

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

Application Of

TRANSPORTES AÉREOS PEGASO, S.A. DE C.V.

for an exemption from 49 U.S.C. §41301

(U.S. / Mexico Charter Air Transportation)

Docket OST-2018-0046

APPLICATION OF
TRANSPORTES AÉREOS PEGASO, S.A. DE C.V.
FOR RENEWAL OF EXEMPTION

Communications concerning this document may be served upon:

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Toluca, Estado de México C.P. 50226

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E-mail : jce@tapsa-mx.com

Legal Representative for: Transportes Aéreos Pegaso, S.A. de C.V.

February 14th, 2020

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

Application Of
TRANSPORTES AÉREOS PEGASO, S.A. DE C.V.
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Docket OST-2018-0046

APPLICATION OF
TRANSPORTES AÉREOS PEGASO, S.A. DE C.V.
FOR RENEWAL OF EXEMPTION

Pursuant to 49 U.S.C. §40109 and subpart C of the Department’s Rules of Practice, Transportes Aéreos Pegaso, S.A. de C.V. (“Pegaso”), hereby applies for renewal of its exemption from 49 U.S.C. §41301, which grants Pegaso to full scope of passenger charter rights available under the Air Transportation between the U.S. and Mexico signed on December 18, 2015.^{1/} Pegaso 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 the U.S. DOT and the Mexican 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. Pegaso also seeks authority to conduct other passenger charter operations to/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

1. Air Transport Agreement Between the Government of the United States of America and the Government of the United Mexican States, signed in Washington, DC, December 18, 2015.

Pegaso 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, Transportes Aéreos Pegaso, S.A. de C.V. states as follows:

1. Pegaso continues to be financially fit and is willing and able to provide charter passenger services using small aircraft. Pegaso reports that there have been no changes in its corporate address or key personnel during the past two years. See Exhibit A and B, however, for some changes in partnership, in its fleet aircraft and aircraft liability insurance coverage. As amended by this application, Pegaso hereby validates and resubmits by reference information previously submitted by Pegaso in DOT Docket OST-2018-0046.

2. Pegaso' Mexican authority to engage in transborder charter passenger services remains in full force and effect. See Exhibit C for a copy of Pegaso' current Air Operator's Certificate (AOC) from the Dirección General de Aeronáutica Civil in Mexico ("DGAC"). Also effective are Pegaso' Part 129 Operations Specifications issued by the Federal Aviation Administration (FAA).^{2/}

2. The Department last granted the above authority to Pegaso pursuant to a Notice of Action Taken issued in this Docket on May 04, 2018, effective through May 04, 2020.

3. Pegaso' renewal application is limited in scope and is noncontroversial. Pegaso' proposed air transportation services are unchanged from those it performed between México and the United States during the past two years, i.e., customized transport services for executives and their guests using small executive aircraft. Renewal of Pegaso' authority is in the public interest. Pegaso' authority is specifically authorized by the 2015 Agreement with México, and its services satisfy a continuing commercial need. Pegaso' operations foster business activities and economic opportunities between México and the United States and thereby further the objectives of the United States - México - Canada Agreement (USMCA). WHEREFORE, Transportes Aéreos Pegaso, S.A. de C.V. respectfully requests renewal of its authority to engage in charter foreign air transportation of passengers between México and the United States using small aircraft, as set forth herein, and such other relief as may be in the public interest.

Respectfully submitted,



Juan Carlos Erosa Zepeda

Legal Representative for: Transportes Aéreos Pegaso, S.A. de C.V.

February 14th, 2020

Changes in Partnership

The direct partnership of Transportes Aereos Pegaso, S.A. de C.V. did not change, the only change he suffered was that one of his partners divided his share percentage, as it is shown in the following table:

PARTNERSHIP OF TRANSPORTES AÉREOS PEGASO, S.A. DE C.V.

SHAREHOLDERS	CITIZENSHIP	SHARES	PERCENTE
Enrique Zepeda Morales	Mexican	2,750	27.50%
Jaime García Gutiérrez	Mexican	1,650	16.50%
Alberto Zaga Hop	Mexican	2,300	23.00%
Banco Nacional de Monterrey, Sociedad Anónima, Institución de Banca Múltiple, Banregio Grupo Financiero, acting as trustee for trust numbered 851-01114	Mexican Bank	1,500	15.00%
Jacobo Zaga Romano	Mexican	400	4.00%
Moisés Zaga Romano	Mexican	400	4.00%
Enrique Zepeda Navarro	Mexican	1,000	10.00%
TOTAL		10,000	100%

AIRCRAFT FLEET As of July 2019

During the past two years, there have been changes to Pegaso' fleet of aircraft. The new aircraft acquisitions are similar in size and capability to other aircraft operated by Pegaso under its present grants of authority from DOT and FAA.

