

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

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Application of )  
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**AEROSERVICIOS EJECUTIVOS CORPORATIVOS,** )  
    **S.A. de C.V.** ) Docket No. OST-97-2878  
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 )  
for an exemption from )  
49 U.S.C. §41301 (U.S./Mexico )  
Charter Air Transportation) )  
\_\_\_\_\_)

APPLICATION OF  
AEROSERVICIOS EJECUTIVOS CORPORATIVOS, S.A. de C.V.  
FOR RENEWAL OF EXEMPTION

Communications concerning this document may be served upon:

Lee A. Bauer  
ROLLER & BAUER, PLLC  
Suite 400  
1020 Nineteenth Street, N.W.  
Washington, D.C. 20036-6101  
Tel: 202-331-3300  
Fax: 202-331-3322  
E-mail: *airlaw@rollerbauer.com*

Counsel for  
Aeroservicios Ejecutivos  
Corporativos, S.A. de C.V.

December 3, 2004

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FOR RENEWAL OF EXEMPTION  
December 3, 2004

Pursuant to 49 U.S.C. §40109 and Subpart C of the Department's Rules of Practice, Aeroservicios Ejecutivos Corporativos, S.A. de C.V. ("Aerosec") hereby applies for renewal of its exemption from 49 U.S.C. §41301, which authorizes Aerosec to engage in charter foreign air transportation of passengers between Mexico and the United States, and other passenger charter operations in accordance with 14 C.F.R. Part 212, using small aircraft. Aerosec also requests renewal of its stopover privileges and continued relief from the Department's requirement to provide advance notice of each flight, or series of flights, between Mexico and the United States.

The Department granted the above authority to Aerosec pursuant to a Notice of Action Taken dated January 6, 2004. Aerosec requests that the Department renew this authority, which is scheduled to expire January 6, 2005, for a period of at least two years.

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

In support of this application, Aerosec states as follows:

1. Aerosec continues to be financially fit, and is willing and able to provide passenger charter services using small aircraft. Aerosec reports that there have been no changes in corporate address, ownership, key personnel, or aircraft liability insurance coverage from that reported in its prior applications. See Exhibit A, however, for information regarding a change in Aerosec's fleet of aircraft. With the exception of information modified by this renewal application, Aerosec hereby validates and resubmits by reference information previously submitted by Aerosec in DOT Docket OST-97-2878.

2. Aerosec's Mexican authority to engage in transborder passenger charter services remains in full force and effect, as does its U.S. authority pursuant to the company's Part 129 Operations Specifications from the Federal Aviation Administration (FAA).<sup>1/</sup>

3. Aerosec's Third and Fourth Freedom charter authority is authorized by Annex II to the U.S.-Mexico Air Transport Agreement and is, therefore, presumptively in the public interest. The Department's grants to Aerosec of stopover privileges and relief from the advance notice requirement for Mexico-U.S. transborder charter flights are based on principles of comity and reciprocity and on public interest grounds since Aerosec will be conducting its charter operations solely with small aircraft. Aerosec submits that continuation of these extra-bilateral authorizations is warranted given the harmonious state of aviation relations between Mexico and the United States.

The services provided by Aerosec satisfy a continuing commercial need. They foster business activities and economic opportunities between Mexico and the United States

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<sup>1/</sup> Aeroservicios Ejecutivos Corporativos has held Part 129 Operations Specifications from the FAA International Field Office in San Antonio since February 24, 1998. The company's only aircraft, a Falcon 2000, is configured for ten passenger seats.

and thereby further the objectives of the North American Free Trade Agreement (NAFTA). Accordingly, renewal of all elements of Aerosec's authority would be in the public interest.

4. Aerosec's renewal application is limited in scope and is non-controversial. Aerosec's proposed air transportation services are unchanged from those it performed between Mexico and the United States during the past year, *i.e.*, customized transport services for executives and their guests using small aircraft.

WHEREFORE, Aeroservicios Ejecutivos Corporativos, S.A. de C.V. respectfully requests renewal of its authority to engage in charter foreign air transportation of passengers between Mexico and the United States using small aircraft, as set forth herein, and such other relief as may be in the public interest.

Respectfully submitted,

Lee A. Bauer  
ROLLER & BAUER, PLLC

Counsel for  
Aeroservicios Ejecutivos  
Corporativos, S.A. de C.V.

December 3, 2004

AEROSERVICIOS EJECUTIVOS CORPORATIVOS, S.A. de C.V.  
RENEWAL OF EXEMPTION  
EXHIBIT A

CHANGE IN OPERATION

AIRCRAFT. Aeroservicios Ejecutivos Corporativos sold one of its aircraft during the past year. The company's fleet of aircraft now consists of a single Dassault Falcon 2000 that is configured for ten passenger seats and bears Mexican registration XA-RET.

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing application of Aeroservicios Ejecutivos Corporativos, S.A. de C.V. was served upon all parties named on the following Service List via e-mail, facsimile, or first-class mail, postage prepaid, this 3rd day of December 2004. No indication was received that any transmission by facsimile or electronic mail had failed.

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Maura Moreno

December 3, 2004

### SERVICE LIST

Marshall S. Sinick  
Squire, Sanders & Dempsey  
1201 Pennsylvania Ave., N.W.  
Suite 500  
Washington, D.C. 20004  
For: ALASKA AIRLINES  
*msinick@ssd.com*

Joanne Young  
Baker & Hostetler  
1050 Connecticut Ave., N.W.  
Washington, D.C. 20036  
For: AMERICA WEST AIRLINES  
*jyoung@bakerlaw.com*

Carl B. Nelson, Jr.  
Associate General Counsel  
AMERICAN AIRLINES  
1101 17th Street, N.W.  
Washington, D.C. 20036  
*carl.nelson@aa.com*

William Doherty  
AMERICAN TRANS AIR  
Box 51609  
Indianapolis Int'l Airport  
Indianapolis, IN 46251-0609  
*bill.doherty@iflyata.com*

Hershal Kamen  
CONTINENTAL AIRLINES  
Dept. HQSGV  
P.O. Box 4607  
Houston, TX 77210-4607  
*hkamen@coair.com*

D. Scott Yohe  
VP Government Affairs  
DELTA AIR LINES, INC.  
1275 K Street, N.W.  
Suite 1200  
Washington, D.C. 20005  
*via facsimile*

Megan Rosia  
NORTHWEST AIRLINES  
901 15th Street, N.W.  
Suite 500  
Washington, D.C. 20005  
*megan.rosia@nwa.com*

Donald E. Hood  
SOUTHWEST AIRLINES CO.  
2702 Love Field Dr., HDQ/4GC  
P.O. Box 36611  
Dallas, TX 75235  
*via U.S. Mail*

Jeffrey A. Manley  
Wilmer, Cutler & Pickering  
2445 M. Street, N.W.  
Washington, D.C. 20037  
For: UNITED AIRLINES  
*jmanley@wilmer.com*

Howard Kass  
US AIRWAYS  
2345 Crystal Drive  
Arlington, VA 22202  
*via U.S. Mail*