it is set by a carrier of its own volition and need not be remitted to any government, airport, or similar authority. Such false statements provide consumers with inaccurate information as to the actual cost of their travel.

8. Delta may argue that its itinerary confirmation page (Attachment 2) in some way cures the false statement of “tax” in the prior quotes (Attachment 1). Attachment 2 does use the accurate label “Taxes, Fees & Charges” label to describe the €383.72 amount. But this label is consistent with the claim, which Delta made in the Attachment 1 screenshots, that in fact the entire €383.72 is all “tax” and none of it is carrier-imposed charge. Nothing in the Attachment 2 screenshot alerts a customer that every fare quote in Attachment 1 was in fact false as to the supposed “tax.”

¹ Although Delta includes an asterisk at the end of that label, Delta offers no footnote or other statement to elaborate on the label. The “Learn more about Taxes/Fees” link goes to https://www.delta.com/content/www/en_US/traveling-with-us/planning-a-trip/booking-information/fare-classes-and-tickets/taxes-and-fees.html which offers some relevant information but provides information about the entire “detailed charge” breakdown, not the carrier-imposed surcharge specifically.

9. Nor does the “View detailed Charges” screen cure the false statements shown in Attachment 1. The Detailed Charges screen is only shown to users who elect to click it, not as a default part of the transaction.

10. In some instances, Delta’s fare quotes draw a distinction between paying with “miles” and with “miles + cash.” In those fare quotes, the false statement of “tax” is particularly prominent and particularly likely to skew consumers’ purchase decisions. See Attachment 4 (with first option presenting an itinerary on Air France with supposed “tax” of US\$309.56). Clicking through, I was then presented with an adjusted “tax” of \$522.56 (Attachment 5). In the Detailed Charges screen, I was able to determine that \$380.30 of the \$522.56 was in fact carrier-imposed charge, not a “tax.”

11. The misstatements at issue occur on the ordinary Delta web site, Delta.com. A US customer reasonably begins at Delta.com, with site localization set to US English (denoted with a US flag and the label “ENGLISH”). Indeed, the site is then provided in English; sales can be made to persons with addresses and phone numbers within the US; and US members of Delta’s frequent flier program find their membership details (including US phone number and US street address) automatically filled into the reservation form. We credit that the false “tax” is sometimes quoted in euros (as in Attachments 1-3) or other foreign currency, though not always (Attachments 4-6). In any event, Delta satisfies the majority of the conditions specified in *Answers to Frequently Asked Questions Concerning the Enforcement of the Second Final Rule on Enhancing Airline Passenger Protections*, Section IX, Question 1. Moreover, the Delta.com site at issue, in the way we used it, is the only way a US-based Delta customer can use the Internet to redeem Delta frequent flier miles for award travel. Put differently, the

screenshots we present show *the* Delta site; there is no sense in which we went to any special “Europe site” or “international site.” Finally, on information and belief, nothing in any other country’s law or regulation allows or encourages Delta to make false statements of nonexistent “tax.” It is thus entirely appropriate to apply the Department’s rules on truthful advertising, including accurate statement of “tax,” to these Delta fare quotes, even for travel originating outside the US.

12. In further testing, Edelman found similar misstatements in other Delta fare quotes, including for travel to and from other origins and destinations and on other dates. On information and belief, many or all of Delta’s intercontinental award tickets from outside the US to the US entail a statement of “tax” that is actually a fee.

13. The misstatements at issue are large relative to applicable fares. For example, when Edelman quoted award travel MUC-JFK-MUC on January 6, Delta.com reported “tax” of €429.21, (Attachments 7-8) of which €308.00 was actually “carrier-imposed international surcharge” (Attachment 9). An ordinary paid ticket, on the same flights on the same day, costs €489.92 (Attachment 10). Thus, the nonexistent “tax” is 62.9% of the cost of an ordinary paid ticket on that route, significantly overstating applicable tax and significantly overstating the supposed savings a consumer enjoys by redeeming frequent flier points. Indeed, in this case, a passenger redeeming Delta miles uses 95,000 miles to achieve a cash savings of only €60.71, a value of just €0.000639 per mile (six one hundredths of a euro cent per Delta mile redeemed). Passengers would be unlikely to accept such a poor redemption value were it not for Delta overstating the supposed “tax” to inflate the supposed redemption value.

