135746

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation on August 2, 2001

NOTICE OF ACTION TAKEN -- DOCKET OST 2001-8630 – 2

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: ESTAFETA CARGA AEREA, S.A. de C.V. Date Filed: January 5, 2001

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to conduct all-cargo charter operations between Mexico and the United States, and other all-cargo charters in accordance with 14 CFR Part 212.

If renewal, date and citation of last action: New authority.

Applicant representative(s): Herbert A. Rosenthal, 202-785-9773

Responsive pleadings: None.

DISPOSITION

Action: Approved. Action date: August 2, 2001

Effective dates of authority granted: August 2, 2001, through August 2, 2002.

Basis for approval (bilateral agreement/reciprocity): United States-Mexico Air Transport Services Agreement of August 15, 1960, as amended and extended (Agreement).

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: Standard exemption conditions.

Special conditions/Partial grant/Denial basis/Remarks: We found that the carrier is operationally and financially qualified to conduct the operations it proposes and that it is substantially owned and effectively controlled by citizens of Mexico. Also, the FAA had advised us that it knows of no reason to withhold this operating authority. The above grant includes authority to conduct Third and Fourth Freedom charter operations. Charter operations to be conducted under this authority that would not operate between Mexico and the United States, however, are subject to prior approval under 14 CFR Part 212.)

Action taken by: Paul L. Gretch, Director
Office of International Aviation

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; (2) the applicant was qualified to perform its proposed operations; (3) grant of the authority was consistent with the public interest; and (4) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

An electronic version of this document is available on the World Wide Web at:
http://dms.dot.gov//reports/reports_aviation.asp