BEFORE THE DEPARTMENT OF TRANSPORTATION WASHINGTON, D.C.

Application of

DELTA AIR LINES, INC.;
and
AEROVIAS DE MEXICO, S.A. de C.V.

for a statement of authorization
under 14 C.F.R. Part 212

Docket DOT-OST-2017-
Docket DOT-OST-1997-3289
Docket DOT-OST-2000-7708

JOINT APPLICATION OF
DELTA AIR LINES, INC., and
AEROVIAS de MEXICO, S.A. de C.V.

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August 4, 2017

Notice: Delta intends to poll the U.S. carrier representatives on the attached service list regarding this Application and will notify the Department of the results as soon as possible.
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Pursuant to 14 C.F.R. Part 212, Delta Air Lines, Inc. (“Delta”) and Aerovias de Mexico, S.A. de C.V. (“Aeromexico”) hereby apply for statements of authorization for certain codesharing activities described below. As part of their Joint Cooperation Agreement, Aeromexico and Delta are optimizing their networks to deliver consumer benefits to the traveling public.\(^1\) To support the network changes, Aeromexico and Delta are seeking approvals for codesharing on these new routes.

Specifically, Delta seeks to place its “DL*” code on flights operated by Aeromexico and its regional carrier\(^2\) authorized to operate on the Salt Lake City (SLC)-Guadalajara (GDL) route. In addition, Aeromexico seeks to place its “AM*” code on flights operated by Delta and its regional carriers\(^3\) authorized to operate on the Los Angeles (LAX)-Mexico City (MEX) route.

\(^2\) Aerolitoral, S.A. de C.V. d/b/a Aeromexico Connect (“Aerolitoral”).
\(^3\) Compass Airlines, LLC (“Compass”); ExpressJet Airlines, Inc. (“ExpressJet”); and Shuttle America Corporation (“Shuttle”)/Republic Airline Inc. (“Republic”); and SkyWest Airlines, Inc. (“SkyWest”).
In support of this Joint Application, Delta and Aeromexico state as follows:

1. The Joint Applicants request the issuance of statements of authorization to Delta and Aeromexico pursuant to 14 C.F.R. Part 212, to permit the display of their respective designator codes as outlined above.

2. The proposed service will provide significant benefits to travelers and shippers and is clearly in the public interest. Authorizing the Joint Applicants to codeshare on these additional transborder routes will expand service options for U.S.-Mexico travelers.

3. This Application is consistent with the Air Transportation Agreement (“Agreement”) between the Government of the United States of America and the Government of the United Mexican States signed December 18, 2015. The Agreement, which went into effect on August 21, 2016, allows U.S. and Mexican air carriers to operate scheduled combination service from points in the United States to points in Mexico, as well as certain other specific routes, as set forth in Annex I of the Agreement. In addition, Article 8 of the Agreement allows for codesharing as proposed by Delta and Aeromexico. The Department has granted multiple similar U.S.-Mexico transborder codesharing requests, finding that the exercise of such codeshare rights “will benefit travelers, shippers, businesses, cities, airlines, and airports.” DOT Order 99-6-6, at 6.

4. Aeromexico and Aerolitoral are flag carriers of the United Mexican States and hold foreign air carrier permits, Order 2017-3-5 and 2017-3-6, authorizing service between Mexico and U.S. points. Pursuant to this authority, they provide extensive service between Mexico and the United States.

5. Delta holds various certificates of public convenience and necessity and exemptions authorizing it to engage in scheduled foreign air transportation of persons, property and mail, including between the United States and Mexico. See, e.g., Delta’s Certificate for Route 901, issued by Order 2010-3-12 and Notice of Action Taken in DOT-OST-2016-0142 (concurrent certificate authority pending). In addition, Compass, ExpressJet, Shuttle, Republic,
and SkyWest all hold exemption authority to the full extent allowed under the Agreement. See, Dockets DOT-OST-2016-0151, DOT-OST-2016-0160, DOT-OST-2016-0144, and DOT-OST-2016-0156. Pursuant to Rule 24 of the Department’s Rules of Practice, Delta asks the Department to take official notice of all data on file with the Department necessary to establish Delta’s fitness.

6. The Joint Applicants plan to introduce the proposed codeshare services upon receipt of all necessary DOT and Mexico DGAC approvals, and request that the statements of authorization are granted as soon as possible so that Delta and Aeromexico can market these services without delay.\(^4\) Delta and Aeromexico request that the codesharing statements of authorization remain in effect indefinitely, consistent with the duration of the U.S.-Mexico codeshare authorities granted by DOT Order 99-6-6.

7. The proposed codeshare services will be operated pursuant to the existing Delta/Aeromexico codeshare agreement previously approved by the Department.

8. The Joint Applicants will conduct these codeshare services in accordance with 14 C.F.R. Part 257 and the other conditions normally imposed by the Department on codesharing statements of authorization.

9. The environmental impacts of Delta’s proposed services are *de minimis*, and Delta does not anticipate that the proposed services will cause a near-term net annual change in aircraft fuel consumption of 10 million gallons or more.

WHEREFORE, Delta and Aeromexico request issuance of statements of authorization to engage in scheduled foreign air transportation of persons, property, and mail routes described above in this application.

\(^4\) To the extent necessary, the Joint Applicants request a waiver of the 45-day advance filing requirement for codeshare statements of authorization under 14 C.F.R. Part 212.
Respectfully Submitted,

/s/ John R. Mietus, Jr.  
____________________________  
John R. Mietus, Jr.  
For AEROVIAS de MEXICO, S.A. de C.V.

Christopher Walker  
____________________________  
For DELTA AIR LINES, INC.
CERTIFICATE OF SERVICE

A copy of the foregoing Application has been served this 4th day of August, 2017 upon the following persons via email:

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<tr>
<th>Air Carrier</th>
<th>Name</th>
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