

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

Application of	)	
	)	
	)	
<b>ACE BELGIUM FREIGHTERS S.A.</b>	)	Docket DOT-OST-2018-0059
	)	
for a foreign air carrier permit pursuant to	)	
49 U.S.C. § 41301 and exemption authority	)	
pursuant to 49 U.S.C. § 40109 (U.S.-EU)	)	
	)	

**SUPPLEMENT TO APPLICATION OF ACE BELGIUM FREIGHTERS S.A. TO  
AMEND EXEMPTION AUTHORITY AND APPLICATION FOR A FOREIGN AIR  
CARRIER PERMIT**

Communications with respect to this document should be addressed to:

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Counsel to ACE Belgium Freighters S.A.

DATED: June 16, 2020

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

Application of	)	
	)	
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	)	
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	)	

**SUPPLEMENT TO APPLICATION OF ACE BELGIUM FREIGHTERS S.A. TO  
AMEND EXEMPTION AUTHORITY AND APPLICATION FOR A FOREIGN AIR  
CARRIER PERMIT**

In support of its Application to amend and re-issue its exemption authority and application for a foreign air carrier permit, issued by Order 2019-5-4, in the company’s new legal name, “**Challenge Airlines (BE) S.A.**” (Challenge), ACE Belgium Freighters S.A. respectfully submits Challenge’s: 1) Air Operator Certificate (AOC); 2) Operating License; and 3) Belgian Operations Specifications (OpSpecs). Each of these documents was issued on June 16, 2020 by the Belgian Civil Aviation Authority, Department of Transport & Mobility, City Atrium, Rue du Progrès 56, 1210 Brussels, Belgium, and are attached, respectively, as **Attachments A, B, and C**. ACE Belgium Freighters further submits an updated 6411 Form in the name of **Challenge Airlines (BE) S.A.**, attached as **Attachment D**.

ACE Belgium Freighters (as Challenge) will continue to update and renew its Operating License, AOC, Belgian OpSpecs, and 6411 Form as necessary, and respectfully requests the Department amend and re-issue its exemption authority and issue its foreign air carrier permit in its new name, Challenge Airlines (BE) S.A., today, June 16, 2020. The simultaneous issuance of

its Belgian authority and U.S. authority in its new name, will allow the carrier to continue its critical all-cargo service without interruption.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Evelyn D. Sahr', with a stylized, cursive script.

Evelyn D. Sahr  
Drew M. Derco  
Alexander T. Marriott  
ECKERT SEAMANS CHERIN & MELLOTT, LLC

Counsel to ACE Belgium Freighters S.A.

DATED: June 16, 2020

# Attachment A

**AIR OPERATOR CERTIFICATE**  
**CERTIFICAT DE TRANSPORTEUR AÉRIEN**  
**AIR OPERATOR CERTIFICATE**

**Types of operation:** Commercial air transport (CAT)    ☐ Passengers; ☒ Cargo;

☐ Other: /

	Koninkrijk België Royaume de Belgique Kingdom of Belgium		
	Federale Overheidsdienst Mobiliteit en Vervoer Service public fédéral Mobilité et Transports <i>Federal Public Service Mobility and Transport</i> DG Luchtvaart – DG Transport aérien <i>Belgian Civil Aviation Authority</i>		
AOC #: <b>B-3052</b>	Operator Name :	<b>Challenge Airlines (BE) S.A.</b>	Operational Points of Contact:  Contact details, at which operational management can be contacted without undue delay, are listed in the Operations Manual Part A chapter 1.
	Operator address :	<b>Rue de l'aéroport, 58-box 9 4460 Grâce-Hollogne, Belgium</b>	
	Telephone:	<b>+32 4 270 20 15</b>	
	Fax:	<b>NA</b>	
	E-mail:	<b>info@challenge-airlines.com</b>	

Met dit certificaat wordt bevestigd dat **Challenge Airlines (BE) S.A.** toestemming heeft voor commerciële luchtvaartactiviteiten, zoals gedefinieerd in de bijgevoegde activiteitenspecificaties, in overeenstemming met het vluchthandboek, bijlage IV bij Verordening (EG) nr. 216/2008 en de uitvoeringsvoorschriften daarvan.

Le présent certificat atteste que **Challenge Airlines (BE) S.A.** est habilité à effectuer des opérations aériennes à des fins commerciales, comme défini dans les spécifications techniques en pièce jointe, conformément au manuel d'exploitation, à l'annexe IV du règlement (CE) n° 216/2008 et à ses modalités d'exécution.

