

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

DEPARTMENT OF TRANSPORTATION

98 JUN -3 AM 10: 35

DOCKET SECTION

APPLICATION OF

CHILE INTERAIRLINES, S.A.

for Statement of Authorization  
pursuant to 14 C.F.R. § 212

)  
)  
) Docket No.: OST 98-3801-2  
)  
)  
)

**WORLD FUEL'S MOTION TO FILE AN AUTHORIZED DOCUMENT**

ADVANCE PETROLEUM, INC. d/b/a WORLD FUEL SERVICES OF FL, a Florida corporation and WORLD FUEL SERVICES, INC., a Texas corporation (collectively, "WORLD FUEL"), by and through its undersigned counsel, file this Motion to File an Authorized Document and, in support thereof, states as follows:

1. On May 27, 1998, WORLD FUEL attempted to file via Federal Express its Answer in Opposition to the Application for Foreign Air Carrier Permit Filed by Chile Interairlines, S.A. ("CA"). Federal Express subsequently advised undersigned counsel that, due to problems with fog at the Washington Airport, delivery of the document was delayed. Federal Express arrived at the appropriate office at 2:28 p.m.; however, there was nobody there to sign for the package.

2. WORLD FUEL attempted to file the Answer in Opposition to the Application for Foreign Air Carrier Permit Filed by Chile Interairlines, S.A. ("Answer") with Documentary Services at the Department of Transportation as it was advised to do by Alan Brown, Counsel at the Department of Transportation. When the Answer ultimately arrived one day late, undersigned

counsel received a telephone call from Documentary Services indicating that they refused to accept the Answer.

3. Thereafter, undersigned counsel telephoned Alan Brown, a member of the Licensing Division staff who advised that he would allow WORLD FUEL to file the Answer and to file the Answer one day late due to the problems with the Federal Express Delivery. Undersigned counsel does not believe that there will be prejudice to any party by filing the Answer one (1) day late and respectfully requests that the Department of Transportation accept the Answer as filed.

**WHEREFORE**, for all of the foregoing reasons, ADVANCE PETROLEUM, INC. d/b/a WORLD FUEL SERVICES OF FLORIDA, a Florida corporation and WORLD FUEL SERVICES, INC., a Texas corporation respectfully request that the Department of Transportation accept the Answer for filing one (1) day late, together with any other and further relief which the Department deems just and proper.

**CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY that a true and correct copy of the foregoing was sent via overnight mail this 9th day of May, 1998, to CHILE INTERAIRLINES, S.A. Mac-Iver Office,

Docket No. OST 98-3801

702, Santiago, Chile and to J.E. Murdock III, Shaw, Pitman, Potts & Tranbridge, 2300 N.  
Street, N. W., Washington, D.C. 20037.

Respectfully submitted,

HABER, LEWIS & PATHMAN, LLP  
Attorneys for Advance Petroleum, Inc.  
and World Fuel Services, Inc.  
One Biscayne Tower, Suite 3660  
2 South Biscayne Boulevard  
Miami, Florida 33131  
Telephone: (305) 379-2400  
Fax: (305) 379-2420

By:  \_\_\_\_\_

R:\10611\5003\PLDG\MOTION TO FILE. Chile

DEPARTMENT OF TRANSPORTATION  
98 JUN - 3 AM 10:35  
DOCKET SECTION

Docket No. 98-3801

HABER, LEWIS & PATHMAN, LLP • ONE BISCAYNE TOWER • SUITE 3660 • 2 SOUTH BISCAYNE BOULEVARD • MIAMI, FLORIDA 33131

**BACKGROUND**

2. WORLD FUEL is a supplier of jet aviation fuel to airlines. In or about January, 1998 CA entered into an agreement with WORLD FUEL in which it agreed to purchase jet aviation fuel from WORLD FUEL at prevailing market prices. WORLD FUEL agreed to provide CA with a line of credit (\$50,000.00) in order for CA to procure jet fuel in connection with its flights in between the United States, Chile and Mexico. During the time period from January, 1998 up to and including March, 1998, CA purchased substantial quantities of jet fuel from WORLD FUEL in an amount in excess of \$100,000.00. CA has failed and refused to pay for that fuel despite repeated requests. A copy of the Consolidated A/R Aging Report forwarded to CA reflecting the amounts due and outstanding is attached hereto as Exhibit "A" and is incorporated herein by reference.

