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97-106

July 15, 1997

**BY HAND**

Mr. George L. Wellington, Jr.  
Chief  
Foreign Carrier Licensing Division, X-45  
Office of International Aviation  
U.S. Department of Transportation  
400 Seventh Street, S.W.  
Room 6412  
Washington, D.C. 20590

RECEIVED  
OFFICE OF INTERNATIONAL AVIATION  
U.S. DEPARTMENT OF TRANSPORTATION  
JUL 15 1997

**Re: Application of Aero Costa Rica Acori, S.A.  
For Part 212 Statement of Authorization**

Dear Mr. Wellington:

Aero Costa Rica Acori, S.A. d/b/a Aero Costa Rica is filing herewith an original and two copies of its application to operate one roundtrip passenger charter flight between Miami, Florida and Nassau, the Bahamas on July 26, 1997. Aero Costa Rica proposes to operate this flight on behalf of Wilson International Services, Inc. ("Wilson"), a public charter operator, and will use B-727-100 aircraft with 118 passenger seats. Aero Costa Rica understands that the passengers on this flight plan to travel from Nassau to Havana, Cuba on another flight chartered by a non-U.S. entity and that the passengers qualify under the regulations of the Office of Foreign Assets Control to travel to, from, and within Cuba.

Aero Costa Rica currently holds exemption authority to serve several points in the United States, including Miami. See Notice of Action Taken, OST-96-1431 (June 27, 1996). Aero Costa Rica's exemption authority includes the right to operate charters to the United States in accordance with part 212 of the regulations.

This application is consistent with the Air Transport Services Agreement between the United States and Costa Rica. The United States and Costa Rica enjoy an excellent bilateral relationship, and there is every reason to believe that Costa Rica will grant reciprocal authority to U.S. carriers. Given Costa Rica's longstanding cooperation on bilateral aviation matters, it is in the public interest to grant Aero Costa Rica's

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application for a statement of authorization to conduct this Fifth Freedom flight.

Aero Costa Rica also requests a waiver of the seven day answer period applicable to Fifth Freedom charter requests under part 212. Wilson only recently contacted Aero Costa Rica, requesting that Aero Costa Rica operate one charter flight, and Aero Costa Rica is filing this application as soon as possible after concluding an agreement with Wilson. Without the services of Aero Costa Rica, moreover, Wilson will not be able to accommodate the passengers planning to travel to Cuba during the fourth week of July. Therefore, it is in the public interest for the Department to grant a waiver of the seven day answer period.

Aero Costa Rica will serve a copy of this application on the carriers listed in the service list and will poll all of these carriers to determine whether any party objects to the application.

Sincerely,

ZUCKERT, SCOUTT & RASENBERGER, L.L.P.

By:

  
James L. Devall  
Lonnie Anne Pera

Attorneys for Aero Costa Rica Acori,  
S.A. d/b/a Aero Costa Rica

Enclosure