

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Application of)
CONSORCIO AVIACSA, S.A. de C.V)
For an Exemption)
_____)

Docket OST-2003-_____

APPLICATION OF CONSORCIO AVIACSA, S.A de C.V
FOR AN EXEMPTION

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NOTICE: Any person may support or oppose this application by filing an Answer by June 27, 2003 and serving a copy of the Answer on all parties listed on the attached service list.

BEFORE THE
U.S. DEPARTMENT OF TRANSPORTATION
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APPLICATION OF CONSORCIO AVIACSA, S.A. de C.V.
FOR AN EXEMPTION

Conсорcio Aviaca, S.A. de C.V. (“Applicant”) hereby applies for an exemption from 49 U.S.C. 41301 under provisions of 40 U.S.C. 40109 to permit Applicant to commence new scheduled air transportation of persons, property and mail between Monterrey, Mexico (MTY) and Dallas, Texas (DFW) and subject to Department regulations, between points in the United States and other points worldwide.

In support of this application, Applicant states the following:

Applicant has had the requisite authority from the Government of Mexico to engage in domestic and international non-scheduled air transportation since 1991. The Department granted the Applicant an exemption to operate non-scheduled air transportation on June 20, 1991 and said exemption remains in full force and effect..

Applicant has had the requisite authority from the Government of Mexico to engage in domestic and international scheduled air transportation since 1998.

Applicant filed an application to amend its foreign air carrier permit application on March 6, 1998 to add scheduled air transportation between points in Mexico and the United States, and, subject to Department regulations, between points in the United States and points worldwide. The Department has not acted on the application.

Applicant desires to commence one regularly scheduled flight daily between Monterrey, Mexico (MTY) and Dallas, Texas (DFW) in the summer of 2003, operating a Boeing-737 aircraft. On December 17, 2002, the Government of Mexico designated the Applicant for this route under a single designation. See Exhibit A.¹ It is Applicants' understanding that the U.S. Government is in possession of diplomatic note #361, dated January 15, 2003, wherein the Government of Mexico advises the United States Government of the designation.

Applicant continues to operate scheduled air transportation between Monterrey-Chicago, Monterrey-Las Vegas, Monterrey-Houston, Mexico City-Houston and Monterrey-Los Angeles under current exemptions. Recently, the Applicant was granted additional exemptions to provide scheduled air transportation between Mexico City-Dallas and Mexico City-Las Vegas.

The information submitted by the Applicant to amend its Foreign Air Carrier Permit in 1998 is incorporated by reference herein.

The continuing fitness of the Applicant to provide scheduled air transportation between Mexico and the United States has been demonstrated by its fine record of

¹ The Annex to the Authority granted to Aviacsa (using an informal translation) dated January 28, 2003, from the Director General of the Direccion General de Aeronautica Civil (DGAC) adds the Monterrey-Dallas/Fort Worth route to the list that the Foreign Relations Office uses to advise the Government of the United States that Consorcio Aviacsa S.A. de C.V. has been designated on the Monterrey-Dallas/Forth Worth route under the single designation authority in accordance with the Mexico-U.S. aviation bilateral agreement.

performance since an initial exemption was issued in 1991.

Approval of the application will allow the Applicant to commence operations of scheduled-combination air transportation between Monterrey (MTY) and Dallas (DFW). Moreover, approval of this application will be in the public interest because the United States and Mexico will receive the economic benefits inherent in international air service that is a recognized component of the U.S.-Mexico aviation-bilateral agreement.

WHEREFORE, Applicant, Consorcio Aviacsa, S. A. de C. V. requests that the Department grant an exemption under this application so that it may commence scheduled air transportation between Monterrey, Mexico (MTY) and Dallas, Texas (DFW) and subject to Department regulations, between the U.S. and points worldwide.

Respectfully submitted,

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June 12, 2003

EXHIBIT A

From:

06/09/2003 19:12 #037 P.006

FROM : CONSULTORES JURIDICOS FIARD SC PHONE NO. : 5584695

Jun. 09 2003 01:29PM P25

1243



SECRETARIA DE COMUNICACIONES Y TRANSPORTES

S.C.T. DIRECCION GENERAL DE AERONAUTICA CIVIL

CORRESPONDENCIA SUBDIRECCION DE AVIACION REGULAR SALIDA

ANEXO AL PERMISO 02338 A FAVOR DE CONSORCIO AVIAXSA, S.A. DE C.V.
(Cuadro de rutas)

En base al Convenio sobre Transportes Aéreos, suscrito por los Gobiernos de los Estados Unidos Mexicanos y los Estados Unidos de América, suscrito el 15 de agosto de 1960, así como a sus Enmiendas posteriores, y de conformidad a las designaciones otorgadas por el Gobierno Mexicano, se autoriza a esa empresa la operación de los siguientes tramos:

No.	Oficio de Designación	Fecha	Ruta	Observaciones
1.	12724	Enero 19, 2000.	Monterrey - Houston	/2
2.	12724	Enero 19, 2000.	Cd. de México - Houston	/2
3.	12724	Enero 19, 2000.	Monterrey - Las Vegas	/2
4.	12724	Enero 19, 2000.	Zacatecas - Oakland	/2
5.	18984	Abril 24, 2002	Monterrey - Los Angeles	/2
6.	20610	Noviembre 6, 2002	Monterrey - Chicago	/2
7.	20989	Diciembre 17, 2002	Monterrey - Dallas/Fort Worth	/1
8.	1083	Mayo 8, 2003	Cd. de México - Las Vegas	/2, /3
9.	1084	Mayo 8, 2003	Cd. de México - Dallas/Fort Worth	/2, /3
10.	1085	Mayo 8, 2003	Moralia - Chicago	/2, /3

- /1 Designación simple.
- /2 Doble designación.
- /3 Tramo autorizado a partir de la fecha.

ATENTAMENTE
SUFRAGIO EFECTIVO NO REELECCION.
EL DIRECTOR GENERAL DE AERONAUTICA CIVIL.

LIC. y P.A. GERBERTO LOPEZ MEYER.

MODIFICACION DEL 20 MAYO 2003

CERTIFICATE OF SERVICE

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This is certify that the attached application of Consorcio Aviacsa, S. A. de C.V. for an Exemption was sent via first class mail or electronic mail to the persons listed above on this 12th day of June, 2003.

Jim J. Marquez