

BEFORE THE
OFFICE OF THE SECRETARY
U.S. DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Application of:)
)
TRANSPORTES AEREOS MERCANTILES)
PANAMERICANOS, S.A. (TAMPA)) Docket OST-00-_____
)
for an Emergency Exemption from)
49 U.S.C. § 40109)
(Colombia-Miami-Panama-Colombia/All Cargo))
)
)

**APPLICATION OF TRANSPORTES
AEREOS MERCANTILES PANAMERICANOS, S.A.
FOR AN EXEMPTION**

Communications with respect to this application should be sent to:

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NOTICE: Any person may support or oppose this application by filing an answer and serving a copy of the answer on the applicant and on all persons listed on the Certificate of Service attached to this application. All answers are due on or before March 3, 2000.

February 17, 2000

BEFORE THE
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U.S. DEPARTMENT OF TRANSPORTATION
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FOR AN EXEMPTION**

Pursuant to 49 U.S.C. § 40109 and Subpart D of the Department’s Procedural Regulations, Transportes Aereos Mercantiles Panamericanos, S.A. (“TAMPA”) hereby applies for an exemption to authorize it to engage in foreign scheduled air transportation of property and mail on a Colombia-Miami-Panama-Columbia routing. TAMPA requests that this exemption be granted for a period of two years.

In support of its application, TAMPA states as follows:

1. TAMPA is a Colombian all cargo foreign air carrier authorized to serve the U.S.-Colombia market via Order 81-4-94. While TAMPA has been serving the United States for almost two decades, its recent expansion plans have been substantially delayed by the Category II safety status assigned to Colombia by the FAA. The FAA has returned Colombia to Category I status (See FAA Press Release dated November 30, 1999) and as a result of this action, TAMPA now seeks to add this additional route to its U.S. scheduled service operations.

2. The U.S.-Colombia Air Transport Agreement provides for service between Miami and Colombia via intermediate points. TAMPA holds exemption authority to serve Caracas, Venezuela, and now seeks to add Panama as only its second U.S.-Colombia intermediate point.

3. Tampa has been serving the Panama market from Colombia for several years, and has strong commercial and economic ties with Panamanian shippers. Tampa intends to enter into a blocked-space agreement with COPA, a Panamanian air carrier, on the Miami-Panama portion of the flight. The remainder of the cargo will be utilized by TAMPA for its U.S.-Colombia cargo operations.

4. Substantial comity and reciprocity exists in the U.S.-Colombia market for these flights. The Colombian government has authorized U.S. carriers to operate between the U.S. and Colombia, via intermediate points – including points in Panama. In fact, the Colombian government has authorized not only Federal Express to operate on a U.S.-Venezuela-Panama-Bogota-Panama-U.S. routing, but it has also authorized Challenge Air Cargo to operate between the United States and Colombia via Panama. Clearly, substantial reciprocity has been demonstrated by the Colombian government in the U.S.-Panama-Colombia market.

5. TAMPA notes that the overwhelming majority of its scheduled flights in recent years have been third and fourth freedom flights between the United States and Colombia. TAMPA's primary focus remains the Colombia-U.S. market. It's proposed service via Panama will only strengthen its ongoing Colombia-Miami operations and enable TAMPA to better compete with other carriers serving the highly competitive Colombia-U.S. market.

WHEREFORE, for the foregoing reasons, TAMPA respectfully requests that the Department grant it an exemption for period of two years to enable it to provide scheduled foreign air transportation of property and mail on a Colombia-Miami-Panama-Colombia routing as more fully described herein.

Respectfully submitted,

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February 17, 2000

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent via facsimile this 17th day of February, 2000 to the following persons:

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