14. Delta’s deceptive conduct is compounded by the statements it makes during paid bookings, which necessarily precede redemption bookings (since passengers must earn miles before they redeem). Consider a passenger who makes a series of paid bookings, at each booking seeing a screen like Attachment 10, quoting “taxes, fees and charges” of €124.92 per person, round-trip, for that itinerary. Such a passenger reasonably expects to be able to redeem Delta miles (in an amount specified by the award chart) along with approximately €124 of money, in order to fly the same route on an award redemption. Instead, when that passenger attempts to redeem miles, Delta adds a “carrier-imposed surcharge” (mischaracterized as “tax”) of €308 on the redemption, even as Delta’s own prior statements (e.g. Attachment 10) specifically indicated that no such surcharge applies. We see no proper pro-competitive purpose for this tactic. On the other hand, there is a clear harmful effect: Causing consumers to expect modest “taxes, fees, and charges” (based on their experience with the Attachment 10 fare quote from their paid travel) to induce them to fly on Delta and partners in Delta’s mileage program, and then surprising them with high surcharges when they actually try to redeem miles.

15. We ask that the Department of Transportation:

- (1) Exercise its authority under 49 USC 41712 to open an investigation of Delta for having engaged in, and continuing to engage in, the unfair and deceptive practices described above;
- (2) Pursuant to such investigation, order Delta to refund to ticket purchasers all monies represented to ticket purchasers as “tax” or government-imposed fees, but not actually remitted to governments;
- (3) Impose appropriate civil penalties on Delta; and

- (4) Refer this matter to appropriate US and foreign tax collection agencies for investigation of possible tax fraud or other violations of tax law in non-payment to governments of monies collected as “taxes” or government-imposed fees.

Pursuant to Title 18 United States Code Section 1001, we certify that we have not in any manner knowingly and willfully falsified, concealed or failed to disclose any material fact or made any false, fictitious, or fraudulent statement or knowingly used any documents which contain such statements in connection with the preparation, filing or prosecution of the pleading. We understand that an individual who is found to have violated the provisions of 18 U.S.C. section 1001 shall be fined or imprisoned not more than five years, or both.

Respectfully submitted,

/s/

Benjamin Edelman

/s/

Jason Steele

Attachment 1

DELTA HOME | NEED HELP? | COMMENT/COMPLAINT? | LOG OUT

BOOK A TRIP

Monday, February 08, 2015 | 1 Passenger

Outbound : CDG ▶ JFK SHOW PRICE IN **EUR** Miles

Paris-De Gaulle, France (CDG) to New York-Kennedy, NY (JFK)

Total price is per passenger and includes taxes and fees. Additional **baggage** fees may apply. 1 - 20 of 27 flight results: < 1 | 2 > Show All

VIEW FARE COMPARISON CHART	ECONOMY	FIRST/BUSINESS
<p>AF 22</p> <p>8:35 AM ▶ 11:15 AM 8h 40m</p> <p>CDG ▶ JFK NONSTOP</p> <p>Details View Seats</p>	<p>Economy (X) from</p> <p>60,000</p> <p>+ €388.33 Taxes</p> <p>SELECT</p>	NOT AVAILABLE
<p>AF 6</p> <p>1:55 PM ▶ 4:20 PM 8h 25m</p> <p>CDG ▶ JFK NONSTOP</p> <p>Details View Seats</p>	<p>Economy (X) from</p> <p>60,000</p> <p>+ €388.33 Taxes</p> <p>SELECT</p>	NOT AVAILABLE