Item	Aircraft	Year	Serial No.	Tail Number
1	Eurocopter BO 105-CBS	1995	676	XA-MBB
2	Eurocopter BK 117-C1	2003	7550	XA-UBN
3	Eurocopter BK 117-C1	2004	7555	XA-UBP
4	Eurocopter BK 117-C1	2004	7551	XA-UBO
5	Eurocopter BK 117-C1	1995	7514	XA-UEU
6	Eurocopter BK 117-C2	2007	9142	XA-UJA
7	Eurocopter BK 117-C2	2007	9144	XA-UJE
8	Eurocopter EC 135 P2	2005	389	XA-UDM
9	Eurocopter EC 135 P2	2005	391	XA-UDN
10	Eurocopter EC 135 P2	2005	400	XA-UDO
11	Eurocopter EC 155 B1	2008	6837	XA-UNA
12	Eurocopter EC 155 B1	2007	6759	XA-TYM
13	Eurocopter BK 117-C2	2010	9321	XA-UNK
14	Eurocopter BK 117-C2	2010	9387	XA-UOQ
15	Eurocopter EC 130 B4	2009	4901	XA-KUZ
16	Eurocopter EC 130 B4	2011	7124	XA-NAT
17	Eurocopter BK 117-C2	2012	9491	XA-THI
18	Eurocopter BK 117-C2	2012	9500	XA-THK
19	Eurocopter BK 117-C2	2012	9497	XA-UQV
20	Eurocopter BK 117-C2	2012	9485	XA-URX
21	Eurocopter BK 117-C2	2008	9194	XA-USM
22	Airbus Helicopter EC 155B1	2013	6972	XA-USY
23	Bombardier Learjet 45	2001	139	XA-EMM
24	Airbus Helicopter EC 155B1	2013	6990	XA-UTT
25	Bombardier Learjet 45XR	2004	45-243	XA-ZZZ
26	Agusta Westland AW139	2018	41537	XA-KRY
27	Airbus Helicopter EC 175B	2018	5032	XA-ZRA
28	Agusta Westland AW139	2018	41551	XA-DIA
29	Airbus Helicopter EC 175B	2018	5040	XA-EZM
30	Airbus Helicopter BK 177-C2	2006	9090	XA-WEL

AIRCRAFT LIABILITY INSURANCE. Pegaso' insures its aircraft with Afirme Seguros, S.A. de C.V., Pegaso' maintains liability insurance coverage on all of its aircraft that satisfies the requirements of 14 C.F.R. Part 205 and has submitted currently effective Foreign Air Carrier Certificates of Insurance (OST Forms 6411) with the Federal Aviation Administration documenting that coverage.



Office of the Secretary
of Transportation

AGENCY DISPLAY OF ESTIMATED BURDEN

The public reporting burden for this collection of information for this collection of information is estimated to average 30 minutes per response. If you wish to comment on the accuracy of the estimate or make suggestions for reducing this burden, please direct your comments to: U.S. Department of Transportation, Office of Aviation Analysis, X-56, 400 7th St., SW., Washington, D.C. 20590. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTE: For information on where to file completed copies of this form, see Filing Instructions below.

OMB No. 2106-0030 Expires 9-30-2007

FOREIGN AIR CARRIERS - CERTIFICATE OF INSURANCE

POLICIES OF INSURANCE FOR AIRCRAFT ACCIDENT BODILY INJURY AND PROPERTY DAMAGE LIABILITY

FILING INSTRUCTIONS: File a signed original of this form with the Federal Aviation Administration, Air Transportation Div., AFS-260, 800 Independence Ave., SW., Washington, DC 20591. (See **EXCEPTION** below.)

EXCEPTION: If Section 2.A is filled in because the insured is a *Canadian Charter Air Taxi Operator*, file an original of this form with the U.S. Department of Transportation, Special Authorities Division (X-46), 400 7th Street, SW, Washington, D.C. 20590

(Please type information, except signatures.)

