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BEFORE THE UNITED STATES
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

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Application of)
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Aviación Comercial de América, S.A. de C.V.)
)
for an exemption pursuant to)
49 U.S.C. 40109 (U.S./Mexico)
Charter Air Transportation))
)
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Docket No. OST-97-2073

APPLICATION OF
AVIACIÓN COMERCIAL DE AMÉRICA, S.A. DE C.V.
FOR RENEWAL OF EXEMPTION

Communications concerning this document may be served upon:

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Counsel for
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September 5, 2002

NOTICE: Any person may support or oppose this application by filing an answer and serving a copy of that answer on counsel for Aviación Comercial de América, S.A. de C.V. and upon each person served with this application. The due date for answers is September 20, 2002.

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**APPLICATION OF
AVIACIÓN COMERCIAL DE AMÉRICA, S.A. DE C.V.
FOR RENEWAL OF EXEMPTION**

Pursuant to 49 U.S.C. 40109 and the Department's regulations, Aviación Comercial de América, S.A. de C.V. ("AVCOM"), a Mexican air taxi operator of executive aircraft, hereby applies for renewal of its exemption from 49 U.S.C. 40301 which authorizes AVCOM to engage in charter foreign air transportation of persons and their accompanying baggage with small aircraft between the United States and Mexico, and, subject to prior Department approval, between other countries and the United States. AVCOM also requests stopover privileges and renewal of its relief from the requirement to obtain advance approval for each Mexico-U.S. flight. The Department granted the above authority to AVCOM by Notice of Action Taken dated July 2, 2001. AVCOM requests that this authority be renewed for a period of at least one year.

AVCOM invokes the automatic extension provisions of the Administrative Procedure Act, 5 U.S.C. 558 (c), as implemented by 14 C.F.R. Part 377, to maintain its exemption authority in effect pending a final Department determination on this renewal application.

In support of this application, AVCOM states as follows:

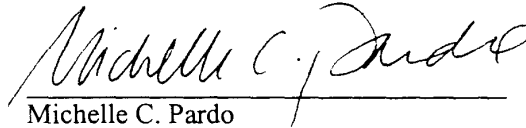
1. AVCOM continues to be fit, willing and able to provide the small aircraft passenger charter services for which it requests renewed authority. The relevant circumstances under which AVCOM received its initial grant of exemption authority are unchanged.

2. AVCOM's Third and Fourth Freedom charter authority is authorized by Annex II to the U.S.-Mexico Air Transport Agreement, and is therefore presumptively in the public interest. AVCOM's Fifth Freedom charter authority is based on principles of comity and reciprocity, as is its relief from the advance approval requirement for trans-border charter flights and any grant of stopover privileges. AVCOM submits that continuation of these extra-bilateral authorizations is warranted given the harmonious state of aviation relations between the United States and Mexico. In addition, the services provided by AVCOM satisfy a continuing need and otherwise serve the public interest by fostering commerce between Mexico and the United States consistent with the objectives of the North American Free Trade Agreement (NAFTA). Consequently, renewal of all elements of AVCOM's authority would be consistent with the public interest.

3. AVCOM's renewal application is limited in scope and non-controversial. The services AVCOM proposed to operate are substantially identical to those it performed during the past year, *i.e.*, highly personalized transport services to executives and their invitees using small business-type aircraft. AVCOM's Mexican authority to engage in trans-border passenger charter services remains in full force and effect.

WHEREFORE, AVCOM respectfully requests renewal of its authority to engage in charter foreign air transportation of persons and their accompanying baggage with small aircraft as set forth herein, and such other relief as may be in the public interest.

Respectfully submitted,
FULBRIGHT & JAWORSKI L.L.P.

A handwritten signature in cursive script, reading "Michelle C. Pardo", is written over a horizontal line.

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