<p>AF 10</p> <p>4:35 PM ▶ 7:05 PM 8h 30m</p> <p>CDG ▶ JFK NONSTOP</p> <p>Details View Seats</p>	<p>Economy (X) from</p> <p>60,000</p> <p>+ €388.33 Taxes</p> <p>SELECT</p>	NOT AVAILABLE
<p>AF 8</p> <p>7:10 PM ▶ 9:30 PM 8h 20m</p> <p>CDG ▶ JFK NONSTOP</p> <p>Details View Seats</p>	<p>Economy (X) from</p> <p>60,000</p> <p>+ €388.33 Taxes</p> <p>SELECT</p>	NOT AVAILABLE
<p>AF 84, DL 2040</p> <p>10:30 AM ▶ 12:16 AM 19h 46m</p> <p>MON 09 FEB</p> <p>CDG ▶ SFO ▶ JFK 1 STOP</p> <p>3h 5m</p> <p>Details View Seats</p>	<p>Economy (X,N) from</p> <p>60,000</p> <p>+ €388.33 Taxes</p> <p>SELECT</p>	NOT AVAILABLE

Benjamin Edelman and Jason Steele
Complaint – Delta Air Lines

<ul style="list-style-type: none"> Economy Comfort Seating Flat-Bed Seat Wi-Fi Overhead Entertainment Live Satellite TV Personal Entertainment 110V AC Power USB Power Sky Priority SP <p>In-Flight services and amenities may vary and are subject to change</p>	<p>AF 682, DL 1419</p> <p>11:05 AM ▶ 8:06 PM 15h 1m</p> <p>CDG ATL JFK 1 STOP</p> <p>2h 50m</p> <p>Details View Seats</p>	<p>Economy (X,N) from</p> <p>60,000</p> <p>+ €388.33 Taxes</p> <p>SELECT</p>	<p>NOT AVAILABLE</p>
	<p>DL 100</p> <p>10:40 AM ▶ 1:11 PM 8h 31m</p> <p>CDG JFK NONSTOP</p> <p>Details View Seats</p>	<p>Economy (ND) from</p> <p>77,500</p> <p>+ €388.33 Taxes</p> <p>SELECT</p>	<p>Business (OS) from</p> <p>187,500</p> <p>+ €474.28 Taxes</p> <p>SELECT</p>
	<p>AF 66, DL 2362</p> <p>10:30 AM ▶ 12:16 AM 19h 46m</p> <p>CDG LAX JFK 1 STOP</p> <p>2h 50m</p> <p>Details View Seats</p>	<p>Economy (X,NL) from</p> <p>77,500</p> <p>+ €388.33 Taxes</p> <p>SELECT</p>	<p>NOT AVAILABLE</p>

DELTA BOOK A TRIP

FLIGHTS

SUN 08 FEB CDG ▶ JFK OUTBOUND DL 100 10:40 AM 1:11 PM 8h 31m | NONSTOP Economy (ND)

Return : JFK ▶ CDG

Sunday, February 15, 2015 | 1 Passenger

Total price is per passenger and includes taxes and fees. Additional baggage fees may apply. 1 - 20 of 44 flight results: < 1 | 2 | 3 ≥ Show All

VIEW FARE COMPARISON CHART

	ECONOMY	FIRST/BUSINESS
<p>DL 400</p> <p>7:25 PM ▶ 8:50 AM 7h 25m</p> <p>JFK CDG NONSTOP</p> <p>Details View Seats</p>	<p>Economy (ND)</p> <p>95,000</p> <p>+ €383.72 Taxes</p> <p>SELECT</p>	<p>Business (OS)</p> <p>250,000</p> <p>+ €424.28 Taxes</p> <p>SELECT</p>

Attachment 2

YOU SELECTED THESE FLIGHTS:

