

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

	)	
Application of	)	
	)	
VOLGA-DNEPR AIRLINES LLC	)	
	)	Docket OST-2020-
for an exemption pursuant to 49 U.S.C. § 40109(g)	)	
	)	
Fort Worth, TX – Everett, WA or Seattle, WA	)	
Fort Lauderdale, FL – Everett, WA or Seattle, WA	)	
Wichita, KS – Everett, WA or Seattle, WA	)	
Charleston, SC – Everett, WA or Seattle, WA	)	
Everett, WA or Seattle, WA – Charleston, SC	)	
	)	

**VOLGA-DNEPR AIRLINES LLC
APPLICATION FOR AN EXEMPTION**

Communication with respect to this document should be addressed to:

Alexey I. Isaikin
Chairman
Volga-Dnepr Airlines LLC
14 Karbysheva Street
Ulyanovsk 432072
Russia

Mitch Dubner
V.P. Houston Operations Base
Volga Dnepr-Unique Air Cargo, Inc.
9400 Grogan's Mill Road,
Town Center Plaza, Suite 220,
The Woodlands, TX 77381, USA
(832) 585-8611

DATED: April 2, 2020

NOTICE: THIS APPLICATION IS FILED PURSUANT TO THE EMERGENCY EXEMPTION PROCEDURES OF 14 C.F.R. § 302.410, WHICH AUTHORIZE THE DEPARTMENT TO ACT ON EMERGENCY EXEMPTIONS IMMEDIATELY. ANY PERSON INTERESTED IN FILING AN ANSWER IS REQUESTED TO DO SO IN THE ABOVE DOCKET IMMEDIATELY. COPIES OF THE SUBMISSION SHOULD BE SERVED ON THE PERSONS LISTED ABOVE AND ON THE ATTACHED SERVICE LIST.

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**VOLGA-DNEPR AIRLINES LLC
APPLICATION FOR AN EXEMPTION**

Volga-Dnepr Airlines LLC (“Volga-Dnepr Airlines” or “Volga-Dnepr”) respectfully applies for an exemption pursuant to 49 U.S.C. §§ 40109(g) and 41703(c) to permit Volga-Dnepr to operate up to five (5) one-way all-cargo charter flights utilizing Volga-Dnepr’s AN-124-100 aircraft to transport Boeing’s cargo between the following points:

- Between Fort Worth, TX and Everett, WA or Seattle, WA;
- Between Fort Lauderdale, FL and Everett, WA or Seattle, WA;
- Between Wichita, KS and Everett, WA or Seattle, WA;
- Between Charleston, SC and Everett, WA or Seattle, WA;
- Between Everett, WA or Seattle, WA and Charleston, SC.

The flights will take place between April 25 – May 24, 2020

The outsized cargo to be transported on these flights consists of various aircraft parts and components, including Boeing 767 horizontal stabilizers, wing center boxes, upper and lower

lobes, pressure bulkheads, GEnx-1B aviation engines and engine inlets, and B777 thrust reversers and fan cowlings.

The mentioned parts and components have the following dimensions:

- **Boeing 767 horizontal stabilizers** measure approx. L-448" x W-95" x H-156" and weigh approx. 13,000 pounds;
- **Boeing 767 wing center boxes** measure approx. L-318" x W-142" x H-120" and weigh approx. 19,000 pounds;
- **Boeing 767 upper and lower lobes** measure approx. L-264" x W-192" x H-120" and weigh approx. 6,200 pounds each;
- **Boeing 767 pressure bulkheads** measure approx. L-168" x W-168" x H-56" and weigh approx. 3,600 pounds;
- **Boeing 747 pressure bulkheads** measure approx. L-168" x W-168" x H-56" and weigh approx. 3,600 pounds;
- **GEnx-1B engines** on its shipping stand measure approx. L-210" x W-142" x L-149" and weigh approx. 20,000 pounds;
- **GEnx engine inlets** on its shipping stand measure approx. L-158" x W-130" x L-138" and weigh approx. 6,000 pounds;
- **Boeing B777 thrust reversers** measure approx. L-184" x W-156" x H-110" and weigh approx. 6,000 pounds.

In support of its application, Volga-Dnepr states as follows:

1. Volga-Dnepr is a foreign air carrier holding appropriate DOT authority to conduct all-cargo charter foreign air transportation between a point or points in Russia and a point or points in the United States, and all-cargo charter transportation between the United States and third countries pursuant to 14 C.F.R. Part 212.

2. Volga-Dnepr will operate the flights on behalf of The Boeing Company as part of an effort to meet the manufacturer's requirements without causing undue delay in B767, B787,

B747 and B777 production lines. Air transportation of the mentioned aircraft parts and components to the Boeing's production facilities in Everett, WA and Charleston, SC is the best solution to prevent production line delays. Failure to deliver the parts and components by air could delay manufacture and subsequent delivery of Boeing airplanes, which would cause financial harm to the America's biggest manufacturing exporter and its customers. Accordingly, transportation of the aircraft parts by AN-124-100 is necessary.

3. The application meets all of the relevant criteria under 49 U.S.C. § 40109(g) for the grant of an exemption:

(a) Approval of the requested exemption is necessary to enable Volga-Dnepr to respond to an emergency created by unusual circumstances not arising in the normal course of business. Boeing requires the airlift of outsized parts and components to greater Seattle and Charleston areas to address its B767, B787, B747 and B777 production lines stoppage created by delivery delays. The sheer size of each part or component, coupled with the distance between Florida and Washington, Texas and Washington, Kansas and Washington, and South Carolina and Washington excludes the possibility of transporting these units on an expedited basis using surface transportation. In order to avoid unnecessary and costly delays, the parts and components need to be shipped by air, and because no civil aircraft operated by U.S. carriers are capable of carrying such outsized cargo, the only way to resolve this emergency is for the parts to be transported using an AN-124-100 aircraft.