3. WORLD FUEL has made numerous efforts to collect the amounts owed from CA. For example, WORLD FUEL contacted CA by letter dated April 17, 1998 and demanded payment of all sums due and outstanding. A copy of WORLD FUEL's letter dated April 17, 1998 is attached hereto as Exhibit "B" and is incorporated herein by reference. WORLD FUEL received a response from CA on April 22, 1998 indicating that it intended to propose a payment plan to WORLD FUEL which it required based upon its business conducted during March and April, 1998 which it described as "disastrous". A copy of the letter from CA to WORLD FUEL is attached hereto as Exhibit "C" and is incorporated herein by reference. CA promised in its April 22, 1998 letter to propose a payment plan. Since the date that this letter was sent to WORLD FUEL, no payment plan has been proposed and CA has failed to make any payments at all to WORLD FUEL.

4. On May 13, 1998, WORLD FUEL wrote once again to CA requesting payment. A copy of WORLD FUEL's letter dated May 13, 1998 is attached hereto and is incorporated herein by reference as Exhibit "D". No response to that letter was ever provided. WORLD FUEL wrote once again to CA on May 18, 1998 requesting payment and indicating that a lawsuit would be filed to collect the sums due and outstanding in the event that payment arrangements were not made. A copy of that letter is attached hereto as Exhibit "E" and is incorporated herein by reference.

5. As a result of the May 18, 1998 letter to CA, an issue was raised concerning CA's liability for certain Seneam taxes incurred in connection with its flights to Mexico. WORLD FUEL agreed to temporarily remove the pass through of these taxes from CA's account in anticipation of CA's professed ability to confirm with the Mexican Government that CA had paid these taxes to the Mexican Government directly. Notwithstanding the removal of these taxes from the Aged Receivable Report and CA's account, CA still owes WORLD FUEL in excess of \$100,000.00 as evidenced by WORLD FUEL's letter to CA dated May 7, 1998. A copy of that letter is attached hereto as Exhibit "F" and is incorporated herein by reference.

6. As of the date that this Answer is filed, CA has failed to respond to WORLD FUEL or to propose a payment plan to satisfy its outstanding debt. It is against the public interest for an airline, such as CA, which is not economically viable and cannot pay its debts on an ongoing basis, to be granted a foreign air carrier permit to operate between Chile and the United States when it cannot satisfy the minimal requirements of paying its vendors such as WORLD FUEL.

**WHEREFORE**, ADVANCE PETROLEUM, INC. d/b/a WORLD FUEL SERVICES OF FLORIDA, a Florida corporation and WORLD FUEL SERVICES, INC., a Texas corporation,

respectfully request that the Department deny the Application for the Foreign Air Carrier Permit filed by CA as it is against the public interest

ADVANCE PETROLEUM, INC. d/b/a  
WORLD FUEL SERVICES OF FL, a Florida  
corporation

By: Richard White  
As: TREASURER

WORLD FUEL SERVICES, INC., a Texas  
corporation

By: Richard White  
As: TREASURER

**VERIFICATION**

STATE OF FLORIDA       )  
                                      ):ss  
COUNTY OF DADE       )

The foregoing instrument was acknowledged before me this 27th day of MAY, 1998, by Richard White, as TARA SULEN of ADVANCE PETROLEUM, INC. d/b/a WORLD FUEL SERVICES OF FL, a Florida corporation and WORLD FUEL SERVICES, INC., a Texas corporation on behalf of the corporation. He/she is personally known to me or has produced a driver's license issued by the Department of Highway Safety and Motor Vehicles or \_\_\_\_\_ as identification and did/did not take an oath.

Edith F. Novoa  
Notary Public State of Florida  
at Large  
EDITH F. NOVOA  
Print

My Commission Expires:



EDITH F. NOVOA  
COMMISSION # CC 547834  
EXPIRES APR 18, 2000  
BONDED THRU  
ATLANTIC BONDING CO., INC.

**CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY that a true and correct copy of the foregoing was sent via overnight mail this 27th day of May, 1998, to CHILE INTERAIRLINES, S.A. Mac-Iver Office, 702, Santiago, Chile and to J.E. Murdock III, Shaw, Pitman, Potts & Tranbridge, 2300 N. Street, N.W., Washington, D.C. 20037.

Respectfully submitted,

HABER, LEWIS & PATHMAN, LLP  
Attorneys for Advance Petroleum, Inc.  
and World Fuel Services, Inc.  
One Biscayne Tower, Suite 3660  
2 South Biscayne Boulevard  
Miami, Florida 33131

Telephone: (305) 379-2400  
Fax: (305) 379-2420

By: 

R:\10611\1008\PLDO\ANSWER. Chas



Beginning Range: 2MC

COMPAN	INV#	DATE	SENEAM	0-30	61-90			
WFS	M00042	2/23/98		25,277.85		2/22/98	PMV	36968
WFS	M00043	2/23/98	9,465.60			1/24/98	CUN	SENEAM
WFS	M00044	2/23/98	9,444.96			1/31/98	CUN	SENEAM
WFS	M O O 4 5	2/23/98	4,924.80			2/7/98	CUN	SENEAM
WFS	M00046	2/23/98	3,843.36			2/14/98	CUN	SENEAM
WFS	M00047	2/23/98	11,125.44			2/21/98	CUN	SENEAM
WFS	M00045A	2/23/98	4,924.80			2/7/98	CVN	SENEAM
WFS	M00046A	2/23/98	3,843.36			2/14/98	CUN	SENEAM
WFS	54073	2/25/98		2,560.74		2/14/98	CUN	FEES
WFS	54074	2/25/98		2,215.70		2/7/98	CUN	FEES
WFS	54075	2/25/98		1,759.41		1/31/98	CUN	FEES
WFS	54076	2/25/98		1,557.89		1/24/98	CUN	FEES
WFS	54077	2/25/98		602.00		1/17/98	CUN	FEES
WFS	PAYMENT	2/25/98		(45,790.72)				
WFS	M00048	3/2/98		8,954.43		2/28/98	CUN	10118
WFS	M00049	3/2/98		9,726.15		2/28/98	CUN	10990
WFS	M00050	3/2/98		4,297.18		3/1/98	PMV	5808
WFS	M00051	3/2/98		10,116.54		3/1/98	PMV	13672
WFS	M00052	3/2/98		2,500.00		2/21/98	CUN	FEES
WFS	M00053	3/2/98		2,500.00		2/28/98	CUN	FEES
WFS	M00054	3/9/98		4,805.00		3/8/98	PUJ	3701
WFS	M00055	3/9/98		13,410.28		3/8/98	PMV	18123
WFS	PAYMENT	3/4/98		(44,600.00)				
WFS	M00056	3/9/98	11,398.32			2/28/98	CUN	SENEAM
WFS	M00057	3/17/98		13,629.32		2/1/98	PMV	18418
WFS	M00058	3/17/98		6,846.48		3/15/98	PMV	9251
WFS	M00059	3/17/98		13,354.04		2/15/98	PMV	18046
		3/24/98		(15,000.00)		2/15/98	PMV	
	M00060	3/30/98		586.82		2/22/98	PMV	793
	M00061	4/24/98		8,950.00		2/7/98	CUN	10113
PAYMTS	CUSTOMER TOTALS: CHILE INTER AIRLINES							
TOTAL			58,970.64	106,143.19				

