

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

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)
Benjamin Edelman,)
third-party complainant)
)
v.) Docket DOT-OST-2013-____
)
Middle East Airlines)
)
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COMPLAINT OF BENJAMIN EDELMAN

Comments with respect to this document should be addressed to:

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

Dated: December 16, 2013

BEFORE THE DEPARTMENT OF TRANSPORTATION
OFFICE OF AVIATION ENFORCEMENT AND PROCEEDINGS
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COMPLAINT OF BENJAMIN EDELMAN

1. This complaint arises out of Middle East Airlines mischaracterizing fees as “tax” and thereby failing to comply with applicable DOT requirements.

2. On December 14, 2013, I used the Middle East Airlines web site, mea.com.lb, to quote ordinary paid coach travel from New York JFK to Beirut, Lebanon. I found that the MEA site misrepresented carrier-imposed surcharge as “tax.”

3. Specifically, MEA provided the fare quote shown in Exhibit 1. MEA quoted a “flights” cost of \$663 plus “taxes” of \$734.84, for a total of \$1397.84 EUR.

4. On information and belief, there is no “tax” of \$734.84 on this route.

5. MEA’s statement of “tax” is literally false.

6. 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.

7. I previously found that the MEA web site made the same false statement of “tax” on April 1, 2013. I retain appropriate screenshot proof which I can provide upon request. On information and belief, the false statements at issue occurred continuously throughout this period. I do not know when these false statements began.

8. I ask that the Department of Transportation:

- (1) Exercise its authority under 49 USC 41712 to open an investigation of MEA for having engaged in, and continuing to engage in, the unfair and deceptive practices described above;
- (2) Pursuant to such investigation, order MEA 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 MEA; 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, I certify that I 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. I 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

Attachment 1

Firefox - MEA - Book & Buy
<https://www.mea.com.lb/English/PlanBook/OnlineBooking/Default.htm>
 Home | Contact Us | Careers | Search | Arabic | Français

Plan & Book | Special Offers | MEA Holidays | Cedar Miles | Traveler Info | Lebanon | Corporate

Home > Plan & Book > Book & Buy

steps: search flights review travellers purchase reservation

review your flight details

Legend: S = e-ticket option, USD = U.S. Dollar

New York to Beirut

Flight 1 Thursday, February 13, 2014
 Departure: 19:15 New York, USA - John F Kennedy International, terminal 1
 Arrival: 08:30 +1 day(s) Paris, France - Charles De Gaulle, terminal 2E
 Airline: Air France AF007 S Aircraft: Airbus Industrie A380-800
 Fare type: Economy Restricted
 Baggage: 1 piece(s) per traveller
 Change of plane required. Time between flights : 2:00.

Flight 2 Friday, February 14, 2014

Firefox - MEA - Book & Buy
<https://www.mea.com.lb/English/PlanBook/OnlineBooking/Default.htm>
 Home | Contact Us | Careers | Search | Arabic | Français

Plan & Book | Special Offers | MEA Holidays | Cedar Miles | Traveler Info | Lebanon | Corporate

Home > Plan & Book > Book & Buy

steps: search flights review travellers purchase reservation

Beirut to New York

Flight 1 Thursday, February 20, 2014
 Departure: 02:05 Beirut, Lebanon - Rafic Hariri International
 Arrival: 05:45 Paris, France - Charles De Gaulle, terminal 2C
 Airline: Middle East Airlines ME209 Aircraft: Airbus Industrie A330-200
 Fare type: Economy Restricted
 Baggage: 1 piece(s) per traveller
 Change of plane required. Time between flights : 2:35.

Flight 2 Thursday, February 20, 2014
 Departure: 08:20 Paris, France - Charles De Gaulle, terminal 2E
 Arrival: 10:30 New York, USA - John F Kennedy International, terminal 1
 Airline: Air France AF022 S Aircraft: Boeing 777-200/200ER
 Fare type: Economy Restricted
 Baggage: 1 piece(s) per traveller

Legend: S = e-ticket option, USD = U.S. Dollar

price

travellers	flights	taxes
1 adult(s)	x (663.00 + 734.84)	= 1,397.84 USD

The screenshot shows a web browser window with the address bar displaying "https://www.mea.com.lb/English/PlanBook/OnlineBooking/Default.htm". The page content includes:

- Baggage: 1 piece(s) per traveller
- Legend: = e-ticket option, USD = U.S. Dollar
- price section with a table:

travellers	flights	taxes
1 adult(s)	x	(663.00 + 734.84) = 1,397.84 USD
total for all travellers		1,397.84 USD
- purchase conditions link
- convert displayed currency link
- flight notes section with a list of conditions:
 - To ensure that you get this fare, the reservation should be made now.
 - Specific rules and restrictions may apply to this fare.
 - Taxes are included except where local airport taxes are collected at check-in time.
 - Service charges apply in certain countries.
- traveller details button
- Footer: home page | contact us

A warning box at the bottom of the page contains the following text:

Booking cannot be made after a period exceeding 360 days.
Booking should be made 1 day prior to departure.
To avoid denied boarding, credit card(s) used for payment on MEA web sites must be presented at airport upon check-in.

Certificate of Service

I hereby certify that I have, this 16th day of December, 2013 caused a copy of the foregoing Complaint to be served by electronic mail on the following persons:

Nour El Hashem elhachemn@mea.com.lb *
Samuel Podberesky, Esq. sam.podberesky@dot.gov

* - Because there was no MEA entry in the Regulations.gov docket for DOT-OST-2002-12556 (Foreign - Designation of Agent for Service of Notice, Process, Orders, Decisions and Requirements), I obtained a contact name and email address from MEA's web site. See <http://www.mea.com.lb/English/Corporate/DirectoryHeadquarters/Pages/MEA.aspx> , selecting Department: Legal Affairs.

/s/

Benjamin Edelman