

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

_____)	
Application of)	
)	
Evergreen International)	Docket OST-00-7294
Airlines, Inc.)	
)	
For renewal of an Exemption)	
Pursuant to 49 U.S.C. § 40109)	
(U.S.-Argentina all-cargo service))	
_____)	

APPLICATION OF
EVERGREEN INTERNATIONAL AIRLINES, INC.
FOR RENEWAL OF AN EXEMPTION

Communications with respect to
this document should be sent to:

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Notice: Any person who wishes to file an answer to support or to oppose this application must do so by March 23, 2002, and must serve that answer on Evergreen International Airlines, Inc. and all persons served with this Application.

March 8, 2002

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

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Application of)	
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Evergreen International)	Docket OST-00-7294
Airlines, Inc.)	March 8, 2002
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For renewal of an Exemption)	
Pursuant to 49 U.S.C. § 40109)	
(U.S.-Argentina all-cargo service))	
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APPLICATION OF
EVERGREEN INTERNATIONAL AIRLINES, INC.
FOR RENEWAL OF AN EXEMPTION

Pursuant to 49 U.S.C. § 40109 and 14 C.F.R. Part 302, Subpart C, Evergreen International Airlines, Inc. ("Evergreen") hereby applies for renewal of its exemption authorizing Evergreen to provide scheduled foreign air transportation of property and mail from points behind the United States, via the United States and intermediate points, to a point or points in Argentina and beyond, and between Argentina and any point or points. Evergreen also requests renewal of its authority to integrate this authority with Evergreen's all-cargo certificate and exemption authority, and to commingle traffic on services

conducted pursuant to such authority, consistent with applicable agreements between the United States and foreign countries.

In support of its application, Evergreen submits the following:

1. Evergreen is a U.S. air carrier holding certificates of public convenience and necessity authorizing it to engage in scheduled and charter interstate, overseas and foreign air transportation of property and mail. Evergreen's certificate and exemption authorities include rights to provide scheduled all-cargo foreign air transportation to 166 nations worldwide, 30 of which are located in Central and South America and the Caribbean.

2. By Notice of Action Taken ("NOAT") issued by the Department of Transportation ("Department") on May 11, 2000, the Department granted Evergreen exemption authority to provide scheduled all-cargo service in the U.S.-Argentina market. In that NOAT, the Department authorized Evergreen to provide scheduled foreign air transportation of property and mail from points behind the United States, via the United States and intermediate points, to a point or points in Argentina and beyond, and between Argentina

and any point or points. The Department also authorized Evergreen to integrate this authority with its other all-cargo certificate and exemption authority and to commingle traffic on services conducted pursuant to such authority.

3. Evergreen's current exemption is effective through May 11, 2002. Evergreen invokes and relies upon the provisions of Section 558(c) of the Administrative Procedure Act, 5 U.S.C. § 558 (c), as implemented by 14 C.F.R. Part 377, to continue in effect existing authority pending final action on this renewal application. In accordance with 14 C.F.R. § 377.10(c), this renewal application is being filed more than sixty (60) days prior to the expiration date of the exemption authority at issue.

4. Following grant of exemption authority in May 2000 to provide scheduled all-cargo service to Argentina, Evergreen has not been in a position to inaugurate scheduled flights. Evergreen continues to actively explore market opportunities in Argentina, and seeks options to integrate flights to Argentina with services to other countries in the region. Renewal of Evergreen's exemption authority will enable Evergreen to begin scheduled services to Argentina

quickly, and to combine this exemption authority with certificate rights already held to other South American countries.

5. This application is consistent with the provisions of the United States-Argentina Air Transport Agreement. Effective on November 24, 2000, the routes providing scheduled all-cargo services were amended to fully implement open-skies rights, including seventh-freedom operations. The U.S.-Argentina agreement contains no limitations on all-cargo designations, frequencies, or capacity.

6. Evergreen remains a citizen of the United States as required by 49 U.S.C. 40102(a)(15) of the Federal Aviation Act and continues to be fit, willing, and able to provide the services authorized by the Department. Evergreen submits that renewal of its existing exemption authority is consistent with the public interest and with Department precedent.

7. Evergreen respectfully requests renewal of the subject authorization to serve Argentina for an additional period of two years, or until 90 days after final Department action on a corresponding certificate application, whichever occurs earlier.

WHEREFORE, Evergreen respectfully requests the Department to (1) grant renewal of its exemption authorizing Evergreen to provide scheduled foreign air transportation of property and mail from points behind the United States, via the United States and intermediate points, to a point or points in Argentina and beyond, and between Argentina and any point or points, (2) grant renewal of its authority to integrate this authority with Evergreen's all-cargo certificate and exemption authority, and to commingle traffic on services conducted pursuant to such authority, consistent with applicable agreements between the United States and foreign countries, and (3) grant such authority consistent with this application as the Department may deem to be necessary and appropriate.

Respectfully submitted,

/ s /

Thomas V. Lydon
Director
Government Affairs

March 8, 2002