TAMMS

EXHIBIT

## AVIATION GROUP

## CONSOLIDATED A/R AGING REPORT

Sorted by Leading Sales Person

*Richard*

Beginning Range 2MC

Ending Range:2MC

COMPAN INV#

DATE

CHARGES ON HOLD

0-30

61-90

UPLIFT LOCATION GALLON

C3375 CHILE INTER AIRLINES

			SENEAM	AMOUNT			
WFS	M00020	1/19/98		9,068.00		1/17/98	CUN 0
WFS	M00021	1/19/98		14,213.05		1/17/98	CUN 17275
WFS							
WFS	M00022	1/19/98		10,935.72		1/19/98	PMV 14778
WFS	M00023	1/19/98		2,471.96		1/18/98	PUJ 1904
WFS	M00024	1/26/98		16,225.62		1/24/98	CUN 19720
WFS							
WFS	M00025	1/26/98		8,106.70		1/25/98	PMV 10955
WFS	PAYMENT	1/26/98		(10,000.00)			
WFS	PAYMENT	2/2/98		(51,021.00)			
WFS	M00026	2/2/98		3,626.15		1/27/98	PUJ 2793
WFS	M00027	2/2/98		16,190.23		1/31/98	CUN 19677
WFS	M00028	2/3/98		14,043.72		2/2/98	PMV 18979
WFS	PAYMENT	2/11/98		(25,000.00)			
WFS	M00029	2/9/98		8,441.93		2/7/98	CUN 10260
WFS	M00030	2/10/98		24,257.43		2/8-2/9	PUJ 18684
WFS							
WFS	M00031	2/11/98		6,455.02		2/10/98	PMV 8723
WFS	M00032	2/11/98		1,522.92		2/10/98	BLA 2058
WFS	M00033	2/11/98		11,591.50		2/7/98	GYE 12167
WFS							
WFS	PAYMENT	2/16/98		(49,537.45)			
WFS	M00034	2/14/98		5,740.18		2/10/98	PMV 7756
WFS	M00035	2/17/98		12,642.90		2/16/98	PMV 17085
WFS	M00036	2/17/98		887.26		2/16/98	BLA 1199
WFS	M00037	2/17/98		2,838.08		2/15/98	PUJ 2186
WFS	M00038	2/17/97		7,066.20		2/14/98	CUN 8007
WFS	M00039	2/17/98		5,024.60		1/25/98	PMV 6790
WFS	M00040	2/18/98		11,560.83		2/14/98	PTY 14415
WFS	M00041	2/23/98		20,512.53		2/21/98	CUN 23178

Beginning Range: 2MC  
COMPANY

Ending Range: 2MC  
UPLIFT LOCATION GALLON

COMPANY	INV#	DATE	TOTAL USD\$	UPLIFT	LOCATION	GALLON
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CUSTOMER: C3375 CHILE INTER AIRLINES

	AMOUNT						
WFS		M00020	1/19/98	9,068.00	1/17/98	CUN	0
WFS		M00021	1/19/98	14,213.05	1/17/98	CUN	17274
WFS		M00022	1/19/98	10,935.72	1/19/98	PMV	14778
WFS		M00023	1/19/98	2,471.98	1/18/98	PUJ	1904
WFS		M00024	1/26/98	16,225.62	1/24/98	CUN	19720
WFS		M00025	1/26/98	8,106.70	1/25/98	PMV	10955
WFS		PAYMENT	1/26/98	(10,000.00)			
WFS		PAYMENT	2/2/98	(51,021.00)			
WFS		M00026	2/2/98	3,626.15	1/27/98	PUJ	2793
WFS		M00027	2/2/98	16,90.23	1/31/98	CUN	19677
WFS		M00028	2/3/98	14,043.72	2/2/98	PMV	18978
WFS		PAYMENT	2/11/98	(25,000.00)			
WFS		M00029	2/9/98	8,441.93	2/7/98	CUN	10280
WFS		M00030	2/10/98	24,257.43	2/8-2/9	PUJ	18884
WFS		M00031	2/11/98	8,455.02	2/10/98	PMV	8723
WFS		M00032	2/11/98	1,522.92	2/10/98	BLA	2058
WFS		M00033	2/11/98	11,591.50	2/7/98	GYE	12167
WFS		PAYMENT	2/16/98	(49,537.45)			
WFS		M00034	2/14/98	5,740.18	2/10/98	PMV	7757
WFS		M00035	2/17/98	12,642.90	2/16/98	PMV	17085
WFS		M00036	2/17/98	887.26	2/16/98	BLA	1199
WFS		M00037	2/17/98	2,838.08	2/15/98	PUJ	2188
WFS		M00038	2/17/97	7,086.20	2/14/98	CUN	8007
WFS		M00039	2/17/98	5,024.60	1/25/98	PMV	8790
WFS		M00040	2/18/98	11,560.83	2/14/98	PTY	14415
WFS		M00041	2/23/98	20,512.53	2/21/98	CUN	25179
WFS		M00042	2/23/98	25,277.85	2/22/98	PMV	33930
WFS		54073	2/25/98	2,660.74	2/14/98	CLJN	FEES
WFS		54074	2/25/98	2,215.70	2/7/98	CUN	FEES
WFS		54075	2/25/98	1,759.41	1/31/98	CUN	FES
WFS		54076	2/25/98	1,557.89	1/24/98	CUN	FEES
WFS		54077	2/25/98	602.00	1/17/98	CUN	FEES
WFS		PAYMENT	2/25/98	(45,790.72)			
WFS		M00048	3/2/98	8,954.43	2/28/98	CUN	10118
WFS		M00049	3/2/98	9,726.15	2/28/98	CUN	10990
WFS		M00050	3/2/98	4,297.18	3/1/98	PMV	5807
WFS		M00051	3/2/98	10,116.54	3/1/98	PMV	13671
WFS		M00052	3/2/98	2,500.00	2/21/98	CUN	FEES
WFS		M00053	3/2/98	2,500.00	2/28/98	CUN	FEES
WFS		M00054	3/9/98	4,805.00	3/8/98	PUJ	3701