THIS CERTIFIES THAT: SEGUROS AFIRME SA DE CV AFIRME GRUPO FINANCIERO

(Name of Insurer)

has issued a policy or policies of Aircraft Liability Insurance to TRANSPORTES AEREOS PEGASO SA DE CV

SANTANDER 15 PISO COL. INSURGENTES MIXCOA. CP 03920 CIUDAD DE MEXICO FAA Certificate Number _____

(Name, Address, and FAA Certificate Number of Insured Foreign Air Carrier)

effective from 30 JUNE 2019

until ten (10) days after written notice from the insurer or carrier of the intent to

terminate coverage is received by the Department of Transportation.

NOTE: Part 205 of the Department's Regulations does not allow for a predetermined termination date, and a certificate showing such a date is unacceptable.

1. The Insurer (*Check One*):

- ☐ is licensed to issue aircraft insurance policies in the United States;
- ☒ is licensed or approved by the government of MEXICO to issue aircraft insurance policies; or
- ☐ is an approved surplus line insurer in the State(s) of _____

2. The insurer assumes, under the policy or policies listed below, aircraft accident liability insured to minimums at least equal to the following during operation, maintenance, or use of aircraft in "foreign air transportation" as that term is defined in 49 U.S.C. 40102.
(Complete applicable section A, B, or C below):

A. CANADIAN AIR TAXI OPERATORS WITH PART 294 AUTHORITY ONLY

The aircraft covered by this policy have: (1) 30 or fewer passenger seats and a maximum payload capacity of 7,500 pounds or less; and/or (2) a maximum authorized takeoff weight on wheels of no more than 35,000 pounds.

(Complete separate or combined coverage as appropriate):

☐ Separate Coverages

Policy No.	Type of Liability	Minimum Limit	
		Each Person	Each Occurrence
_____	Combined Bodily Injury (Excluding Passengers other than cargo attendants) and Property Damage Liability	\$75,000	\$2,000,000* (See note)
_____	Passenger Bodily Injury	\$75,000	\$75,000 x 75% of total number of passenger seats installed in aircraft

- ☒ Combined Coverage: This combined coverage is a single limit of liability for each occurrence at least equal to the required minimums stated above for bodily injury (excluding passengers), property damage, and passenger bodily injury.

Policy No. 0301-000066-08

Amount of Coverage 10,000,000

U.S. Dollars

- ☐ This policy covers CARGO operations only and excludes passenger liability insurance.

*NOTE: If the aircraft covered by this policy have more than 30 passenger seats or more than a maximum payload capacity of 7,500 pounds, the minimum limit per occurrence shall be \$20,000,000.

SEGURO AVIONES

PÓLIZA: 0301-000064-09
Endoso No. 0
Folio: 87383
MONEDA: DOLARES US

VIGENCIA

Desde 30/06/2019 12 Hrs. **Hasta** 30/06/2020 12 Hrs.

SEGUROS AFIRME S.A. DE C.V., AFIRME GRUPO FINANCIERO, que en lo sucesivo se denomina "La Institución", asegura a favor de:

"El Asegurado": **TRANSPORTES AEREOS PEGASO SA DE CV**

Con Domicilio en: **SANTANDER NO. 15 PISO 10 . , COL. INSURGENTES MIXCOAC, BENITO JUAREZ, CIUDAD DE MEXICO, C.P. 03920**

El o los bienes especificados contra las coberturas contratadas para cada bien, de acuerdo a las Condiciones Generales, especiales y particulares las cuales se adjuntan y forman parte de esta póliza.

BIEN(es) INCISO 1

Ubicación :SANTANDER No. 15 PISO 10, Col. INSURGENTES MIXCOAC, BENITO JUAREZ, CIUDAD DE MEXICO C.P. 3920

Bien o Giro Asegurado :SEGUN ESPECIFICACION ADJUNTA

Coberturas		Suma Asegurada	Deducibles		Coas.
CASCO					
Casco Avión		\$2,500,000.00			
Guerra		Amparada			
Concepto	Prima Neta	Recargo	Derecho	IVA (16%)	Total
Prima	\$103,216.22	\$0.00	\$120.00	\$16,533.80	\$119,870.02
Forma de pago	TRIMESTRAL	Agente	90762	REASEGURO	

En testimonio de lo cual "La Institución" firma la presente póliza en la ciudad de Monterrey, N.L. a 26 de Julio de 2019

SEGUROS AFIRME, S.A. DE C.V., AFIRME GRUPO FINANCIERO
Ocampo No. 220 Pte, c.p. 64000, Colonia Centro, Monterrey, N.L.
Teléfono: (8)3183800, R.F.C. SAF-980202-D99

Funcionario Autorizado

En cumplimiento a lo dispuesto en el artículo 202 de la Ley de Instituciones de Seguros y de Fianzas, este producto quedó registrado ante la Comisión Nacional de Seguros y Fianzas, a partir del día 01 de abril de 2015, con el número Negocio Facultativo.



