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BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

SEP 15 1997
10:44 AM
Docket No. OST-96-1372

In the matter of the application of)
ABSA - AEROLINHAS BRASILEIRAS, S.A.)
for renewal of an exemption under)
49 U.S.C. Section 40109)

Docket No. OST-96-1372

APPLICATION FOR RENEWAL OF AN EXEMPTION

FILED BY AEROLINHAS BRASILEIRAS, S.A.

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DATED: September 15, 1997

NOTICE: Interested parties may file answers with the Department of Transportation in support of, or in opposition to, this application no later than October 5, 1998.

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DEPARTMENT OF TRANSPORTATION
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ABSA - AEROLINHAS BRASILEIRAS, S.A.)
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FILED BY AEROLINHAS BRASILEIRAS, S.A.

On April 17, 1995, ABSA - AEROLINHAS BRASILEIRAS, S.A. f/k/a Transportes Charter Turismo Ltda., d/b/a Brasil Transair, ("ABSA") pursuant to Section 416 of the Federal Aviation Act of 1958, as Amended, and the Regulations of the Department of Transportation (the "Department"), requested an exemption from section 402 of the Act to permit ABSA to engage in all-cargo flights between the United States and Brazil.

On May 15, 1995 the Department granted the exemption for the period May 15, 1995 through May 15, 1996, limited to operations under wet-lease arrangements with duly authorized U.S. or Foreign air carriers. This exemption was renewed by the Department through June 6, 1997. In November of 1996, the exemption authority was amended whereunder ABSA was authorized to conduct operations with its own equipment and crew. This exemption authority was then extended through July 17, 1998. Due to a reorganization of the legal work, a miscommunication occurred with the law firm

representing ABSA at the time of the expiration of the authority and the renewal application was not timely filed. ABSA hereby respectfully requests a renewal of the granted authority, as amended. ABSA relies on the provisions of the Administrative Procedures Act, 5 U.S.C. Section 558(c), and Part 377 of the Department's Procedural Regulations to continue the existing authorization in effect pending a final decision on this renewal application.

ABSA remains a citizen of Brazil, and retains its authority from the government of Brazil to perform the service contemplated by this renewal application. ABSA submits that it is competent and qualified to perform these services, and that the service is consistent with the public interest as demonstrated by comity and reciprocity on the part of the Government of Brazil.

In Further support of this Renewal Application, ABSA states as follows:

1) Aerolinhas Brasileiras, S.A. f/k/a Brasil Transair is a Brazilian limited partnership with its principal place of business at Avda. Marechal Camara No. 160, Sala 724, Centro, Rio de Janeiro, RJ, Brazil.

2) The government air transport authority having jurisdiction over the applicant is the Departamento de Aviacion Civil (D.A.C.) of the Ministerio de Aeronáutica (the Department of Civil Aviation of the Ministry of Aeronautics).

3) The Applicant proposes to continue conducting operations of all-cargo flights between a point or points in Brazil and a point or points in the United States. The proposed operations are encompassed by the Brazil - U.S. Aviation Agreement and the Applicant has been designated by the Brazilian authorities as a carrier under the Agreement.

4) The Applicant's fitness remains beyond question. ABSA has provided successful operations between the United States and Brazil since the initial authority was granted. The Applicant has the required insurance in effect.

5) The Applicant's operating authority has been provided to the Department in connection with the original application, and remains in effect.

6) This renewal application raises no environmental issues or energy issues. ABSA has performed its services between the United States and Brazil entirely with modern aircraft that meet all applicable noise requirements. Since ABSA is seeking a renewal of authorization for a service which has been performed for many years, there will be a de minimis incremental environmental impact.

WHEREFORE, ABSA - Aerolinhas Brasileiras, S.A., respectfully requests a renewal of the granted authority issued in the Notice of Action Taken dated July 17, 1998 pursuant to the original Application for Exemption Authority, as amended by the Department.

Respectfully submitted,



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