

8 October 2012

Lufthansa German Airlines
Customer Feedback
P.O. Box 710234
60492 Frankfurt, Germany customer.feedback.ph@lufthansa.com

Lufthansa's negligence and verbal misrepresentations breached its duty of care to passenger, Philip James Johnston

Letter of demand for \$540.99AUD [Attachment D](#) for Philip Johnston incurring explicit out-of-pocket costs to:

- **expend approx. 17 hours in exasperating 'phone calls to Lufthansa offices in France, Germany and United Kingdom to source his bicycle – [Attachment 'A'](#) lists 188 'phone calls that he made to Lufthansa offices between Thurs 4th and Sunday 9th Sept, more often waiting on for up to 30 mins and then often talking to people who had insufficient training who put him on 'hold' for extended periods and too often did not revert back to him after putting him on hold. Other calls dropped out after waiting for 20 or 30 mins progressing in the queue**
[Attachment A1](#) notes these 'phone calls cost Mr Johnston \$112AUD in Skype costs, largely from telephone charges levied by Lufthansa whilst he often waited for ages to progress in the 'phone queue;
- **TGV train fare from St-Jean-de-Maurienne to CDG Paris (143.90 Euro) to collect his bicycle 6 days later, on Monday 10th Sept, and then return with it to Grenoble (83.20 Euro) which aggregated to \$281.50AUD in TGV fares [Attachment C](#); and**
- **Refund of \$150 USD excess baggage fee for his bicycle (his only 'check-in luggage) at Seattle Airport on Monday, 3 Sept because Lufthansa breached its contract by not delivering him and his bicycle to Paris CDG on Tues 4th Sept as the female ground staff told it would at Seattle Airport when she charged him \$150 USD**
- **Philip Johnston makes no claim for –**
 - **Lufthansa' negligence reducing his planned 14 days' bicycle holiday to only 8 days cycling;**
 - **having to expend 17 hours approx. on 188 mostly futile 'phone calls to Lufthansa personnel in France, Germany and United Kingdom, often waiting for up to 30 mins, then put on hold whilst the Help Desk person separately enquired about his bicycle and often did not reconnect to him, whereupon he had to hang up and painstakingly dial again; and**
 - **the cost to prepare this Letter of Demand**

Refer Lufthansa's webpages –

- **'Is your baggage missing?', in particular "Compensation, liability and insurance" which provides a link to "Liability and insurance - Regulations according to the Montreal Convention"; and**
- **'Your Passenger Rights', in particular 'Cancellation'.**

At 11am on Monday 3rd Sept the Lufthansa Check-In Desk at Seattle Tahoma Airport charged Philip Johnston \$150 USD excess luggage for a bicycle in a carton which weighed about 16kgs. It was his only 'check-in' luggage. The female German ground staff who charged Mr Johnston \$150 USD [Attachment E](#) told him, "Your bicycle will carry through from Frankfurt to Paris where you can collect it when your plane touches down at Paris CDG."

At 8:20am on Tues, 4 Sept 12, Philip Johnston arrived at Gate 21 at Frankfurt Airport awaiting to aboard Flight LH 1030 from Frankfurt to Paris at 9:05am – [Attachment B](#).

He was keenly looking forward to starting a 14 days' cycling holiday, [Tour de Conquer](#), to ride all the famous *Montagnes* and *Cols* in the Rhone Alps and Provence, which he had had spent over 100 hours researching and planning for himself and 4 other cyclists whom he was to meet at Chambéry in France that evening.

A female Lufthansa ground staff –

1. announced that there was a strike action and that his flight was cancelled;
2. pointed out the merits of catching a train to Paris as the afternoon Lufthansa flight was already fully booked, and
3. assured passengers that Lufthansa would courier our check-in luggage to passengers “probably tonight as the strike is due to finish at 2pm”.

He explained to the female Lufthansa ground staff that he had to be in Chambéry that evening in order to commence a scheduled 14 days bicycle event at St-Jean-de-Maurienne in the Rhone Alps the following day. He asked her for his bicycle (LH187388) to be released to him at Frankfurt. The female Lufthansa ground staff iterated that Lufthansa could not release his bicycle, even though subsequently it remained at Frankfurt Airport (for 3 days) until early Friday, 7th Sept.

After accepting Lufthansa's assurance at Gate 21 in Frankfurt that his bicycle would be couriered to St-Jean-de-Maurienne as early as Tues evening (subject to him completing a supposed simple baggage application form), he caught a long train ride from Frankfurt to Chambéry on Tues 4th Sept.

