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

Issued by the Department of Transportation on December 7, 2001

NOTICE OF ACTION TAKEN – DOCKET OST-2001-10889 – 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: LINEAS AEREAS AZTECAS, S.A. de C.V. Date Filed: October 24, 2001

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to conduct scheduled, combination services between: 1) Mexico City, Mexico, and El Paso, Texas; 2) Mexico City, Mexico, and Albuquerque, New Mexico; and 3) Chihuahua, Mexico, and Albuquerque, New Mexico. (The carrier also requests authority to conduct certain U.S. charters. See below.)

If renewal, date of last action: New authority.
Applicant representative(s): Pierre Murphy, 202-822-8050
Responsive pleadings: None

DISPOSITION

Action: Approved request for scheduled authority; remainder deferred. Action date: December 7, 2001

Effective dates of authority granted: December 7, 2001, through December 7, 2002.

Basis for approval: United States-Mexico Air Transport Services Agreement of August 15, 1960, as amended and extended.

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

Special Conditions/Partial Grant/Remarks: The applicant requested authority to conduct certain U.S. charters, but has not yet submitted evidence of its homeland license for such operations. Under the circumstances, we defer action on the charter portion of its request.

We found, based on the record of this case and of the application for a foreign air carrier permit filed on October 24, 2001, in Docket OST 2001-10888, that the carrier is operationally and financially qualified to conduct its proposed scheduled operations, and is substantially owned and effectively controlled by citizens of Mexico. Also, the FAA has advised us that it knows of no reason to withhold this authority.

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.

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http://dms.dot.gov//reports/reports_aviation.asp