

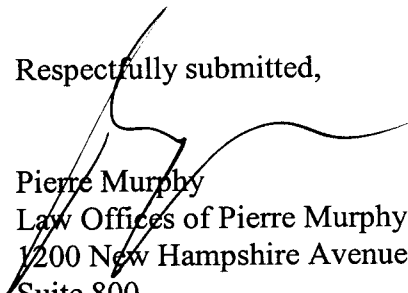




**ANSWER OF USA 3000**

In view of the fact that USA 3000 and now United have applications pending for Chicago-San Jose del Cabo exemption authority and only one exemption is available, USA 3000 submits that these applications are mutually exclusive. Under the principles established by the Supreme Court in Ashbacker Radio Corp. v. FCC the Department is required to conduct a carrier selection proceeding to choose the applicant whose proposal will generate the maximum public benefit.

Respectfully submitted,



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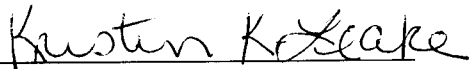
March 24, 2005

Attorney for USA 3000 Airlines

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer of USA 3000 Airlines has been served this 24<sup>th</sup> day of March 2005 via email upon each of the following persons:

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