

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

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Application of	)	
	)	
EXECUJET (UK) LIMITED	)	
doing business as EXECUJET EUROPE	)	Docket DOT-OST-2018-0052
	)	
for an exemption pursuant to 49 U.S.C. § 40109	)	
and a foreign air carrier permit pursuant to	)	
49 U.S.C. § 41301	)	
_____	)	

APPLICATION OF EXECUJET (UK) LIMITED  
DOING BUSINESS AS EXECUJET EUROPE  
FOR RENEWAL OF AN EXEMPTION

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doing business as EXECUJET EUROPE

July 30, 2020

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
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49 U.S.C. § 41301 (EU-U.S. open-skies)	)	
	)	

July 30, 2020

APPLICATION OF EXECUJET (UK) LIMITED  
DOING BUSINESS AS EXECUJET EUROPE  
FOR RENEWAL OF AN EXEMPTION

Pursuant to 49 U.S.C. § 40109, Subpart C of the Department’s Rules of Practice (14 C.F.R. §§ 302.301 et. seq.), and the U.S.-EU Reciprocal Recognition Procedures,<sup>1</sup> ExecuJet (UK) Limited d/b/a ExecuJet Europe (“ExecuJet UK” or the “Applicant”) hereby applies for renewal of its exemption authority, approved on August 3, 2018, which authorizes ExecuJet UK to engage in foreign charter air transportation of persons, property, and mail to and from the United States under the terms of the U.S.-EU Air Transport Agreement. ExecuJet UK requests renewal for a two-year period, or until the Department acts upon its application for a foreign air carrier permit, also pending in Docket DOT-OST-2018-0052, whichever occurs first.<sup>2</sup>

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<sup>1</sup> See DOT Notice, “Application Procedures for Foreign Air Carriers of the European Union,” dated February 19, 2009.

<sup>2</sup> Despite the exit of the United Kingdom from the European Union on January 31, 2020, the Applicant requests that the Department approve this exemption renewal request as consistent with the terms of the U.S.-EU Air Transport Agreement, as interpreted under the UK-EU Withdrawal Agreement, signed January 24, 2020. See, e.g., Catreus AOC Limited, Notice of Action Taken dated March 5, 2020 (Docket DOT-OST-2019-0177), fn. 3 and 4.

In support of this renewal application, ExecuJet UK submits as follows:

1. By Notice of Action Taken dated August 3, 2018 in Docket DOT-OST-2018-0052, the Department granted ExecuJet UK exemption authority to provide, using small aircraft: (1) foreign charter air transportation of persons, property, and mail from any point or points behind any Member State of the European Union, via any point or points in any Member State and via intermediate points, to any point or points in the U.S. and beyond; (2) foreign charter air transportation of persons, property, and mail between any point or points in the U.S. and any point or points in any member of the European Common Aviation Area; (3) foreign charter cargo air transportation between any point or points in the U.S. and any other point or points; (4) other charters pursuant to prior approval requirements set forth in 14 C.F.R. Part 212 of the Department's regulations; and (5) charter transportation authorized by any additional route rights made available to European Union carriers in the future, to the extent permitted by the Applicant's homeland license on file with the Department. That authority is set to expire on August 3, 2020.

2. ExecuJet UK now seeks renewal of its exemption to authorize it to continue to provide these services.<sup>3</sup> Since the initial award of this exemption authority, nothing has occurred to impair ExecuJet UK's fitness or to change the underlying information on which the Department based its determination. ExecuJet UK remains a business aviation company registered in and formed under the laws of the

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<sup>3</sup> This economic authority will not become effective until the FAA has issued foreign operations specifications to ExecuJet UK under 14 C.F.R. Part 129, which has not yet occurred. In the meantime, ExecuJet UK remains separately authorized to conduct up to twelve annual planeload charter flights to and from the United States under 14 C.F.R. Part 375, through April 15, 2021, under Special Authorization #2020-433 last amended on April 27, 2020.

United Kingdom and continues to offer worldwide charter service pursuant to an Operating License (OL/B/545) and Aircraft Operator Certificate (GB 2331) issued by the UK Civil Aviation Authority. The insurance coverage for the aircraft in ExecuJet UK's fleet continues to meet or exceed the liability limits of 14 C.F.R. Part 205.

3. ExecuJet UK hereby invokes and relies upon the automatic extension provisions of the Administrative Procedure Act (5 U.S.C. § 558(c)), as implemented by Part 377 of the Department's Special Regulations, to continue in effect its existing authority pending final action on this renewal application. This renewal application is timely filed under 14 C.F.R. § 377.10(c).

WHEREFORE, ExecuJet UK requests that the Department renew its exemption to operate the foreign charter air transportation described herein, and grant such further and additional relief as the public interest may require.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Application of ExecuJet (UK) Limited d/b/a ExecuJet Europe for Renewal of an Exemption has been served this 30th day of July 2020, on the following individuals:

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