Upon arriving at Chambéry he had the horrible experience of lodging a Lost Baggage form as the Home Page of Lufthansa's website did not provide an explicit, obvious link to the Lost Baggage form as the female ground staff at Gate 21 in Frankfurt Airport had assured all passengers on Tues morning that it did.

He was able to lodge an application form only after emailing Lufthansa Internet Service Center where Christiane Marzischewski responded by email on Wed 5 Sept to 'phone the Call Center in Germany 0049-69 / 95 30 79 62. Lufthansa's Call Center in Germany sent him the following URL: http://newsletter.lufthansa.com/servlet/website/ResponseForm?soEevz0_87.3d.3d7.3d.26_40vyf_.26EU Philip Johnston ultimately had to lodge two Lost Baggage forms, as Lufthansa's Lost Baggage email confirmation did not arrive for several hours after submitting the Lost Baggage form on-line. In the meantime he had 'phoned your France Help Desk 0892231683 and was told that he would need to re-lodge another Lost Baggage application, as the Help Desk female could not assist him unless he told her a Lost Baggage File Reference Number. So he ended lodging two Lost Baggage applications and ultimately received two File reference Numbers of CDGLH81233 ([Attachment 'F'](#)) and CDGLH81235 ([Attachment 'F1'](#)). The on-line lodgement form and the antiquated PDF fax lodgement submitted form ([Attachment 'G'](#)) did not enable the passenger to inform that it was not a suitcase, but rather a bicycle that he was seeking. This failure in Lufthansa's lodgement process is exceedingly unprofessional, as in order to complete the application, Mr Johnston was forced to identify his bicycle as a large suitcase. During several of his 188 'phone calls to Lufthansa between 6th and 9th Sept, he requested Lufthansa to remove the 2nd registration at CDGLH81235, in order to avoid confusion, but both lodgements remained.

These flaws in the lodgement process was typical of Lufthansa's handling the strike action and the consequences of not releasing his bicycle at Frankfurt when his flight was cancelled, which evidenced My Johnston making 188 'phone calls over 6 days and reducing a 14 day holiday to 8 days.

At around 6pm on Thurs evening 6th Sept, Christophe at the Lufthansa Help Desk told him that his bicycle was still in Frankfurt.

At around 7pm on Friday evening on 7th Sept, Christophe further told him that his bicycle had been located at Paris CDG and it would be despatched to him “that night or early Saturday” to the camp ground that he was staying at St-Jean-de-Maurienne which was detailed on the File Reference Form. Mr Johnston’s nephew, David Johnston, overheard that ‘phone conversation where Christophe assured Mr. Johnston that his bicycle would be despatched urgently and would arrive by Sunday 9th Sept.

On Sunday, 9th Sept, Ingrid at the Lufthansa Help Desk told Philip Johnston that his bicycle must still be at CDG Paris Airport as she had checked with Chronopost-Lendemain and they did not collect it. Later on Sunday, 9th Sept, Bruno contradicted what your ground staff told him at Gate 21 in Frankfurt Airport on Tues morning 4th September and what Christophe had told Mr Johnston on Friday evening, 7th Sept. Bruno told him “It is Lufthansa’s policy to not courier bicycles to passengers with the only exception being if the passenger is in Paris. We will courier a suitcase or bag outside of Paris, but not a bicycle.”

Mr Johnston could write many more pages about the cost to him due to lack of co-ordinated data files so the Lufthansa Help Desk could directly access the Lost Baggage database at CDG Paris Airport, and provide further evidence that the majority of the female staff at the Lufthansa Help Desk were not trained to assist desperate passengers source their baggage. Suffice, that Lufthansa should have released Mr Johnston’s bicycle on Tues morning at Frankfurt Airport because it remained at Frankfurt Airport for almost 3 more days. If Lufthansa’s baggage software cannot accommodate early release of baggage, then additional software should be written to enable early release of baggage because he does not expect that his aforementioned saga, which reduced a 14 days bicycle holiday to 8 days, was isolated.

If Lufthansa does not remit \$540.99AUD ([Attachment H](#) lists AUD costs for TVG train fares and the \$150 USD excess baggage charged when his bike arrived three days late) to his below bank account in Australia for explicit out of pocket costs that Mr Johnston incurred, he will lodge an on-line complaint with the NSW Department of Fair Trading, 1 Fitzwilliam St, Parramatta NSW.

Bank	Commonwealth Bank of Australia
BSB	062000
Account #	00965207
Account Name	Philip James Johnston

If need be, he will issue his Letter of Demand upon Star Alliance in Frankfurt, and Flight Centre Sydney that sold him his flight tickets.

Yours faithfully



Philip J Johnston