Beginning Range: 2MC							
COMPANY		INV#	DATE	0-30	81-90		
=====							
WFS		M00055	3/9/98	13,410.28	3/8/98	PMV	18122
WFS		PAYMENT	3/4/98	(44,600.00)			
WFS		M00057	3/17/98	13,629.32	2/1/98	PMV	18418
WFS		M00058	3/17/98	6,846.48	3/15/98	PMV	9252
WFS		M00059	3/17/98	13,354.04	2/15/98	PMV	18048
WFS		PAYMENT	3/24/98	(15,000.00)			
WFS		M00060	3/30/98	586.82	2/22/98	PMV	793
		M00061	4/24/98	8,950.00	2/7/98	CUN	10113
CUSTOMER TOTALS: CHILE INTER AIRLINES							
TOTAL				106,143.19			

# WORLD FUEL SERVICES CORP

April 17, 1998

Sent via fax 562-638-5988

Mr. Roberto Obadia - President  
Chileinter Airlines S.a.  
Chile

Dear Mr Obadia:

This letter is to serve as your final demand for payment due World Fuel Services Corp., it's affiliates and or subsidiaries.

WC have made repeated attempts to collect the outstanding balance past due of \$162,355.33 however without response from your company. Unless full payment is received within five (5) days of receipt of this letter, World Fuel Services Corp., will have no alternative other than to initiate legal action against your company, which will include filing liens against your aircraft.

Attached is a copy of your statement of account.

Please contact your sales representative immediately to avoid legal action

Sincerely,



Richard V Mellone  
Vice President Business Development

cc: M. Clementi

700 S ROYAL POIN  
PHONE: 305.



MIAMI, FL • 33166  
305-883-0186

CHILEINTER AIRLINES S.A.  
MAC-IVER 440 Of. 702  
Santiago - Chile  
Phone : (56 2) 6322903  
Fax : (56 2) 638 3988  
SITA SCLCICR

**FAX COVER SHEET**

Number of Pages Including this cover 1

TO : WORLD FUEL SERVICE CORP.  
RICHARD V MELLONE

FAX : 305-883-0186

FROM : CHILEINTER AIRLINES S.A.  
FERNANDO LEIVA LÓPEZ

DATE : April 22, 1998.

Dear Mr. Mellone:

Permit me to apologize for the delays in the payment of the fuel bills. Your patience has been exemplary and we can assure you that World Fuel will be fully paid.

What happened? simply that the market in March and April was disastrous and that after having flown our L-101's with less than 100 passenger we were forced to do what other Chilean carriers had done long before us, that is to cancel flights. Fortunately we are nearing the end of that situation. As of the 1st of May we will operate our flights via Buenos Aires where the market is considerably stronger. Although this will not mean an instant flood of cash it will enable us to progressively pay our outstanding accounts. To that effect our finance department will send you shortly a proposed schedule of payments.