OUTBOUND Sun, 08 Feb 2015 10:40AM CDG to 1:11PM JFK Nonstop DL 100								Show Details
10:40AM	CDG	1:11PM	JFK	Nonstop	8 hr 31 min	DL 100	Economy (ND)	Select Seats
Complete Delta Air Lines Baggage Information								
RETURN Sun, 15 Feb 2015 7:25PM JFK to Mon 16 Feb 8:50AM CDG Nonstop DL 400								Show Details
7:25PM	JFK	8:50AM	CDG	Nonstop	7 hr 25 min	DL 400	Economy (ND)	Select Seats
Complete Delta Air Lines Baggage Information								

In-Flight services and amenities may vary and are subject to change.
 🗨️ New passport and visa requirements may exist for your itinerary.

COST DETAILS

PASSENGER	MILES REQUIRED	TAXES, FEES & CHARGES	SUBTOTAL
Ben Edelman	95,000 Miles	€383.72 (EUR)	95,000 Miles + 383.72 (EUR)

Award Tickets cannot be redeposited or changed within 72 hours of scheduled flight departure time.

TOTAL FOR ALL PASSENGER(1): 95,000 Miles+€383.72 (EUR)

[View change and cancellation policies](#)
[View fare rules](#) | [View detailed Charges](#)

Attachment 3

DETAILED CHARGES X

Air Transportation Charges	
Base Fare*	€0.00
Carrier-imposed International Surcharge*	282.00
Taxes, Fees and Charges	
U.S. Animal and Plant Health Inspection Service Fee	€4.12
U.S. Immigration and Naturalization Fee	€5.76
U.S. Custom User Fee	€4.53
France Civil Aviation Tax	€20.60
Total Per Passenger	€ 383.72 EUR

[Learn more about Taxes/Fees >](#)

Attachment 4

BOOK A TRIP Start Over **Flights** Passengers Payment

Sunday, February 08, 2015 | 1 Passenger

Outbound : TLV ▶ LAX
Tel Aviv, Israel (TLV) to Los Angeles, CA (LAX)

SHOW PRICE IN \$ USD Miles

Total price is per passenger and includes taxes and fees. Additional **baggage** fees may apply. 1 - 20 of 60 flight results: < 1 | 2 | 3 > [Show All](#)

MODIFY SEARCH

FROM TO
TLV LAX

DATES
02/08/2015
02/16/2015

PASSENGERS
1 SEARCH

Advanced Search
Flexible Dates

NARROW RESULTS
RESET ALL

STOPS
 1 STOP
 MULTI-STOP

CONNECTION AIRPORTS
 Amsterdam, Netherlands (AMS)
 Atlanta, GA (ATL)

New York-Kennedy, NY (JFK)
 Minneapolis/St. Paul, MN (MSP)
 Seattle, WA (SEA)
 San Francisco, CA (SFO)
 Salt Lake City, UT (SLC)