*This certificate certifies that **Challenge Airlines (BE) S.A.** is authorised to perform commercial air operations, as defined in the attached operations specifications, in accordance with the operations manual, Annex IV to Regulation (EC) No 216/2008 and its Implementing Rules.*

Date of issue: <b>16-06-2020</b>	Name and Signature:	<b>Eugeen VAN CRAEYVELT</b>
	Title:	<b>Director General a.i. of the BCAA</b>

# Attachment B



**CERTIFICATE  
NR.3052  
GRANTED TO  
CHALLENGE AIRLINES (BE) S.A**

**ISSUE: 2020-002**

This is to confirm that the Belgian air carrier **CHALLENGE AIRLINES (BE) S.A (formerly called “ACE BELGIUM FREIGHTERS”)** is holder of an operating license and AOC, subject to the following conditions:

OPERATOR : **CHALLENGE AIRLINES (BE) S.A**  
Rue de l'Aéroport Building 58, box 9  
4460 GRACE-HOLLOGNE  
BELGIUM

PERIOD : Operating licence valid from 18/04/2019 until suspended or revoked  
AOC valid from 18/04/2019 until suspended or revoked

AIRCRAFT :

Type	Immatriculé
Boeing B747- 400BCF	OO-ACE;
Boeing B747- 400ERF	OO-ACF;

OPERATIONS: scheduled and non-scheduled cargo air services

The operating licence does not confer in itself any rights of access to specific routes or markets.

The Director General a.i. of BCAA,

Eugeen Van Craeyvelt

Signed the 16<sup>th</sup> of June 2020

**THIS CERTIFICATE IS ONLY VALID WITH THE ORIGINAL AOC AND OPERATING LICENCE WITH ANNEX,  
DELIVERED BY THE BELGIAN CIVIL AVIATION AUTHORITY.**

# Attachment C

# OPERATIONS SPECIFICATIONS

(subject to the approved conditions in the operations manual)



Issuing Authority Contact Details

Telephone: +32 2 277 31 11

E-mail: [info@mobilit.fgov.be](mailto:info@mobilit.fgov.be)

AOC: **B-3052**      Operator Name: **Challenge Airlines (BE) S.A.**

Operations Specifications #: **B744 Issue 7**

Date: **see e-signature**

Signature: **Isabelle PRAT, ir**

Title: **Counsellor,  
Operations Directorate (Head of CAT)**

Aircraft Model:	<b>BOEING B747-400 BCF / ERF</b>			
Registration Marks:	<b>OO-ACE (BCF), OO-ACF (ERF)</b>			
Types of operations: Commercial operations	<input type="checkbox"/> Passengers <input checked="" type="checkbox"/> Cargo <input type="checkbox"/> Others:			
Area of operation:	<b>EUR - NAT – AFI - MID/ASIA-NAM-SAM-CAR (ICAO FIR as specified in ICAO doc 7030)</b>			
Special Limitations:	/			
Specific Approvals:	Yes	No	Specification	Remarks
Dangerous Goods	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Low Visibility Operations Take-off	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RVR: <b>125</b> m	
Approach and Landing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LTS CAT I RVR:    m DA/H:    ft	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CAT II RVR: <b>300</b> m DH: <b>100</b> ft	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OTS CAT II RVR:    m DH:    ft	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CAT IIIA RVR: <b>200</b> m DH: <b>50</b> ft	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CAT IIIB RVR:    m DH:    ft	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CAT IIIC RVR:    m DH:    ft	
RVSM <input type="checkbox"/> N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
ETOPS <input checked="" type="checkbox"/> N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Maximum Diversion Time:    min. NM ; Engine :	
Complex navigation specifications for PBN operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Minimum navigation performance specification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NAT HLA MNPS	

Operations of single-engined turbine aeroplane at night or in IMC (SET-IMC)	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Helicopter operations with the aid of night-vision imaging systems	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Helicopter hoist operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Helicopter emergency medical service operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Helicopter offshore operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Cabin crew training	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Issue of CC attestation	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Use of type B EFB applications	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>List of type B EFB applications : EFBM 1.3.5 EFB hardware : EFBM 1.2</b>	
Continuing airworthiness	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>BE.MG.30</b>	
<b>Others</b>				
Steep approach operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Maximum distance from an adequate aerodrome for two-engined aeroplanes without an ETOPS approval	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Short landing operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Reduced required landing distance	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Operations with increased bank angles	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
CPDLC	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Isolated aerodrome	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Approved aerodromes:	
PBCS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RSP                      RCP	

# Attachment D



Office of the Secretary  
of Transportation

AGENCY DISPLAY OF ESTIMATED BURDEN

The public reporting burden 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 7<sup>th</sup> 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 2-28-2011

**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., S.W., Washington, D.C. 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 7<sup>th</sup> Street, SW, Washington, D.C. 20590

(Please type information, except signatures.)