(b) Grant of this application is in the public interest. Transportation of the aircraft parts and components by air will allow major U.S. airplane manufacturer to address production line disruptions as efficiently as possible and will help it meet airplane delivery commitments to customers. Surface transportation of the outsized parts is not an economical or desirable option in this case given the distance between Florida and Washington, Texas and Washington, Kansas and Washington, and South Carolina and Washington coupled with the complications and permitting requirements associated with the truck movement of such large items. Boeing must

take every possible step to avoid production line delays and meet aircraft delivery commitments. Accordingly, it is critical that Volga-Dnepr be authorized to use an AN-124-100 aircraft to address Boeing's requirements for the delivery of the parts to the greater Seattle area.

(c) As previously stated, no U.S. carrier operates aircraft that are able to transport this cargo.

(d) Thus, grant of this exemption application is necessary to avoid unreasonable hardship for the traffic at issue. If the application is not granted, the transportation of the Boeing's aircraft parts and components from Fort Worth, Fort Lauderdale, Wichita, and Charleston to Everett or Seattle, as well as from Everett or Seattle to Charleston will be unnecessarily delayed, adversely affecting Boeing and its customers.

4. Volga-Dnepr's fitness and ability to carry out the proposed transportation has been amply demonstrated through its conduct of number of cargo charter operations on behalf of Boeing in and out of the United States and throughout the world.

5. Grant of this application is consistent with Department precedent. The Department has previously granted exemption authority to permit Volga-Dnepr to conduct commercial flights between U.S. points on numerous occasions where AN-124-100 aircraft were similarly needed to deliver outsized cargo on an emergency basis. The Department has consistently found that approval of such requests is in the public interest. See, e.g., Notice of Action Taken dated February 7, 2017 (DOCKET DOT-OST-2017-0020); Notice of Action Taken dated February 13, 2017 (DOCKET DOT-OST-2017-0025); Notice of Action Taken dated May 2, 2017 (DOCKET DOT-OST-2017-0062); Notice of Action Taken dated May 12, 2017 (DOCKET DOT-OST-2017-0065); Notice of Action Taken dated May 17, 2017 (DOCKET DOT-OST-2017-0067); Notice of Action Taken dated May 23, 2017 (DOCKET DOT-OST-2017-0070); Notice of Action Taken dated May 26, 2017 (DOCKET DOT-OST-2017-0072); Notice of Action Taken dated June 6, 2017 (DOCKET DOT-OST-2017-0074); Notice of Action Taken dated June 13, 2017 (DOCKET DOT-OST-2017-0077); Notice of Action Taken dated June 19, 2017 (DOCKET

DOT-OST-2017-0082); Notice of Action Taken dated June 28, 2017 (DOCKET DOT-OST-2017-0088); Notice of Action Taken dated July 6, 2017 (DOCKET DOT-OST-2017-0091); Notice of Action Taken dated July 17, 2017 (DOCKET DOT-OST-2017-0095); Notice of Action Taken dated July 21, 2017 (DOCKET DOT-OST-2017-0097); Notice of Action Taken dated August 1, 2017 (DOCKET DOT-OST-2017-0103); Notice of Action Taken dated August 31, 2017 (DOCKET DOT-OST-2017-0112); Notice of Action Taken dated September 27, 2017 (DOCKET DOT-OST-2017-0127); Notice of Action Taken dated November 27, 2017 (DOCKET DOT-OST-2017-0190); Notice of Action Taken dated June 1, 2018 (DOCKET DOT-OST-2018-0071); Notice of Action Taken dated June 20, 2018 (DOCKET DOT-OST-2018-0077); Notice of Action Taken dated July 3, 2018 (DOCKET DOT-OST-2018-0086); Notice of Action Taken dated September 5, 2018 (DOCKET DOT-OST-2018-0123); Notice of Action Taken dated September 28, 2018 (DOCKET DOT-OST-2018-0136).

12. Volga-Dnepr requests expeditious processing and the immediate grant of this exemption application. The Department's Procedural Regulations provide that the Department can act on an exemption application immediately. Designated agent for Volga-Dnepr will promptly advise the Department of the responses of the interested U.S. carriers to the telephone poll regarding this application.

WHEREFORE, Volga-Dnepr respectfully requests that the Department issue an exemption permitting it to operate up to five (5) one-way all-cargo cargo charter flights, utilizing Volga-Dnepr's AN-124-100 aircraft, to transport Boeing's cargo between Fort Worth, TX and Everett, WA or Seattle WA; between Fort Lauderdale, FL and Everett, WA or Seattle WA; between Wichita, KS and Everett, WA or Seattle WA; between Charleston, SC and Everett, WA or Seattle, WA; and between Everett, WA or Seattle, WA and Charleston, SC on April 25 – May 24, 2020 as described herein, and grant such further relief as the Department deems to be consistent with the public interest.

Respectfully submitted,



Mitch Dubner

Designated agent for Volga-Dnepr Airlines
(832) 585-8611

Dated: April 2, 2020

CERTIFICATE OF SERVICE

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

A handwritten signature in black ink, appearing to read "Mitch Dubner", is written in a cursive style.

Mitch Dubner

Dated: **April 2, 2020**