CONNECTION TIME
MIN: 1 hour
MAX: 14 hours

TOTAL PRICE
< \$31000

VIEW FARE COMPARISON CHART

Sort By: Best Match

	ECONOMY		FIRST/BUSINESS	
	MILES	MILES + CASH	MILES	MILES + CASH
<p>AF 1121, AF 66</p> <p>1:00 AM ▶ 1:10 PM 22h 10m</p> <p>TLV CDG LAX 1 STOP 5h 30m</p> <p>Economy (X) from</p> <p>80,000 + \$309.56 Taxes</p> <p>NOT AVAILABLE NOT AVAILABLE NOT AVAILABLE</p> <p>SELECT</p>				
<p>AF 1621, AF 66</p> <p>5:40 PM ▶ 1:10 PM 29h 30m</p> <p>TLV CDG LAX 1 STOP 12h 50m</p> <p>Economy (X) from</p> <p>80,000 + \$325.46 Taxes</p> <p>NOT AVAILABLE NOT AVAILABLE NOT AVAILABLE</p> <p>SELECT</p>				
<p>DL 46, DL 424</p> <p>11:45 PM ▶ 10:40 AM 20h 55m</p> <p>TLV JFK LAX 1 STOP 1h 56m</p> <p>Economy (ND) from</p> <p>102,500 + \$55.06 Taxes</p> <p>Economy (ND) from</p> <p>87,500 + \$334.06</p> <p>Business (OK) from</p> <p>277,500 + \$78.36 Taxes</p> <p>NOT AVAILABLE</p> <p>SELECT SELECT SELECT</p>				
<p>DL 46, DL 472</p> <p>11:45 PM ▶ 11:55 AM 22h 10m</p> <p>TLV JFK LAX 1 STOP 3h 11m</p> <p>Economy (ND) from</p> <p>102,500 + \$55.06 Taxes</p> <p>Economy (ND) from</p> <p>87,500 + \$334.06</p> <p>Business (OK) from</p> <p>277,500 + \$78.36 Taxes</p> <p>NOT AVAILABLE</p> <p>SELECT SELECT SELECT</p>				

Attachment 5

MODIFY SEARCH

FROM: TLV TO: LAX

DATES: 02/08/2015

PASSENGERS: 1

FLIGHTS

SUN 08 FEB

TLV → LAX

OUTBOUND AF 1121 . AF 66

22h 10m | 1 STOP

Economy (X)

View Seats

Monday, February 16, 2015 | 1 Passenger

Return : LAX → TLV

Los Angeles, CA (LAX) to Tel Aviv, Israel (TLV)

Total price is per passenger and includes taxes and fees. Additional **baggage** fees may apply.

1 - 20 of 43 flight results: < 1 | 2 | 3 > [Show All](#)

ECONOMY

Seat selection at purchase. Full Medallion® benefits. Free entertainment.

KL 602, KL 461

1:50 PM → 2:20 AM

26h 30m

WED 18 FEB

LAX → AMS → TLV

11h 45m

1 STOP

Economy (X)

80,000

+ \$522.56 Taxes

SELECT

Attachment 6

DETAILED CHARGES

Charge Category	Amount
Air Transportation Charges	
Base Fare*	\$0.00
Carrier-imposed International Surcharge*	380.30
Taxes, Fees and Charges	
U.S. Animal and Plant Health Inspection Service Fee	\$5.00
U.S. Immigration and Naturalization Fee	\$7.00
U.S. Custom User Fee	\$5.50
France Civil Aviation Tax	\$19.40
Total Per Passenger	\$ 522.56 USD

[Learn more about Taxes/Fees >](#)

Attachment 7

Delta - Book a flight
 Tuesday, February 10, 2015 | 1 Passenger
Outbound : MUC -> JFK
 Munich, Germany (MUC) to New York-Kennedy, NY (JFK)
 Total price is per passenger and includes taxes and fees. Additional baggage fees may apply. 13 of 13 flight results

MODIFY SEARCH
 FROM: MUC TO: JFK
 DATES: 02/10/2015
 PASSENGERS: 1
 SEARCH

NARROW RESULTS
 STOPS: 1 STOP (checked), MULTI-STOP
 CONNECTION AIRPORTS: Amsterdam, Atlanta, Paris-De Gaulle, Detroit, London-Heathrow
 CONNECTION TIME: 2 hours (MIN), 13 hours (MAX)
 TOTAL PRICE: ≤ 20000
 IN-FLIGHT AMENITIES: Economy Comfort Seating, Flat-Bed Seat, Wi-Fi, Overhead Entertainment, Personal Entertainment, 110V AC Power, USB Power, Sky Priority

