

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Application of

VIP EMPRESARIAL, S.A. de C.V.

for exemption from 49 U.S.C. § 41301
(U.S./Mexico Charter Air Transportation)

Docket DOT-OST-2007-28270

APPLICATION OF
VIP EMPRESARIAL, S.A. de C.V.
FOR AN EXEMPTION

Communications concerning this document may be served upon:

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February 21, 2020

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APPLICATION OF
VIP EMPRESARIAL, S.A. de C.V.

FOR RENEWAL OF EXEMPTION

February 21, 2020

Pursuant to 49 U.S.C. § 40109 and Subpart C of the Department's Rules of Practice, VIP Empresarial, S.A. de C.V. ("VIP") hereby applies for renewal of its exemption from 49 U.S.C. § 41301, which grants VIP the full scope of passenger charter rights available under the Air Transport Agreement between the United States and Mexico signed on December 18, 2015. VIP specifically seeks renewal of its authority to conduct passenger charter operations, using small aircraft, in foreign air transportation between any point or points in Mexico and any point or points in the U.S.; and from a point or points in Mexico, via an intermediate point or points, to any point or points in the U.S., and beyond, as mutually agreed in writing by U.S. DOT and the Mexican Civil Aviation Federal Agency ("AFAC"), formerly Dirección General de Aeronáutica Civil ("DGAC"), provided that such service constitutes part of a continuous operation, with or

without a change of aircraft, that includes service to Mexico for the purpose of carrying local traffic between Mexico and the U.S. VIP also seeks authority to conduct other passenger charter operations to and from the U.S., such as seventh-freedom passenger charter operations, subject to the prior approval requirements set forth in 14 C.F.R. Part 212.

VIP requests that the Department renew this exemption for a period of at least two years. VIP invokes the automatic extension provisions of the Administrative Procedure Act, 5 U.S.C. §558(c), as implemented by 14 C.F.R. Part 377, to maintain its exemption authority in effect pending a final Department determination on this renewal application.

In support of this application, VIP states as follows:

1. VIP continues to be financially fit, and is willing and able to provide charter passenger services using small aircraft. VIP reports that there have been no changes in its ownership or key personnel. There have been, however, changes in VIP's address, aircraft, and aircraft liability insurance coverage. See Exhibit A for details. Other than as modified by the changes described in this application, VIP hereby validates and resubmits by reference the information it has previously submitted in this docket.^{1/}
2. VIP's Mexican authority to engage in transborder charter passenger services remains in full force and effect. See Exhibit B for a copy of VIP's current Air Operator Certificate (AOC).

^{1/} The Department last granted the above authority to VIP Empresarial pursuant to a Notice of Action Taken issued in this Docket on February 22, 2018, effective through February 22, 2020.

3. VIP's renewal application is limited in scope and non-controversial. VIP's proposed air transportation services are unchanged from the U.S.-Mexico services that it has performed during the past two years, *i.e.*, customized transport services for executives and their guests using small executive jet aircraft.

4. In accordance with the terms of the Air Transport Agreement between the U.S. and Mexico, VIP's exemption authority is in the public interest. VIP's services satisfy a continuing commercial need and foster business activities and economic opportunities between Mexico and the United States.

WHEREFORE, VIP Empresarial, S.A. de C.V., requests renewal of its authority to engage in charter foreign air transportation of passengers between Mexico and the United States using small aircraft, as set forth herein, and such other relief as may be in the public interest.

Respectfully submitted,



Moffett B. Roller
Charles M. Greene
ROLLER & BAUER, PLLC
Attorneys for
VIP Empresarial, S.A. de C.V.

February 21, 2019

CHANGES IN OPERATION

CORPORATE ADDRESS:

VIP Empresarial, S.A. de C.V.
Carretera a Laredo Km 1006
Hangar 54
Aeropuerto Internacional del Norte
C.P. 66600, Apodaca, Nuevo Leon
MÉXICO

AIRCRAFT:

During the past two years VIP Empresarial added one aircraft, XA-PER, to its fleet. The current fleet now consists of the following aircraft:

<u>Tail Number</u>	<u>Make and Model</u>	<u>Serial Number</u>	<u>Seat Configuration</u>
XA-TSN	Socata TBM 700	1053	Five Passenger Seats
XA-PER	Bombardier BD-100-1A10	20749	Ten Passenger Seats

AIRCRAFT LIABILITY INSURANCE

The aircraft liability insurance for XA-TSN continues to be handled by Seguros Afirme, S.A. de C.V., for XA-TSN, as stated in the 2017 Application of VIP Empresarial.

