

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

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

Docket OST-2000-6745

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

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NOTICE: Any person may support or oppose this application by filing an answer by January 25, 2005 and serving a copy of the Answer on all parties listed on the attached service list.

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U.S. DEPARTMENT OF TRANSPORTATION
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FOR RENEWAL OF AN EXEMPTION

Consortio Aviaxsa, S.A. de C.V. (“Applicant”) hereby applies for renewal of an exemption from 49 U.S.C. 41301 under provisions of 40 U.S.C. 40109 to permit Applicant to continue scheduled air transportation of persons, property and mail between Monterrey, Mexico and Los Angeles, California in the United States.¹

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..

¹ Applicant invokes the automatic extension provisions of the Administrative Procedure Act, 5 U.S.C. 558(c), as implemented by 14 CFR Part 377, to maintain its exemption authority in effect pending a final Department determination on this renewal application.

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

On March 6, 1998, Applicant filed an application to amend its foreign air carrier Permit application 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 continues to provide scheduled air transportation between Monterrey, Mexico and Los Angeles, California under the designation granted by the Government of Mexico.

Applicant requests the renewal of the exemption granted by Notice of Action Taken on January 27, 2004 pending the Department's final approval of the amended permit application.

Applicant also continues to operate scheduled air transportation between Monterrey-Las Vegas, Monterrey-Houston, Mexico City-Houston, Morelia-Chicago, Monterrey-Miami, Mexico City-Las Vegas and Monterrey-Chicago under other current exemptions.

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 performance since an initial exemption was issued in 1991.

Approval of Applicant's application will allow Applicant to continue to provide scheduled air transportation between Monterrey and Los Angeles. Moreover, approval

of this application will be in the public interest because it will allow both the U.S. and Mexico to achieve the economic benefits inherent in international air transportation, which is a recognized component of the U.S.-Mexico aviation bilateral relationship.

WHEREFORE, Applicant, Consorcio Aviaxsa, S. A. de C. V. requests that the Department renew the exemption on the Monterrey-Los Angeles route so that it may continue to provide scheduled air transportation between Mexico and the U.S., and subject to Department regulations, between the U.S. and points worldwide.

Respectfully submitted,

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January 7, 2005

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This is certify that the attached application of Consorcio Aviaxsa, S. A. de C.V. for a Renewal of an Exemption was sent via electronic or first class mail to the persons listed above on this 7th day of January, 2005.

Jim J. Marquez