Flight	Time	Duration	Stops	Economy (X) from	First/Business (O) from
KL 1790, KL 643	7:00 AM -> 7:35 PM	18h 35m	1 STOP (AMS)	60,000 + €429.20 Taxes	NOT AVAILABLE
AF 1123, AF 6	7:15 AM -> 4:20 PM	15h 5m	1 STOP (CDG)	60,000 + €434.67 Taxes	125,000 + €511.61 Taxes
AF 1123, AF 10	7:15 AM -> 7:05 PM	17h 50m	1 STOP (CDG)	60,000 + €434.67 Taxes	125,000 + €511.61 Taxes
AF 1423, AF 6	9:45 AM -> 4:20 PM	12h 35m	1 STOP (CDG)	60,000 + €434.67 Taxes	125,000 + €511.61 Taxes
AF 1423, AF 10	9:45 AM -> 7:05 PM	15h 20m	1 STOP (CDG)	60,000 + €434.67 Taxes	125,000 + €511.61 Taxes
KL 1792', KL 643	9:50 AM -> 7:35 PM	15h 45m	1 STOP (AMS)	60,000 + €429.20 Taxes	NOT AVAILABLE
KL 1794, KL 643	11:50 AM -> 7:35 PM	13h 45m	1 STOP (AMS)	60,000 + €429.20 Taxes	NOT AVAILABLE
AF 1823, AF 22	6:20 PM -> 11:15 AM	22h 55m	1 STOP (CDG)	60,000 + €447.76 Taxes	125,000 + €524.70 Taxes
AF 1023, AF 22	8:35 PM -> 11:15 AM	20h 40m	1 STOP (CDG)	60,000 + €434.67 Taxes	125,000 + €511.61 Taxes
DL 131, DL 1419	9:45 AM -> 8:06 PM	16h 21m	1 STOP (ATL)	77,500 + €428.82 Taxes	187,500 + €495.76 Taxes

MY DELTA | SIGN UP | 92912316R | MY TRIPS | BOOK A TRIP | FLIGHT STATUS | CHECK IN | VACATIONS | NEED HELP?

Attachment 8

The screenshot shows the Delta website's flight search results for a return trip from JFK to MUC on Tuesday, February 17, 2015. The search parameters are MUC to JFK, Economy class, and a single passenger. The results are sorted by 'Best Match' and show a 'VIEW FARE COMPARISON CHART' with columns for 'ECONOMY' and 'FIRST/BUSINESS'.

Flight Details	Economy (X)	First/Business (O)
AF 23, AF 1422 4:15 PM → 8:45 AM 10h 30m JFK → CDG → MUC 1 STOP	77,500 + €428.82 Taxes	187,500 + €558.82 Taxes
AF 23, AF 1622 4:15 PM → 2:40 PM 16h 25m JFK → CDG → MUC 1 STOP	77,500 + €428.82 Taxes	187,500 + €558.82 Taxes
AF 23, AF 1822 4:15 PM → 5:30 PM 19h 15m JFK → CDG → MUC 1 STOP	77,500 + €428.82 Taxes	187,500 + €558.82 Taxes
AF 23, AF 1022 4:15 PM → 7:45 PM 21h 30m JFK → CDG → MUC 1 STOP	77,500 + €434.08 Taxes	187,500 + €564.08 Taxes
AZ 609, AZ 432 4:35 PM → 11:00 AM 12h 25m JFK → FCO → MUC 1 STOP	77,500 + €435.76 Taxes	187,500 + €495.76 Taxes 3 left at this price
AF 7, AF 1622 7:10 PM → 2:40 PM 13h 30m JFK → CDG → MUC 1 STOP	77,500 + €428.82 Taxes	187,500 + €558.82 Taxes 3 left at this price
AF 7, AF 1822 7:10 PM → 5:30 PM 16h 20m JFK → CDG → MUC 1 STOP	77,500 + €428.82 Taxes	187,500 + €558.82 Taxes 3 left at this price
AF 7, AF 1022 7:10 PM → 7:45 PM 18h 35m JFK → CDG → MUC 1 STOP	77,500 + €428.82 Taxes	187,500 + €558.82 Taxes 3 left at this price
AF 7, AF 1122 7:10 PM → 10:30 PM 21h 20m	77,500	187,500

