

**BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.**

**Application of  
AVCON JET AG (AVCON)**

**Docket OST-2008-0309**

**Pursuant to 49 U.S.C. § 40109(c)  
for an exemption from 49 U.S.C. § 41301**

**APPLICATION OF AVCON JET AG (AVCON)  
FOR RENEWAL OF EXEMPTION AUTHORITY**

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NOTICE: Any person who wishes to support or oppose this application must file an answer by February 25th, 2020 and serve that answer on above named counsel and on all persons served with this application.

February 10th, 2020

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**Pursuant to 49 U.S.C. § 40109(c)  
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**APPLICATION OF AVCON JET AG (AVCON)  
FOR RENEWAL OF EXEMPTION AUTHORITY**

Pursuant to Section 40 109(c) of Title 49 of the United States Code and Part 302, Subpart C of the Department's Economic Regulations, **AVCON** hereby applies for renewal of its exemption from 49 U.S.C. 41301 to engage in the following:

- (1) foreign charter air transportation of persons and property from any point or points behind any Member State of the European Union, via any point or points in any Member State of the European Union and via any intermediate points, to a point or points in the United States and beyond;
- (2) foreign charter air transportation of persons and property between any point or points in the United States and any point or points in any Member of the European Common Aviation Area;
- (3) other charter operations to and/or from the United States, under 14 CFR Part 212. **AVCON** further requests that its authority be renewed for an additional two-year period.

In filing this application, AVCON relies upon the automatic extension provision of the Administrative Procedure Act, 5 U.S.C. § 558(c), as implemented by 14 CFR Part 377, to continue its current authority in effect pending Department action on this application.

The authority for which renewal is requested was initially granted on November 18, 2010. **AVCON** requests that it be renewed for an additional two-year period.

When the Department first granted **AVCON** exemption authority, it determined that the applicant is properly designated under the U.S.-Austria Air Transport Agreement and is also licensed by its homeland authorities to conduct the services it seeks. The Department also found that **AVCON** is substantially owned and effectively controlled by citizens of Austria and is operationally and financially qualified to undertake its proposed operations. Based on

that finding, the Department concluded that grant of the requested authority would be consistent with the public interest.

**AVCON** remains qualified to operate charter service between Austria and the United States and has successfully operated Austria - U.S. charter service since receiving its initial authority. Under these circumstances, grant of this renewal application remains consistent with the public interest.

ACCORDINGLY, **AVCON** respectfully requests that the Department grant this renewal application for an exemption from 49 U.S.C. 41301 to engage in:

- (4) foreign charter air transportation of persons, and property from any point or points behind any Member State of the European Union, via any point or points in any Member State of the European Union and via any intermediate points, to a point or points in the United States and beyond;
- (5) foreign charter air transportation of persons and property between any point or points in the United States and any point or points in any Member of the European Common Aviation Area;
- (6) other charter operations to and/or from the United States, under 14 CFR Part 212.  
**AVCON** further requests that its authority be renewed for an additional two-year period.

  
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Respectfully submitted

  
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February 10th, 2020

## CERTIFICATE OF SERVICE

I hereby certify that I have on this day served a copy of the foregoing application upon  
all persons named on the attached service list.



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André Weber  
Nominated Person Ground Operations  
February 10th, 2020



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