**THIS CERTIFIES THAT:** CERTAIN LLOYD'S UNDERWRITERS AND VARIOUS INSURANCE COMPANIES VIA MARSH LTD -  
AVIATION & AEROSPACE PRACTICE (AS BROKERS)  
(Name of Insurer)

has issued a policy or policies of Aircraft Liability Insurance to **CHALLENGE AIRLINES (BE) S.A**

**Leige Airport, Rue de L'Aeroport, Building 58, B-4460 Grace-  
Holloigne, Belgium** FAA Certificate Number \_\_\_\_\_

(Name, address and FAA Certificate number of Insured Foreign Air Carrier)

effective from **19th November, 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 **VARIOUS COUNTRIES** 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 49 U.S.C. 40102. (Complete applicable section A, B, or C below):

**A. CANADIAN CHARTER AIR TAXI OPERATIONS 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. \_\_\_\_\_ 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

**B. FOREIGN AIR CARRIERS OPERATING SMALL AIRCRAFT**

The aircraft covered by this policy are SMALL AIRCRAFT (i.e., with 60 or fewer passenger seats or with a maximum payload capacity of 18,000 pounds or less). (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	\$300,000	\$2,000,000
	Passenger Bodily Injury	\$300,000	\$300,000 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.

**C. FOREIGN AIR CARRIERS OPERATING LARGE AIRCRAFT**

The aircraft covered by this policy are LARGE AIRCRAFT (i.e., with more than 60 passenger seats or with a maximum payload capacity of more than 18,000 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	\$300,000	\$20,000,000
	Passenger Bodily Injury	\$300,000	\$300,000 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. **AVNAN1900104** Amount of Coverage **NOT LESS THAN USD 250,000,000**

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

3. The policy or policies listed in this certificate insure(s) (Check One):

Make and Model

FAA or Foreign Flag  
Registration No.

☒ Operations conducted with all aircraft operated by the Insured

☐ Operations conducted with the following types of aircraft:

☐ Operations with the following aircraft: (Use additional page if necessary)

B747-412BCF / REG OO-ACE / MSN 24227 & B747-4EVF / REG OO-ACF / MSN 35169

4. Each policy listed in this certificate meets or exceeds the requirements in 14 CFR Part 205.

MARSH LTD – AVIATION & AEROSPACE PRACTICE

(Name of Insurer)

(Name of Broker, if applicable)

(Address)

1 TOWER PLACE WEST, TOWER PLACE,

(Address)

(City, State, Zip Code)

LONDON EC3R 5BU

(City, State, Zip Code)

Contact (person who can verify the effectiveness of the coverage)

ANDREW M SMITH - AUTHORISED SIGNATORY

(Officer or authorized representative)

/

+44 (0)20-7357-5402 / +44 (0)20-7929-2705

(Area Code, Phone Number)

(Area Code, FAX Number)

(Area Code, Phone Number)

(Area Code, FAX Number)

(Signature, if applicable)

(Signature)

(Date)

15th June, 2020

(Date)

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by electronic mail this 16<sup>th</sup> day of June 2020 on the following:

alex.krulic@delta.com chris.walker@delta.com steven.seiden@delta.com	Delta Airlines
robert.wirick@aa.com john.b.williams@aa.com	American Airlines
dan.weiss@united.com steve.morrissey@united.com amna.arshad@freshfields.com	United Airlines
anita.mosner@hklaw.com marina.obrien@hklaw.com Benjamin.Slocum@hklaw.com	UPS
sllunsford@fedex.com anne.bechdolt@fedex.com sharon.pasley@fedex.com	Federal Express
kevin.montgomery@polaraircargo.com	Polar Air Cargo
rpommer@atlasair.com naveen.rao@atlasair.com	Atlas Air
jcanny@amerijet.com	Amerijet
matwood@cozen.com	Kalitta Air
john@mietuslaw.com	Centurion Air Cargo
Rsilverberg@sbgdc.com jjohnson@sbgdc.com	ABX Air
forsbergap@state.gov	DOT/FAA/State
john.s.duncan@faa.gov	
robert.finamore@dot.gov	
bernice.gray@dot.gov	



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Alexander T. Marriott