The left sidebar contains filters for 'MODIFY SEARCH', 'NARROW RESULTS', 'STOPS', 'CONNECTION AIRPORTS', 'CONNECTION TIME', 'TOTAL PRICE', and 'IN-FLIGHT AMENITIES'. The bottom navigation bar includes links for 'MY DELTA', 'MY TRIPS', 'BOOK A TRIP', 'FLIGHT STATUS', 'CHECK IN', 'VACATIONS', and 'NEED HELP?'.

Attachment 8 (continued)

Flight Details	Economy (N,XX)	Multiple Cabins
7:10 PM → 10:30 PM WED 18 FEB JFK → CDG → MUC 1 STOP 12h 30m	77,500 + €434.08 Taxes	187,500 + €564.08 Taxes 3 left at this price
2:54 PM → 10:50 AM WED 18 FEB JFK → IAD → AMS → MUC 2 STOPS 1h 33m 1h 55m Operated by: Shuttle America DBA Delta Connection	77,500 + €435.10 Taxes	187,500 + €555.10 Taxes 2 left at this price
3:55 PM → 2:40 PM WED 18 FEB JFK → BOS → CDG → MUC 2 STOPS 2h 44m 4h 30m	77,500 + €428.82 Taxes	187,500 + €558.82 Taxes 3 left at this price
5:00 PM → 2:40 PM WED 18 FEB JFK → BOS → CDG → MUC 2 STOPS 1h 41m 4h 30m	77,500 + €428.82 Taxes	187,500 + €558.82 Taxes
6:10 AM → 7:50 AM WED 18 FEB JFK → ATL → MUC 1 STOP 7h 39m	95,000 + €429.21 Taxes	250,000 + €549.21 Taxes
8:30 AM → 7:50 AM WED 18 FEB JFK → ATL → MUC 1 STOP 9h 20m	95,000 + €429.21 Taxes	250,000 + €549.21 Taxes
7:00 AM → 7:50 AM WED 18 FEB JFK → BOS → ATL → MUC 2 STOPS 3h 57m 1h 10m	95,000 + €429.21 Taxes	250,000 + €549.21 Taxes
7:00 AM → 7:50 AM WED 18 FEB JFK → BOS → ATL → MUC 2 STOPS 1h 22m 3h 48m	95,000 + €429.21 Taxes	250,000 + €549.21 Taxes
7:00 AM → 7:50 AM WED 18 FEB JFK → BOS → ATL → MUC 2 STOPS 2h 37m 2h 29m	95,000 + €429.21 Taxes	250,000 + €549.21 Taxes
8:10 AM → 7:50 AM WED 18 FEB JFK → MSP → ATL → MUC 2 STOPS 47m 1h 45m	95,000 + €429.21 Taxes	250,000 + €549.21 Taxes

Attachment 9

The screenshot shows the Delta Air Lines website's 'BOOK A TRIP' interface. The flight summary includes:

- Flight 1:** MUC to JFK on Feb 10, DL 131, DL 1750, Economy (ND), 19h 5m | 1 STOP. Departure: 09:45 AM, Arrival: 10:50 PM.
- Flight 2:** JFK to MUC on Feb 17, DL 431, DL 130, Economy (ND), 19h 40m | 1 STOP. Departure: 06:10 AM, Arrival: 07:50 AM (ARRIVES NEXT DAY).

The total price for the trip is €429.21 EUR per passenger, with 95,000 Miles per Passenger. A 'CONTINUE' button is visible at the bottom right of the flight summary.

