

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

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Application of :  
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 EMERY WORLDWIDE AIRLINES, INC. : Docket OST-00-7525  
 :  
 for amendment of certificate authority :  
 pursuant to 49 U.S.C. § 41102 :  
 (U.S.-Mexico) :  
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APPLICATION OF  
EMERY WORLDWIDE AIRLINES, INC.  
FOR AMENDMENT OF CERTIFICATE AUTHORITY

Communications with respect to this document should be addressed to:

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June 15, 2000

NOTICE: Emery Air requests that this application be processed by expedited non-hearing procedures pursuant to Subpart B of the Department's Rules of Practice. Answers supporting or opposing this application are due on or before July 6, 2000.



Emery Air states as follows in support of its application:

1. Emery Air is a Nevada Corporation with its principal office located at One Lagoon Drive, Redwood City, California 94065.

2. Emery Air is a citizen of the United States within the meaning of 49 U.S.C. §40102(a)(15)(C). The president of Emery Air and two-thirds or more of its board of directors and other managing officers are citizens of the United States. More than seventy-five percent of the voting stock of the corporation is owned or controlled by persons who are citizens of the United States.

3. Emery Air is one of five U.S. carriers currently designated to provide scheduled all-cargo service in the U.S.-Mexico market and currently holds exemption authority to conduct the operations for which it is seeking certificate authority here. The Department has previously found that Emery Air is fit to provide such foreign air transportation, and that Emery Air is fit, willing and able to perform the air transportation proposed in this application. Emery Air has substantial operating experience throughout the Western Hemisphere, Europe and the Pacific and holds authority to operate scheduled all-cargo service between points in the United States and points in various foreign countries. (See Order 99-12-8, December 13, 1999, Docket OST-98-4635)

4. Emery Air asks the Department to amend its Experimental Certificate of Public Convenience and Necessity for Route 743 to incorporate the following additional U.S.-Mexico segments:

a. Between the coterminal points Dayton, Ohio, and Laredo Texas, and Leon, Mexico. (Authority granted by Notice of Action Taken issued November 24, 1999, in Docket OST-99-6513)

b. Between the coterminal points Laredo and Brownsville, Texas, and Mexico City, Mexico. (Authority granted by Notice of Action Taken issued September 23, 1999, in Docket OST-99-6233)

c. Between Nashville, Tennessee, and Guadalajara, Mexico. (Authority granted by Notice of Action Taken issued May 21, 1999, in Docket OST-99-5706)

d. Between Dayton, Ohio, and Monterrey, Mexico. (Authority granted by Notice of Action Taken issued April 1, 1999, in Docket OST-99-5415)

5. Amendment of Emery Air's Route 743 certificate is clearly in the public interest. Emery Air's service benefits the shipping public by providing valuable U.S. carrier all-cargo service on the routes for which it seeks certificate authority here and Emery Air's service also provides valuable competition in the U.S.-Mexico market. As the Department noted when it recently issued updated U.S.-Mexico certificates to Emery Air and other carriers, "the authority conferred here contributes to the variety of price and service available to travelers and shippers." (Order 2000-5-31, Docket OST-99-5740, at 1) Moreover, approval of this application will reduce the administrative burden on both the Department and Emery Air by eliminating the need for frequent exemption renewal applications.

6. The additional certificate authority Emery Air seeks is fully consistent with the U.S.-Mexico Air Transport Agreement, as amended.

WHEREFORE, Emery Air asks the Department to amend its Route 743 certificate authority to incorporate all of its currently-held U.S.-Mexico exemption authority and to integrate its amended Route 743 authority with its existing certificate and exemption authority. Emery Air asks that the authority become effective immediately for a five-year period.

Respectfully submitted,

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June 15, 2000

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CERTIFICATE OF SERVICE

I certify that I have this date served the foregoing document on the following persons in accordance with the Department's Rules of Practice:

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June 15, 2000