On the same subject we inform you that World Fuel has not remitted to the Mexican authorities the amount of the SENEAM, in the order of USD 80,000.-, and for which we are being billed. Could you confirm this fact?

Again I thank you for your patience and understanding and I remain.

very Truly yours.

  
FERNANDO LEIVA LOPEZ  
GENERAL MANAGER

EXHIBIT

"C"

World Fuel Services Corp.  
700 S Royal Poinciana Blvd  
Suite 800  
Miami Springs, FL 33166

## facsimile transmittal

To: MR FERNANDO LEIVA LOPEZ Fax: 5626385988

CHILEINTER AIRLINES SA

From: Richard V. Mellone V.P. Bus. Dev. Date: May 13, 1998

Re: OUTSTANDING BALANCE Pages: 1

CC: Fax # 305-884-0186 Tel # 305-884-2001

☐ For Review☐ Please Comment☐ Please Reply☐ Please Recycle

DEAR MR LOPEZ,

WE STILL HAVE NOT HEARD A RESPONSE TO OUR FAX DATED MAY 7, 1998. IN ORDER TO  
RESOLVE THE OUTSTANDING BALANCES OWED BY YOUR COMPANY YOUR  
COOPERATION IS NECESSARY.

PLEASE ADVISE IMMEDIATELY BY RETURN FAX YOUR COMPANY'S INTENTIONS.

SINCERELY YOURS

EXHIBIT

"D"

World Fuel Services Corp.  
700 S. Royal Poinciana Blvd.  
suite 800  
Miami Springs, FL 33166

facsimile transmittal

To: MR. FERNANDO LEIVA LOPEZ. Fu: 5626385988

CHILEINTER AIRLINES SA

From: Richard V. Mellone V.P Bus. Dev. Date: MAY 18.1998

Re: OUTSTANDING BALANCE Pages: 1

CC: Fax # 305-884-0186 Tel # 305-884-2001

☒ Urgent ☐ For Review ☐ Please Comment ☒ Please Reply ☐ Please Recycle

DEAR MR. LOPEZ,

I HAVE TRIED SEVERAL TIMES TO CONTACT YOU BY TELEPHONE HOWEVER WITHOUT SUCCESS. SINCE WE HAVE NOT HEARD FROM YOU OR YOUR COMPANY CONCERNING THE OUTSTANDING BALANCE OWING WE MUST ASSUME YOU HAVE NO INTENTION TO PAY THE DEBT.

THEREFORE IF WE DO NOT HEAR FROM YOU BY MAY 19, 1998, WE WILL HAVE NO ALTERNATIVE OTHER THEN TO INITIATE LEGAL ACTION, INCLUDING ALL REMEDIES AVAILABLE TO US TO COLLECT THE DEBT, INCLUDING FILING PAPERS WITH THE U.S. DEPARTMENT OF TRANSPORTATION.

SINCERELY



EXHIBIT

"E"



World Fuel Services Corp.  
700 S. Royal Poinciana Blvd.  
Suite 800  
Miami, FL 33166

## facsimile transmittal

To:	Mr. Fernando Leiva Lopez ~ Chileinter Airlines S.A.	Fax:	562-638-5988
From:	Richard V. Mellone V.P Bus. Dev.	Date:	May 7, 1998
Re:	Your letter of April 22, 1998	Pages:	1
CC:	M. Clementi	Fax #	305-884-0186 Tel # 305-884-2001

☐ Urgent    ☐ For Review    ☐ Please Comment    ☒ Please Reply    ☐ Please Recycle

Dear Mr. Lopez:

Thank you For your letter of April 22, 1998, concerning SENEAM Taxes.

After careful consideration and our desire to resolve the outstanding balance on your account we will agree to remove the Taxes from the account. With this removed from the account them is still over \$100,000 outstanding which needs to be resolved.

We ask you as a good faith gesture, if the full amount can not be paid immediately, you make a partial payment and advise of how you anticipate paying off the balance.

Sincerely yours,



Richard V Mellone

