



UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, DC

Docket: OST-2002-12503

Served: July 16, 2004

**U.S.-Ecuador All-Cargo Frequencies**

**Notice Inviting Applications**

By this notice we request that all U.S. carriers interested in new or additional frequencies for all-cargo scheduled services to Ecuador file applications, as specified below, with the Department no later than July 30, 2004.<sup>1</sup>

While there are no limitations on the number of U.S. all-cargo carriers that may provide scheduled all-cargo services to Ecuador under the U.S.-Ecuador aviation agreement, there are limitations on the number of weekly frequencies that may be provided. U.S. all-cargo carriers are limited to 30 weekly frequencies. Current frequency allocations for U.S. carriers are as follows: United Parcel Service – 7; Arrow Air – 7; Gemini Air Cargo – 3; Atlas Air – 6; and Florida West – 5. The remaining 2 frequencies are currently unallocated as outlined below.

By Order 2004-3-16, served on March 16, 2004, the Department awarded Evergreen International two frequencies to operate all-cargo services in the U.S.-Ecuador market. The award was subject to the condition that the selected carrier institute its proposed services within 90 days (*i.e.*, no later than June 14, 2004).

By letter dated May 13, 2004, Evergreen gave notice to the Department that it does not intend to implement its proposal to use two all-cargo frequencies. Thus, two U.S.-Ecuador all-cargo frequencies are now available for reallocation by the Department. Before we decide to award the available frequencies, to ensure that we have applications from all interested carriers, we request that all U.S. carriers interested in making use of the available frequencies file applications, as specified below, with the Department no later than July 30, 2004. Answers to applications should be filed by August 6, 2004, and replies should be filed by August 11, 2004.

Carriers without the requisite operating authority should file exemption/frequency allocation applications. Carriers with the requisite underlying authority need only file requests for frequency allocation. Except for the procedural dates, exemption/frequency applications should conform to Part 302, Subpart C of our regulations (14 CFR Part 302). All applications should include, at a minimum, the following information: (a) the market(s) to be served; (b) complete routings from origin to destination of all flights; (c) days scheduled; (d) frequencies requested per market; (e) capacity/type of aircraft to be used; (f) the startup date for the proposed services; and (g) a statement as to whether the aircraft to be used in the proposed schedule are on hand or on

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<sup>1</sup>The U.S.-Ecuador agreement provides that U.S. all-cargo carriers may operate services from the United States via the intermediate points of Mexico City, Mexico; Guatemala City, Guatemala; San Salvador, El Salvador; San Pedro Sula and Tegucigalpa, Honduras; Panama City, Panama; Cali, Bogota, and Medellin, Colombia; to the coterminal points of Quito, Guayaquil, Manta and Latacunga, Ecuador; and beyond Ecuador to Lima, Peru; Santiago, Chile; Buenos Aires, Argentina; La Paz and Santa Cruz, Bolivia; Asuncion, Paraguay; and Rio de Janeiro and Sao Paulo, Brazil.

order, and variation of frequencies/routings by traffic season, if applicable.<sup>2</sup> We note that two carriers, Arrow and Amerijet, have already filed applications in Docket OST-2002-12503.<sup>3</sup> These carriers should, if necessary, update their applications with the information requested in this notice by the established application date, or file a new application, making clear whether such new application supersedes that which was previously filed, or is intended to supplement that which has already been filed. All applications (for operating authority and/or allocation of frequencies) should be filed in Docket OST-2002-12503 with the Department of Transportation, Dockets, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590.<sup>4</sup>

We intend to allocate the available frequencies based on the applications and responsive pleadings filed in response to this notice. We intend to make our decision using written, show-cause procedures in accordance with Part 302 of our regulations (14 CFR Part 302).

We will authorize service of documents by facsimile and by electronic mail. Carriers that are interested in such service, however, should state if they want service by email and should provide interested parties with their fax number and/or email address. We will serve this notice on all certificated U.S. air carriers, the National Air Carrier Association, the Air Transport Association, the U.S. Department of State (Office of Aviation Negotiations), the Federal Aviation Administration (AFS-200), and the Ambassador of Ecuador in Washington DC.

By:

Paul L. Gretch  
Director, Office of International Aviation

(Seal)

Dated: July 13, 2004

*An electronic version of this order is available on the World Wide Web at  
[http://dms.dot.gov/reports/reports\\_aviation.asp](http://dms.dot.gov/reports/reports_aviation.asp)*

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<sup>2</sup>If aircraft are on hand, applicants should indicate where and to what extent those aircraft are currently being used by the applicant. If aircraft are on order, the applicant should indicate when the aircraft will be delivered and how the aircraft will be financed. The applicant should further indicate whether the aircraft to be used comply with FAR-36; if not, they should indicate specific plans for achieving compliance.

<sup>3</sup>Arrow filed a separate "application or re-application" seeking the same U.S.-Ecuador authority in Docket OST-2004-18183. By this notice, we consolidate Docket OST-2004-18183 into Docket OST-2002-12503.

<sup>4</sup>The original filing should be on 8½" x 11" white paper using dark ink (not green) and be unbound without tabs, which will expedite use of our docket imaging system. In the alternative, filers are encouraged to use the electronic submission capability available through the dockets/DMS Internet site (<http://dms.dot.gov>) by following the instructions at the web site.