

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Application of)	
CONSORCIO AVIAXSA S.A. de C.V)	Docket OST-99-6701
For Renewal of an Exemption)	

APPLICATION OF CONSORCIO AVIAXSA S.A. de C.V.
FOR RENEWAL OF AN EXEMPTION
(MTY-LAS)

Communication with respect to this document should be addressed to:

Jim J. Marquez
Marquez & Associates
1730 Rhode Island Ave. NW
Suite 1208
Washington, DC 20036
202-835-1555
202-835-1569(fax)
505-715-7811*
j.j.marquez@msn.com

NOTICE: Any person may support or oppose this application by filing an Answer by April 4, 2008 and serving a copy on all parties listed on the attached service list.

BEFORE THE
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APPLICATION OF CONSORCIO AVIAXSA, S.A de C.V
FOR RENEWAL OF AN EXEMPTION (MTY-LAS)

Consortio Aviaxsa S. A. de C.V. (“Applicant or Aviacsa”), hereby applies for renewal of an exemption from 49 U.S.C. 41301 under the provisions of 49 U.S.C. 40109 to permit Applicant to continue scheduled air transportation of persons, property and mail between Monterrey, Mexico and Las Vegas, Nevada in the USA operating a Boeing-737 aircraft.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 and scheduled air transportation since 1998. In 1998, the Department amended the June 1991 exemption

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 of this renewal application.

granted to the Applicant that authorized charter air transportation to an exemption authorizing scheduled service.² In addition to this exemption, Applicant has ten (10) active exemptions to operate between Mexico and the United States. These include MTY-LAX, docket # 6745; MTY-HOU, docket # 8018; MEX-HOU, docket #9629; MEX-LAS docket #15313; MTY-DFW, docket #15406; MTY-MIA, docket # 16181; CUN-MIA, docket # 26503; Air Taxi, docket #27287; MTY-JFK, docket #0128; and, GDL-LAX, docket #0129.³

Applicant continues to operate scheduled air transportation under the designation granted by the Government of Mexico between Monterrey, Mexico and Las Vegas, Nevada. Applicant requests that the exemption, effective through March 19, 2008,⁴ as per Notice of Action Taken on March 12, 2007, be granted pending the Department's approval of the amended permit application filed in 1998.

The continuing fitness of the Applicant has been demonstrated by its fine record of performance since the initial exemption was issued in 1991. Approval of this application will permit the Applicant to continue such service and it will serve the public interest because the United States and Mexico will receive economic benefits inherent in the international air service agreement that is a recognized component of the U.S. – Mexico bilateral relationship.

WHEREFORE, Applicant, Consorcio Aviaxsa S.A. de C.V. requests that the Department

² Applicant had filed for a Permit but the Department has never acted on the application. See Docket 3512.

³ Applicant also holds an air taxi exemption in Docket # 27827.

⁴ Due to an oversight, Applicant failed to file the application in time sufficient for the Department to act prior to March 19, 2008, however applicant has invoked the automatic extension provisions under 5 USC 558 (c) and 14 CFR Part 377.

renew the current exemption so that it may continue to provide scheduled air transportation between Monterrey, Mexico and Las Vegas, Nevada; and, subject to the Department's regulations between the United States and points worldwide.

Respectfully Submitted,

Jim J. Marquez
Marquez & Associates
1730 Rhode Island Ave. NW
Washington, D.C. 20036
202-835-1555
202-835-1569(fax)
505-715-7811* (primary contact number)
j.j.marquez@msn.com

March 19, 2008

CERTIFICATE OF SERVICE

Mr. Jonathan Moss
WilmerHale
1875 Pa. Ave. NW
Washington, D.C. 20006
202-663-6655
202-663-6363(fax)

Mr. Marshall Sinnick
Squire, Sanders and Dempsey
1201 Pa. Ave. NW, Suite 400
Washington, D.C. 20004
202-626-6600
202-6780(fax)

Mr. Scott Yohe
Delta Airlines
1275 K Street NW, Suite 1200
Washington, D.C. 20005
202-216-0700
202-216-0824(fax)

Mr. Carl Nelson
American Airlines
1101 17th St. NW, Suite 600
Washington, D.C. 20036
202-496-5647
202-857-4246(fax)

Mr. James Tello
PO Box 66824
Washington Square Station
Washington, D.C. 20035
202-399-1918
202-478-0244(fax)

Mr. James H. Speight
FAA-DFW/IFO
Centreport Business Park
14800 Trinity Blvd., Suite 300
Ft. Worth, TX 75155
817-684-6776
817-684-6784(fax)

Mr. David Kirstein
Greenberg Traurig LLP
800 Connecticut Ave. NW
Washington, D.C. 20006
202-530-8521
202-261-2669(fax)

Mr. Harold I. Kamen
Continental Airlines
1600 Smith Street, Suite HQSGV
Houston, TX 77002
713-324-6697
713-324-2749(fax)

Mr. Josh Romanow
Pillsbury Winthrop
1133 Connecticut Ave. NW
Washington, D.C. 20036
202-775-9800
202-833-8491(fax)

Mr. Pierre Murphy
1200 New Hampshire Ave. NW
Suite 800
Washington, D.C. 20036
202-776-3980
202-776-3975(fax)

Ms. Megan Rosia
Northwest Airlines
901 15th St. NW. Suite 500
Washington, D.C. 20005
202-842-3193
202-289-6834(fax)

This is to certify that the attached application of Consorcio Aviaxsa S.A. de C.V. for renewal of an exemption was sent via first class mail or electronic mail to the persons listed above on the 19th day of March, 2008.

Jim J. Marquez