

BD

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

_____)	
Application of)	
)	
EVERGREEN INTERNATIONAL)	
AIRLINES, INC.)	Docket OST-96-2025
)	
for Renewal of an Exemption from)	
49 U.S.C. § 41101 (U.S.-Russia))	
_____)	

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

Communications with respect to this document should be addressed to:

Anthony E. Bauckham
Executive Vice President
EVERGREEN INTERNATIONAL
AIRLINES, INC.
3850 Three Mile Lane
McMinnville, Oregon 97128-9496
(503) 472-0011

William C. Evans
VERNER, LIIPFERT, BERNHARD,
McPHERSON AND HAND CHARTERED
Suite 700
901 15th Street, N.W.
Washington, D.C. 20005
(202) 371-6030

Thomas V. Lydon
Director of Government Affairs
EVERGREEN INTERNATIONAL
AIRLINES, INC.
1629 K Street, NW Suite 301
Washington, D.C. 20006

Counsel for EVERGREEN
INTERNATIONAL AIRLINES, INC.

NOTICE: Any person wishing to support or oppose this application may do so by filing an answer and serving a copy on counsel for Evergreen International Airlines, Inc., and upon persons served with this application no later than September 24, 2002.

Dated: September 9, 2002

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Application of)	
)	
EVERGREEN INTERNATIONAL)	
AIRLINES, INC.)	Docket OST-96-2025
)	September 9, 2002
for Renewal of an Exemption from)	
49 U.S.C. § 41101 (U.S.-Russia))	
)	

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

Pursuant to 49 U.S.C. § 40109, and subpart D of the Department's Rules of Practice, 14 C.F.R. §§ 302.400 et seq., Evergreen International Airlines, Inc. ("Evergreen") respectfully requests renewal of its exemption authority last renewed by Notice of Action Taken, dated November 8, 2000, which permits it to engage in scheduled foreign air transportation of property and mail between Anchorage, Alaska, on the one hand, and Khabarovsk, Petropavlovsk, Vladivostok, and Yuzhno-Sakhalinsk, Russia, on the other, and beyond to Hong Kong, without local traffic rights between Russia and Hong Kong. The Notice also authorized Evergreen to integrate this authority with its other exemption and certificate authorities. The exemption currently is set to expire on November 8, 2002. Evergreen requests that the exemption be renewed for an additional period of two years. By this application, Evergreen 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, Evergreen states as follows:

1. Evergreen is an air carrier of property and mail holding certificates of public convenience and necessity and exemption authority authorizing it to engage in domestic air transportation of cargo, and scheduled all-cargo foreign air transportation between the U.S. and numerous foreign countries. It also holds worldwide cargo charter authority. See, Order 99-12-7. Evergreen continues to be a U.S. citizen and to be fit, willing and able to conduct the operations proposed herein.

2. By Notice of Action Taken, dated November 8, 2002, the Department renewed Evergreen's authority engage in scheduled foreign air transportation of property and mail between Anchorage, Alaska, on the one hand, and Khabarovsk, Petropavlovsk, Vladivostok, and Yuzhno-Sakhalinsk, Russia, on the other, and beyond to Hong Kong, without local traffic rights between Russia and Hong Kong. The exemption authority is scheduled to expire on November 8, 2002. The Department also previously allocated to Evergreen three weekly all-cargo frequencies, which currently are the subject of a waiver of the 90-day dormancy condition. Concurrently herewith, Evergreen also is filing an application for a continuation of the dormancy waiver.

3. Evergreen instituted service from the U.S. to Khabarovsk in March 1995, and utilized its frequencies in connection with its U.S.-Hong Kong B-747 operations. These services have provided significant benefits to U.S. and Russian shippers and receivers. Due to the downturn in the world economy and the impact of the events of September 11, 2001, on air transportation, Evergreen currently is not offering service in

the market. However, Evergreen continues to have a strong interest in serving the U.S.-
Russia cargo market; thus, it wishes to retain its exemption authority so that service may
be resumed when economic conditions warrant. Resumption of such service at the
appropriate time clearly will benefit shippers and receivers and is in the public interest.
In addition, renewal of the exemption authority is consistent with the term of the U.S.-
Russia air transport agreement.

WHEREFORE, Evergreen International Airlines, Inc., respectfully requests that
the Department of Transportation renew the exemption authority as requested herein.

Respectfully submitted,



William C. Evans
VERNER, LIIPFERT, BERNHARD,
McPHERSON AND HAND, CHARTERED
901 15th Street, N.W.
Suite 700
Washington, D.C. 20005
(202) 371-6030

Counsel for EVERGREEN INTERNATIONAL
AIRLINES, INC.

DATED: September 9, 2002