Office of the Secretary
of Transportation

AGENCY DISPLAY OF ESTIMATED BURDEN

The public reporting burden for this collection of information for this collection of information is estimated to average 30 minutes per response. If you wish to comment on the accuracy of the estimate or make suggestions for reducing this burden, please direct your comments to: U.S. Department of Transportation, Office of Aviation Analysis, X-56, 400 7th St., SW., Washington, D.C. 20590. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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OMB No. 2106-0030 Expires 9-30-2007

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EXCEPTION: If Section 2.A is filled in because the insured is a *Canadian Charter Air Taxi Operator*, file an original of this form with the U.S. Department of Transportation, Special Authorities Division (X-46), 400 7th Street, SW, Washington, D.C. 20590

(Please type information, except signatures.)

THIS CERTIFIES THAT: SEGUROS AFIRME SA DE CV

(Name of Insurer)

has issued a policy or policies of Aircraft Liability Insurance to TRANSPORTES AEREOS PEGASO S.A. DE C.V.

SANTANDER NO. 15 PISO 10, INSURGENTES MIXCOAC. BENITO JUAREZ. CP03920

FAA Certificate Number _____

(Name, Address, and FAA Certificate Number of Insured Foreign Air Carrier)

effective from 28/01/2020

until ten (10) days after written notice from the insurer or carrier of the intent to

terminate coverage is received by the Department of Transportation.

NOTE: Part 205 of the Department's Regulations does not allow for a predetermined termination date, and a certificate showing such a date is unacceptable.

1. The Insurer (Check One):

- ☐ is licensed to issue aircraft insurance policies in the United States;
- ☒ is licensed or approved by the government of MEXICO to issue aircraft insurance policies; or
- ☐ is an approved surplus line insurer in the State(s) of _____

2. The Insurer assumes, under the policy or policies listed below, aircraft accident liability insured to minimums at least equal to the following during operation, maintenance, or use of aircraft in "foreign air transportation" as that term is defined in 49 U.S.C. 40102.

(Complete applicable section A, B, or C below):

A. CANADIAN AIR TAXI OPERATORS WITH PART 294 AUTHORITY ONLY

The aircraft covered by this policy have: (1) 30 or fewer passenger seats and a maximum payload capacity of 7,500 pounds or less; and/or (2) a maximum authorized takeoff weight on wheels of no more than 35,000 pounds.

(Complete separate or combined coverage as appropriate):

Policy No.	Type of Liability	Minimum Limit	
		Each Person	Each Occurrence
_____	Combined Bodily Injury (Excluding Passengers other than cargo attendants) and Property Damage Liability	\$75,000	\$2,000,000* (See note)
_____	Passenger Bodily Injury	\$75,000	\$75,000 x 75% of total number of passenger seats installed in aircraft

- ☐ Combined Coverage: This combined coverage is a single limit of liability for each occurrence at least equal to the required minimums stated above for bodily injury (excluding passengers), property damage, and passenger bodily injury.

Policy No. _____ Amount of Coverage _____ U.S. Dollars

- ☐ This policy covers CARGO operations only and excludes passenger liability insurance.

*NOTE: If the aircraft covered by this policy have more than 30 passenger seats or more than a maximum payload capacity of 7,500 pounds, the minimum limit per occurrence shall be \$20,000,000.

SEGURO AVIONES

PÓLIZA: 0301-000066-08
Endoso No. 0
Folio: 90328
MONEDA: DOLARES US

VIGENCIA

Desde	Hasta
01/11/2019 12 Hrs.	01/11/2020 12 Hrs.

SEGUROS AFIRME S.A. DE C.V., AFIRME GRUPO FINANCIERO, que en lo sucesivo se denomina "La Institución", asegura a favor de:

"El Asegurado": **TRANSPORTES AEREOS PEGASO, S.A. DE C.V.**

Con Domicilio en: **SANTANDER NO. 15 PISO 10 , COL. INSURGENTES MIXCOAC, BENITO JUAREZ, CIUDAD DE MEXICO, C.P. 03920**

El o los bienes especificados contra las coberturas contratadas para cada bien, de acuerdo a las Condiciones Generales, especiales y particulares las cuales se adjuntan y forman parte de esta póliza.

