

Office of Aviation Enforcement and Proceedings Determination
Regarding United Airlines Mistaken Fare

The U.S. Department of Transportation's Office of Aviation Enforcement and Proceedings (Enforcement Office) has completed its review of the mistaken fares that appeared on United Airlines' (United) Denmark website on February 11, 2015. During the past two weeks, thousands of consumers who purchased tickets from United's Denmark website at the mistaken fare levels have contacted the Enforcement Office asking that United be required to honor those fares based on the Department's rule against post-purchase price increases of scheduled air transportation.

After a careful review of the matter, including the thousands of submissions from consumers and information from United, the Enforcement Office has decided that it will not take action against United for not honoring the tickets. The mistaken fares appeared on a website that was not marketed to consumers in the United States. In order to purchase a ticket, individuals had to go to United's Denmark website which had fares listed in Danish Krone throughout the purchasing process. In addition, only people who identified "Denmark" as their location/country where billing statements are received when entering billing information at the completion of the purchase process were able to complete their purchase at the mistaken fare levels. Consistent with the Office's treatment of fare advertisements and disclosure of baggage fees, it does not intend to enforce the rule in question (the post-purchase price increase prohibition) when the fare offer is not marketed to consumers in the United States. Additionally, the Office is concerned that to obtain the fare, some purchasers had to manipulate the search process on the website in order to force the conversion error to Danish Krone by misrepresenting their billing address country as Denmark when, in fact, Denmark was not their billing address country. This evidence of bad faith by the large majority of purchasers contributed to the Enforcement Office's decision.

To ensure that the Office's determination that United is not required to honor the mistaken fare is available to all affected consumers expeditiously, the Office is placing this notice on its website rather than responding separately to each individual who has contacted the Department. The Office has also agreed that United may choose to post information about its handling of this incident in a prominent location on its website instead of providing individual responses to consumers who submitted an inquiry to United or the Department regarding this matter. We believe that posting of information by the Department and United is the best course of action as it offers the most effective means of reaching as many consumers as possible at the same time.