The liability insurance for the additional aircraft that VIP Empresarial has added to its fleet, XA-PER, is issued by Grupo Nacional Provincial, S.A.B. (GNP Seguros).

Updated foreign air carrier Certificates of Insurance (OST Form 6411) for XA-TSN and XA-PER are being submitted to the Federal Aviation Administration.

VIP EMPRESARIAL, S.A. DE C.V.
APPLICATION FOR RENEWAL OF EXEMPTION

EXHIBIT B

MEXICAN AIR OPERATING CERTIFICATE (AOC)
(CERTIFICADO DE EXPLOTADOR DE SERVICIOS AEREOS)

AS ISSUED IN SPANISH AND ENGLISH



SCT

SECRETARÍA DE
COMUNICACIONES
Y TRANSPORTES

ESTADOS UNIDOS MEXICANOS

SECRETARÍA DE COMUNICACIONES Y TRANSPORTES
SUBSECRETARÍA DE TRANSPORTE
DIRECCIÓN GENERAL DE AERONÁUTICA CIVIL

CERTIFICADO DE EXPLOTADOR DE SERVICIOS AÉREOS (AIR OPERATOR CERTIFICATE)

VIP EMPRESARIAL, S. A. DE C.V.
AOC No. VIE/2016

**PROLONGACIÓN CARLOS SALAZAR #2820, COL. CHEPEVERA
MONTERREY, N.L., C.P.64030**

Responsable general de la operación:

(Operation general manager)

Teléfono (telephone):

Fax:

Correo electrónico (e-mail):

Lic. Maria Antonieta González Rodríguez.

01 (81) 13803759

N/A

tonigzz@vipempresarial.com

Datos de contacto operacionales

(Operational contact data)

La información de contacto donde se puede ubicar a las autoridades de gestión operacional sin demoras indebidas se proporciona en:
(Contact information where you can locate the operational management without undue delay provided in)

- Sección A6 de las Especificaciones de Operación anexas al presente certificado (Operations Specifications Section A6 attached to this certificate).

El presente documento certifica que **VIP Empresarial, S.A. de C.V.** ha cumplido con los requerimientos establecidos en la Ley de Aviación Civil, su Reglamento y Normas Oficiales Mexicanas correspondientes vigentes de los Estados Unidos Mexicanos y demás disposiciones aplicables, en razón de lo cual se le expide el presente certificado que le autoriza a realizar operaciones de transporte aéreo comercial de conformidad con dicha Ley, Reglamento, Normas Oficiales Mexicanas y demás disposiciones aplicables, así como con los términos, condiciones y limitaciones previstos en las especificaciones de operación anexas al presente.

El presente certificado es intransferible y salvo renuncia de su titular, a menos que sea suspendido, revocado o cancelado, permanecerá vigente durante la fecha indicada, y en caso de que las condiciones y requisitos que sirvieron de base para su otorgamiento no se mantengan actualizados, éste carecerá de validez.

The present document certifies that **VIP Empresarial, S.A. de C.V.** has met the requirements of the Civil Aviation Law of Estados Unidos Mexicanos and related operating regulations and rules prescribed there, for the issuance of this certificate and is hereby authorized to conduct commercial air transportation operations in accordance with such operating regulations and rules prescribed there and the term, conditions and limitations contained in the attached Operation Specifications.

This certificate is not transferable and, unless sooner surrendered, suspended or revoked, shall continue in effect until the indicated date

DIRECTOR GENERAL ADJUNTO DE AVIACIÓN

ING. PABLO CARRANZA PLATA

Fecha de emisión (Issue date):

07 de diciembre de 2018 (December 07th, 2018).

Fecha de efectividad (Effective date):

23 de enero de 2019 (January 23th, 2019).

Fecha de vigencia (Expiration date):

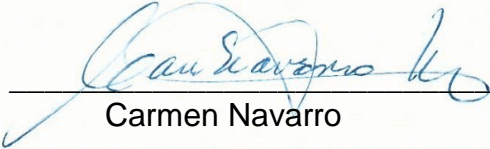
23 de enero de 2021 (January 23th, 2021).

Cualquier modificación en las limitaciones o en los datos del titular del certificado, deberá ser solicitado a la Dirección General de Aeronáutica Civil.

Cualquier alteración a este certificado sin consentimiento por escrito de la Dirección General de Aeronáutica Civil, será sancionado conforme a lo establecido en la Ley de Aviación Civil.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing application of VIP Empresarial, S.A. de C.V., was served via e-mail upon all parties on the following Service List this 21st day of February 2020. No indication was received that any transmission by electronic mail had failed.


Carmen Navarro

SERVICE LIST

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