

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Motion of)
)
CENTURION AIR CARGO, INC.) Docket OST-06-24671
)
for a dormancy waiver)
(Los Angeles-Mexico City/Guadalajara, and))
Miami-Guadalajara)

ANSWER OF ABX AIR, INC.

Comments with respect to this document should be addressed to:

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Dated: September 17, 2007

BEFORE THE
DEPARTMENT OF TRANSPORTATION
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CENTURION AIR CARGO, INC.)	Docket OST-06-24671
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ANSWER OF ABX AIR, INC.

ABX Air, Inc. (“ABX”) hereby answers in opposition to the motion of Centurion Air Cargo, Inc. (“Centurion”), dated September 14, 2007, for a further extension of the 90-day dormancy waiver through December 17, 2007 in connection with the initiation by Centurion of scheduled all-cargo service in the Los Angeles-Mexico City, Los Angeles-Guadalajara and Miami-Guadalajara markets.¹ This is the third such request by Centurion to delay the start of its service in these highly valuable limited-entry U.S.-Mexico markets and therefore ABX urges the Department to deny Centurion’s request.

ABX hereby incorporates by reference all of the arguments it made in its June 12, 2007 answer in opposition to Centurion’s last request, dated May 30, 2007, for an extension of the deadline imposed by the Department on the initiation of Centurion’s scheduled all-cargo service in these U.S.-Mexico markets. In addition, ABX notes that in Centurion’s current motion it practically recites verbatim its prior May 30th motion and therefore Centurion has not provided the Department with any persuasive evidence that it

¹ ABX does not object to a temporary extension of Centurion’s dormancy waiver for the time required for the DOT to consider the merits of this ABX answer in opposition to Centurion’s motion.

has made a diligent effort to meet the DOT's most recent September 17th deadline. The only new piece of information Centurion included in its current motion was to state that on August 22, 2007 the FAA sent a letter to the Mexican DGAC confirming Centurion's authority to operate scheduled all-cargo service to Mexico. *See* Motion of Centurion at 2. Therefore, ABX continues to question whether Centurion is making a good faith effort to obtain scheduled operating authority from the Mexican DGAC and to do so within the timeframe set by the Department for startup of its U.S.-Mexico all-cargo service.

ABX also notes that Centurion has not requested an extension of the waiver of the startup condition imposed on Centurion's exemption authority to provide scheduled all-cargo service in the Miami-Mexico City market. Instead, Centurion states that it is starting service in the Miami-Mexico City market but is treating the flight in this market as non-scheduled. The conduct of non-scheduled service does not meet the startup condition imposed by the Department on Centurion's scheduled all-cargo exemption authority granted by Order 2006-12-18.

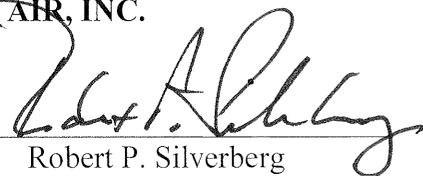
Accordingly, ABX urges the Department to deny Centurion's request for a further extension of the waiver of the 90-day startup condition. ABX respectfully suggests that the Department should withdraw the designations and exemption authority granted to Centurion to provide scheduled all-cargo service in the Los Angeles-Mexico City, Los Angeles-Guadalajara, Miami-Guadalajara and Miami-Mexico City markets and commence a proceeding to select another carrier or carriers to provide scheduled all-cargo service in these valuable limited-entry markets.²

Respectfully submitted,

SILVERBERG, GOLDMAN & BIKOFF, L.L.P.

Attorneys for
ABX AIR, INC.

By:


Robert P. Silverberg

Dated: September 17, 2007

² ABX notes that by Order 2006-12-18, Florida West International Airlines, Inc. ("FWIA") was granted backup exemption authority to the primary exemption authority granted to Centurion to provide scheduled all-cargo service in the Los Angeles-Guadalajara, Miami-Mexico City and Miami-Guadalajara markets. However, by letter dated September 13, 2007, filed in Dockets OST-2005-22151 and OST-2006-24671, counsel for FWIA indicated that it does not intend to institute service between the U.S. and Mexico and therefore does not object to the allocation of its route rights to other U.S. carriers.

CERTIFICATE OF SERVICE

I certify that, on September 17, 2007, I caused to be served by email a copy of the foregoing Answer of ABX Air, Inc. upon those persons listed below:

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