BIEN(es) INCISO 1

SEGUN ESPECIFICACION ADJUNTA

Concepto	Prima Neta	Recargo	Derecho	IVA (16%)	Total
Prima	\$1,460,000.00	\$0.00	\$120.00	\$233,619.20	\$1,693,739.20
Forma de pago	TRIMESTRAL	Agente	90762	REASEGURO	

En testimonio de lo cual "La Institución" firma la presente póliza en la ciudad de Monterrey, N.L. a 28 de Noviembre de 2019

SEGUROS AFIRME, S.A. DE C.V., AFIRME GRUPO FINANCIERO
 Av. Hidalgo 234 Poniente, Colonia Centro, C.P. 64000, Monterrey, N.L.
 Teléfono: 83183800, R.F.C. SAF-980202-D99

Funcionario Autorizado

En cumplimiento a lo dispuesto en el artículo 202 de la Ley de Instituciones de Seguros y de Fianzas, este producto quedó registrado ante la Comisión Nacional de Seguros y Fianzas, a partir del día 01 de abril de 2015, con el número Negocio Facultativo.

TRANSPORTES AÉREOS PEGASO, S.A. DE C.V.
APPLICATION FOR RENEWAL OF EXEMPTION

Exhibit C

**CERTIFICADO DE EXPLOTADOR
DE SERVICIOS AEREOS
(AOC)**



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

(Modificación 01)

(AIR OPERATOR CERTIFICATE)

TRANSPORTES AÉREOS PEGASO, S. A. DE C. V.

AOC Núm. TPG/2002

Calle 7, Hangar 67, Zona de Aviación General
Aeropuerto Internacional de Toluca.
San Pedro Totoltepec. 50226
Toluca, Estado de México.
México

Responsable general de la operación:

(Operation general manager)

Teléfono (telephone):

Fax:

Correo electrónico (e-mail):

Lic. Juan Carlos Erosa Zepeda

01 55631109

NA

jce@tapsa-mx.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).

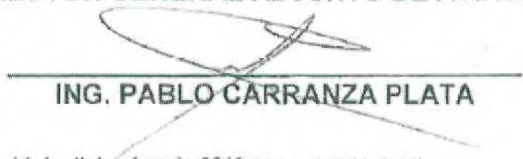
El presente documento certifica que Transportes Aéreos Pegasus, S.A. de C.V. ha cumplido con los requerimientos establecidos en la Ley de Aviación Civil, su Reglamento y Normas Oficiales Mexicanas correspondientes vigentes de los Estados Unidos Mexicanos y demás disposiciones aplicables, en razón de 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 Transportes Aéreos Pegasus, 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): 14 de diciembre de 2018 (December 14, 2018).

Fecha de efectividad (Effective date): 25 de enero de 2019 (January 25, 2019)

Fecha de vigencia (Expiration date): 25 de enero de 2021 (January 25, 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 Transportes Aéreos Pegaso S.A. de C.V., was served upon all parties named on the following Service List via e-mail this 13th day of November 2019. No indication was received that any transmission by electronic mail had failed.



Juan Carlos Erosa Zepeda

SERVICE LIST

Robert Wirick	American Airlines	robert.wirick@aa.com
Daniel A. Weiss	United Airlines	dan.weiss@united.com
Christopher Walker	Delta Air Lines	chris.walker@delta.com
Alexander Krulic		alex.krulic@delta.com
Robert W. Kneisley	Southwest Airlines	bob.kneisley@wnco.com
Leslie C. Abbott		leslie.abbott@wnco.com
David Heffernan	Alaska Airlines	dheffernan@cozen.com
Evelyn D. Sahr	JetBlue	esahr@eckertseamans.com
Drew M. Derco		dderco@eckertseamans.com
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Sandra L. Lunsford		sllundsford@fedex.com
Anita Mosner	UPS	anita.mosner@hklaw.com
Jennifer Nowak		jennifer.nowak@hklaw.com
Hugo Yon	US State Department	yonhy@state.gov
John Duncan	FAA Flight Standards	john.s.duncan@faa.gov
Christopher J. Collins	FAA DFW IFO	chris.collins@faa.gov