



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation on April 15, 2004

NOTICE OF ACTION TAKEN -- DOCKET OST 1999-7708

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: AEROVIAS de MEXICO, S.A. de C.V.

Date Filed: March 30, 2004

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to conduct scheduled, combination services between: 1) Leon, Mexico, and Atlanta, Georgia; and 2) San Jose del Cabo, Mexico, and Atlanta, Georgia. (The San Jose del Cabo-Atlanta service is only by code-share with Delta Air Lines.)

If renewal, date and citation of last action: April 2, 2003, in this Docket.

Applicant representative: William C. Evans, 202-861-6459

DOT analyst: Allen F. Brown, 202-366-2405

Responsive pleadings: None.

DISPOSITION

Action: Approved.

Action date: April 15, 2004

Effective dates of authority granted: April 15, 2004, through April 15, 2005.

Basis for approval (bilateral agreement/reciprocity): United States-Mexico Air Transport Services Agreement.

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: Standard exemption conditions.

Special conditions/Remarks: Aeromexico may only conduct operations in the San Jose del Cabo-Atlanta market by code-share with Delta Air Lines.

Action taken by: Paul L. Gretch, Director, Office of International Aviation

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; (2) grant of the authority was consistent with the public interest; and (3) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/denied, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion. Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within seven (7) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

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