

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Application of)
)
SPIRIT AIRLINES, INC.) Docket OST-2004-17234
)
for an exemption pursuant to)
49 U.S.C. §40109)
(Detroit-Cancun))
)
)

**MOTION OF GRAND HOLDINGS, INC.
d/b/a CHAMPION AIR
FOR LEAVE TO FILE LATE AND ANSWER**

Communications with respect to this document should be sent to:

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March 18, 2004

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Dated: March 18, 2004

**MOTION OF GRAND HOLDINGS, INC.
d/b/a CHAMPION AIR
FOR LEAVE TO FILE LATE AND ANSWER**

Grand Holdings, Inc. d/b/a Champion Air ("Champion Air") respectfully moves for leave to file this Answer. Spirit Airlines was not required to serve its Application on Champion Air and consequently Champion Air learned of the application late. Acceptance of Champion Air's Answer is in the public interest and will insure a full and complete record in this proceeding. No party will be harmed by the acceptance of this Answer.

Champion Air hereby answers in opposition to the application by Spirit Airlines, Inc. submitted on March 2, 2004, requesting exemption authorization to engage in scheduled foreign air transportation of persons, property and mail between Detroit, Michigan and Cancun, Mexico.

As Spirit states in its filing, Page 2 at 5, "Under the terms of the U.S.-Mexico Bilateral Air Service Agreement, the United States may designate up to two U.S. carriers to serve each eligible U.S.-Mexico city pair. At present, Northwest Airlines is designated to provide service between Detroit and Cancun, leaving one additional designation available for allocation." Champion will be submitting a competing application for the remaining one designation available on the Detroit-Cancun city-pair promptly.

Given that with Champion Air's application there will be three mutually exclusive competing applications for one available designation on the Detroit-Cancun city-pair, it is clear the Department has no choice but to conduct a carrier selection proceeding to choose the applicant whose proposal will generate the maximum public benefits, under the principles established by the Supreme Court in Ashbacker Radio Corp. v. the FCC.

Respectfully Submitted,

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March 18, 2004

Certificate of Service

I hereby certify that on March 18, 2004, a copy of the foregoing Application of Champion Air was served via email to the following persons:

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