The 'TERMS AND CONDITIONS' section is partially visible, with a 'DETAILED CHARGES' pop-up window overlaid. The pop-up window lists the following charges:

DETAILED CHARGES	
Air Transportation Charges	
Base Fare*	€0.00
Carrier-imposed International Surcharge*	€308.00
Taxes, Fees and Charges*	
U.S. September 11th Security Fee	€9.22
U.S. Animal and Plant Health Inspection Service Fee	€4.12
U.S. Immigration and Naturalization Fee	€5.76
U.S. Custom User Fee	€4.53
DE Tax	€5.82
RA Tax	€20.44
OY Tax	€42.18
U.S. Tax	€29.14
Total Per Passenger	€429.21 EUR

A link to 'Learn More About Taxes/Fees' is provided at the bottom of the pop-up window.

Attachment 10

The screenshot displays the Delta Trip Summary Page for a round-trip flight. The browser address bar shows the URL: <https://www.delta.com/cart/activity/tripsummary.action?cacheKeySuffix=c8e262ec-68a8-4cb4-bf25-9ddd3ed5525b>. The page features the Delta logo and navigation links for HOME, NEED HELP?, COMMENT/COMPLAINT?, and LOG IN. Below the logo, there are links for SHOP, TRAVELING WITH US, SKYMILES, and a search bar. The main heading is "TRIP SUMMARY" with a progress indicator showing "Start Over", "Flights", "Passengers", and "Payment".

YOU SELECTED THESE FLIGHTS:

OUTBOUND Tue, 10 Feb 2015 9:45AM MUC to 10:50PM JFK 1stop DL 131 DL 1750 Show Details									
9:45AM	MUC	10:50PM	JFK	1stop	19 hr 5 min	DL 131	Economy (V)		View Seats
			ATL		6h 5m Layover	DL 1750	Economy (V)		
RETURN Tue, 17 Feb 2015 6:10AM JFK to Wed 18 Feb 7:50AM MUC 1stop DL 431 DL 130 Show Details									
6:10AM	JFK	7:50AM	MUC	1stop	19 hr 40 min	DL 431	Economy (V)		View Seats
		Wed 18 Feb	ATL		7h 39m Layover	DL 130	Economy (V)		

MOVE UP TO BUSINESS CLASS

You deserve the luxury

- Attentive service, luxurious surroundings
- First on, first off
- More free checked bags

Upgrade to Business Class for just €1,009.00 more per person each way *
*Includes taxes and fees

BUY A REFUNDABLE ECONOMY FARE

Add convenience and peace of mind

- No fees when travel plans change
- Make your Economy fare refundable

Flex this fare for just €918.50 more per person each way *
*Includes taxes and fees

All prices are (USD) unless otherwise noted.
If your itinerary qualifies for trip insurance, you will be able to add it before you purchase your ticket.

PRICE PER PASSENGER:	€365.00(EUR)
TAXES, FEES AND CHARGES:	€124.92(EUR)
TOTAL PER PASSENGER:	€489.92 (EUR)
TOTAL FOR ALL PASSENGERS (1):	€489.92 (EUR)

[View change & cancellation policies](#)
This ticket is changeable / nonrefundable. Fees may apply.

[Currency Calculator](#)

STEP UP TO ECONOMY COMFORT*
Enjoy more legroom and priority boarding for as low as \$29. **GET IT NOW**
*subject to availability. *additional fees may apply

[START OVER](#) [ENTER PASSENGER INFO](#)

Site Map About Delta Business Programs Corporate Travel Travel Agents Careers Privacy & Security Cookies & Ad Choices Legal Blog Social Mobile App ©2015 Delta Air Lines, Inc. [Website Feedback](#)

Certificate of Service

I hereby certify that I have, this 6th day of January, 2015 caused a copy of the foregoing Complaint to be served by electronic mail on the following persons:

Scott McClain

scott.mcclain@delta.com

Blane Workie

blane.workie@dot.gov

Kimberly Graber

kimberly.graber@dot.gov

/s/

Benjamin Edelman