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Från: Toms Balins [mailto:tob@AirBaltic.lv]

Skickat: den 18 februari 2014 12:57

Till: ARN

Ämne: airBaltic answer (your ref.no. [REDACTED]; Patrick [REDACTED])

Dear Mr. [REDACTED],

With reference to your Mr. [REDACTED]'s (Passenger) letter, Air Baltic Corporation AS (Airline) would like to explain that it always strictly follows manufacturer's procedures, instructions and recommendations when aircraft maintenance is performed. It is not allowed for engineers to deviate from prescribed procedures and instructions. Therefore Airline cannot agree with Passengers argumentation that some additional actions which are not prescribed in aircraft maintenance manual should be performed. During these checks no defects or any indications about possible defects were found and accordingly not preventive steps could be taken as Airline strictly follows manufacturer's procedures and instructions. Thus the defect could not be predicted and no preventive measures in order to avoid this defect could be taken. Unfortunately the defect could not be averted promptly and usually it was unpredictable how long it will take to trace the defect's cause and to avert it. With such defect it is not allowed to perform flights as it is directly related to flight safety and therefore defect could be considered as unexpected flight safety shortcoming. Information about reasonable measures Airline took to minimize delay and its impact on passengers Airline already sent in previous letter.

Airline also would like to repeatedly explain you that after announcement about the delay of the flight and information about further procedures, passengers who contacted Airline's authorized agents were offered alternative transportations to their final destinations. According to information Airline possesses and Passenger's booking history Airline's authorized agents at Stockholm airport on June 29th, 2013 booked for Passenger and his family members alternative flights to Chisinau via Riga, Frankfurt and Vienna (with overnight in Riga) with arrival in Chisinau on June 30th, 2013 (please see attached Passenger's booking history). Therefore after additional investigation of this case Airline cannot agree with Passenger's statement that no alternative flights at the earliest convenience were not offered. Airline also checked phone call record of Mrs. [REDACTED], where she that that they have already booked new tickets on their own initiative. Therefore according to Regulation (EC) No 261/2004 of the European Parliament and of the Council (Regulation) if passenger do not use Airline's offered rerouting he is not entitled to receive compensation for any additional expenses (including newly purchased tickets) or care and assistance, therefore Airline does not consider Passenger's request to refund newly purchased tickets as well as additional hotel, postal expenses and phone calls justified. Moreover, according to Regulation Airline has to provide rerouting to final destination in cases of flight cancellations. In this case flight from Stockholm was only delayed; however Airline's authorized agents did everything possible to minimize passengers inconveniences and even offered rerouting in order to transport passengers to their final destinations as soon as possible.

If you need any additional explanation or documentation before final decision is made, please do not hesitate to contact me directly.

Best regards,
Toms Bāliņš
Customer Relations Team Leader
Air Baltic Corporation

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