

ORIGINAL

DEPT. OF TRANSPORTATION
DOCKETS

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

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Application of)	
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BWIA INTERNATIONAL AIRWAYS)	
LIMITED)	DOCKET OST-95-112 - //
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for Renewal of Exemption Authority)	
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APPLICATION OF
BWIA INTERNATIONAL AIRWAYS LIMITED
FOR RENEWAL OF EXEMPTION AUTHORITY

Communications with respect to
this document should be served upon

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Airways Limited

NOTICE: Any person may support or oppose this application
by filing an answer and serving a copy of the
answer on counsel for BWIA International Airways
Limited and upon persons served with this
application. Under 14 C.F.R. § 302.406, answers
are due by July 12, 1999.

DATED: June 25, 1999

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Application of)
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)
 BWIA INTERNATIONAL AIRWAYS)
 LIMITED) DOCKET OST-95-112
) June 25, 1999
 for Renewal of Exemption Authority)
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APPLICATION OF
BWIA INTERNATIONAL AIRWAYS LIMITED
FOR RENEWAL OF EXEMPTION AUTHORITY

Pursuant to 49 U.S.C. § 40109(c) BWIA International Airways Limited ("BWIA") respectfully requests renewal of the exemption authority last renewed by the Department in a Notice of Action Taken, dated July 2, 1999, which currently is set to expire July 2, 1999. It is requested that the exemption authority be renewed for an additional year. By this application, BWIA intends to invoke the automatic extension provisions of 5 U.S.C. § 558(c) and Part 377 of the Department's Special Regulations. In support of this request, BWIA states as follows:

1. BWIA is the flag carrier of Trinidad and Tobago and is substantially owned and controlled by citizens of Trinidad and Tobago. The authority involved here consists of a foreign air carrier permit issued by Order 82-1-7 and several exemptions which previously were held by Trinidad and Tobago (BWIA International) Airways Corporation, ("BWIA Corp.") a Trinidad and Tobago government-owned company. In

early 1995, the government basically privatized the BWIA Corp. and transferred the assets, including the authority held to serve the United States, to BWIA.

2. By Notice of Action Taken in Docket 50096, dated February 3, 1995, and confirmed by Order 95-3-7, the Department granted an exemption to BWIA to exercise the authority formerly held by BWIA Corp. That exemption was most recently renewed through July 2, 1999, by Notice of Action Taken, dated July 2, 1998. A summary of the authority is contained in the Attachment hereto. Under this authority, BWIA provides extensive service between the Caribbean and the United States, and for that reason, BWIA seeks an extension of the exemption.

3. On May 23, 1990, the governments of the United States and Trinidad and Tobago executed the first bilateral aviation agreement between the two countries and BWIA is the designated carrier of Trinidad and Tobago under that agreement. Thus, to the extent that the routes shown in the Attachment are set forth in the agreement, BWIA has been designated to operate over those routes; therefore, renewal clearly is warranted. To the extent that certain other route authority, as described in the Attachment, was granted outside the agreement, renewal of that authority is warranted by comity and reciprocity and the excellent aviation relationships between the U.S. and Trinidad and

Tobago. BWIA's designation continues in effect and it continues to hold homeland authority.

4. As noted above, BWIA currently provides extensive service between Trinidad and Tobago and other Caribbean nations and the United States. This service not only is used by thousands of business and pleasure travelers as well as shippers, but it also provides competition to other airlines serving the U.S.-Caribbean market. Thus, continuation of BWIA's service will generate substantial public benefits and clearly is in the public interest.

WHEREFORE, BWIA International Airways Limited respectfully requests that the Department grant the renewal sought herein.

Respectfully submitted,



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DATED: June 25, 1999