

**Order 97-11-13**  
**Served: November 14, 1997**



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

Issued by the Department of Transportation  
on the 7<sup>th</sup> day of November, 1997

Applications of

**ATLANT-SV AIRLINES**  
**BÁVARO SUNFLIGHT, S.A.**

**EVA AIRWAYS CORPORATION**  
**FINNAIR**

**HEAVYLIFT-VOLGADNEPR LTD.**  
**SERVICIOS AEREOS LITORAL, S.A. DE C.V.**

**TACA DE HONDURAS, S.A. DE C.V.**  
**TRANSBRASIL S/A LINHAS AEREAS**

Dockets 49868  
49502  
49503  
OST-96-1152  
48180  
OST-97-2844  
OST-96-1316  
OST-96-1142  
OST-95-835  
47563  
OST-95-271  
OST-96-1591  
OST-96-1658

for permits, exemptions or other authorities under  
Title 49 of the United States Code

**ORDER DISMISSING APPLICATIONS**

The carriers listed above have applied for various forms of authority or relief under Title 49 of the United States Code in order to perform the air transportation activities described in the appendix to this order. Each application has either been withdrawn by the applicant or otherwise become moot. Therefore, we find that these applications should be dismissed.

**ACCORDINGLY**, acting under authority assigned by the Department in its Regulations, 14 CFR §385.13, we dismiss the applications described in the appendix to this order.

Persons entitled to petition for review of this order under the Department's Regulations, 14 CFR §385.50, may file their petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Department of Transportation upon expiration of the above period unless within such period a petition for Department review is filed or the Department gives notice that it will review this order on its own motion.

The filing of a petition for review with respect to one of the dismissed items will not alter the effectiveness of this order with respect to the others.

By:

PAUL L. GRETCH  
Director  
Office of International Aviation

(SEAL)

Docket	Description of Application
49868	<u>Atlant-SV Airlines</u> , filed November 3, 1994. Foreign air carrier permit to engage in charter foreign air transportation of persons, property and mail between Ukraine and the United States; and other charters in accordance with the Department's rules. Information available to the Department indicates that Atlant-SV has no plans to prosecute this application.
49502	<u>Bávaro Sunflight, S.A.</u> , filed April 7, 1994. Foreign air carrier permit to engage in charter foreign air transportation persons and property between the Dominican Republic and Puerto Rico and the U.S. Virgin Islands. Information available to the Department indicates that Bávaro Sunflight has no plans to prosecute this application.
49503	<u>Bávaro Sunflight, S.A.</u> , filed April 7, 1994. Exemption to engage in charter foreign air transportation persons and property between the Dominican Republic and Puerto Rico and the U.S. Virgin Islands. Information available to the Department indicates that Bávaro Sunflight has no plans to prosecute this application.
OST-96-1152	<u>Eva Airways Corporation</u> , filed March 15, 1996. Renew exemption last granted March 31, 1995, and confirmed by Order 95-5-16, to permit Eva to transfer cargo to and from other Eva flights making technical stops in Alaska under certain emergency situations. By Order 96-11-2, we granted Eva exemption authority which includes the authority requested by Eva in Docket OST-96-1152. The request of Eva in Docket OST-96-1152 is therefore moot.
48180	<u>Finnair</u> , filed September 22, 1993. Renew exemption last granted by Order 92-9-57, to engage in scheduled foreign air transportation of persons, property and mail between Helsinki, Finland, and Miami, Florida. By <u>Notice of Action Taken</u> , dated October 24, 1997, in Docket OST-97-3006, we granted Finnair exemption authority which includes the authority requested by Finnair in Docket 48180. The request of Finnair in Docket 48180 is therefore moot.

Docket

Description of Application

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- OST-97-2844      Heavylift-VolgaDnepr Ltd., filed August 22, 1997. Emergency exemption under 49 USC § 40109(g) to operate one one-way cargo charter flight transporting a satellite and related equipment from Moffett Field, California, to Cape Canaveral, Florida, on September 3, 1997. The subject flight was postponed and not rescheduled. The requested flight date has passed. The request of Heavylift-VolgaDnepr in Docket OST-97-2844 is therefore moot.
- OST-96-1316      Servicios Aereos Litoral, S.A. de C.V., filed April 26, 1996. Renew exemption and statement of authorization last granted May 30, 1995, and confirmed by Order 95-7-7, to conduct scheduled combination services between Hermisillo, Mexico, and Phoenix, Arizona, and to carry Aerovias de Mexico, S.A. de C.V.'s code in the market. On July 1, 1997, the applicant merged with Aerolitoral, S.A. de C.V. Aerolitoral is the surviving carrier. The request of Servicios Aereos Litoral in Docket OST-96-1316 is therefore moot.
- OST-96-1142      Servicios Aereos Litoral, S.A. de C.V., filed March 11, 1996. Renew exemption and statement of authorization, last granted March 13, 1995, and confirmed by Order 95-3-47, to conduct scheduled combination services between specified points in Mexico and the United States. Servicios Aereos Litoral also requested renewal of its statement of authorization to code share with Aerovias de Mexico, S.A. in the markets. On July 1, 1997, the applicant merged with Aerolitoral, S.A. de C.V. Aerolitoral is the surviving carrier. The request of Servicios Aereos Litoral in Docket OST-96-1142 is therefore moot.
- OST-95-835      Servicios Aereos Litoral, S.A. de C.V., filed May 28, 1996. Renew exemption, last granted June 1 and November 22, 1995, and confirmed by Orders 95-7-7 and 96-1-45, respectively, to conduct scheduled combination services between specified points in Mexico and the United States. The applicant also requested renewal of its authority to use large aircraft in some of the authorized markets and to code share with Aerovias de Mexico in others. On July 1, 1997, the applicant merged with Aerolitoral, S.A. de C.V. Aerolitoral is

the surviving carrier. The request of Servicios Aereos Litoral in Docket OST-95-835 is therefore moot.

47563

Servicios Aereos Litoral, S.A. de C.V., filed June 3, 1991. Foreign air carrier permit to engage in scheduled foreign air transportation of persons, property and mail between Monterrey and Tampico, Mexico, and San Antonio, Texas. On July 1, 1997, the applicant merged with Aerolitoral, S.A. de C.V. Aerolitoral is the surviving carrier. The request of Servicios Aereos Litoral in Docket 47563 is therefore moot.

OST-95-271

Order 95-  
persons,  
points in the  
97-2677, we  
encompasses the  
TACA in Docket OST-95-271

TACA de Honduras, S.A. de C.V., filed July 9, 1996. Renew exemption, last granted July 25, 1995, and confirmed by 7-35, to conduct scheduled foreign air transportation of property and mail between Honduras and specified United States. On October 17, 1997, in Docket OST-granted TACA exemption authority which authority at issue here. The request of is therefore moot.

OST-96-1591

Transbrasil S/A Linhas Aereas, filed July 24, 1996. Exemption to conduct scheduled foreign air transportation of persons, property and mail between Brazil and Los Angeles, California, under a code-share arrangement with Trans World Airlines, Inc. By letter dated October 15, 1997, Transbrasil withdrew its request in Docket OST-96-1591.

OST-96-1658

Transbrasil S/A Linhas Aereas, filed August 30, 1996. Exemption to conduct scheduled foreign air transportation of persons, property and mail between Brazil and specified points in the United States under a code-share arrangement with Trans World Airlines, Inc. By letter dated October 15, 1997, Transbrasil withdrew its request in Docket OST-96-1658.