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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 March 12, 2002

NOTICE OF ACTION TAKEN -- DOCKET OST-98-4292 - 27

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: **Aero Continente, S.A.**

Date Filed: February 21, 2002

Relief requested: Amend exemption from 49 U.S.C. 41301, last granted September 4, 2001, in this docket, to permit it to conduct scheduled foreign air transportation of persons, property and mail from points behind Peru, via Peru and intermediate points, to a point or points in the United States and beyond, limited to wet-lease operations conducted by a duly authorized and properly supervised U.S. or foreign air carrier.

Applicant representative: Pierre Murphy 202-822-8050

Responsive pleadings: None

DISPOSITION

Action: Approved

Action date: March 12, 2002

Effective dates of authority granted: March 12, 2002 - March 12, 2004

Basis for approval (bilateral agreement/reciprocity): U.S.-Peru Air Transport Agreement.

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

Standard exemption conditions (attached) Foreign air carrier permit conditions (Order - -)

Special conditions: In the conduct of the services authorized, Aero Continente shall use only aircraft wet leased from a duly authorized and properly supervised U.S. or foreign air carrier that receives requisite authority under the provisions of 14 CFR 212 of the Department's regulations.

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

We found that the applicant was qualified to perform its proposed operations, as conditioned.

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) grant of the authority was consistent with the public interest; and (3) 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 seven (7) 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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