

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

Application of)
)
MESA AIRLINES, INC)
)
for an exemption pursuant)
to 49 U.S.C. § 40109)
(Phoenix, Arizona – Acapulco, Mexico, and)
Ixtapa/Zihuatanejo, Mexico))
)

Docket DOT-OST-2009-_____

**APPLICATION OF MESA AIRLINES, INC.
FOR AN EXEMPTION
(Phoenix, Arizona – Acapulco, Mexico, and Ixtapa/Zihuatanejo, Mexico)**

Communications with respect to this document should be sent to:

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May 8, 2009

NOTICE: US Airways plans to poll on this application on behalf of Mesa Airlines, Inc., and therefore requests that any parties wishing to support or oppose this application submit their answers on or before May 15, 2009.

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**APPLICATION OF MESA AIRLINES, INC.
FOR AN EXEMPTION
(Phoenix, Arizona – Acapulco, Mexico, and Ixtapa/Zihuatanejo, Mexico)**

Pursuant to 49 U.S.C. § 40109 and Subpart C of the Department’s Rules of Practice (14 C.F.R. Part 302), Mesa Airlines, Inc. (“Mesa”) applies for exemption authority to engage in scheduled foreign air transportation of persons, property, and mail between the terminal point Phoenix, Arizona (“PHX”), and the terminal points Acapulco, Mexico (“ACA”) and Ixtapa/Zihuatanejo, Mexico (“ZIH”). Mesa intends to operate service on these routes under the “US Airways Express” brand name.¹ Accordingly, Mesa requests expedited processing of this application so that it can begin implementing schedule changes and US Airways can begin marketing the services proposed herein as soon as possible.

In support of this application, Mesa respectfully states as follows:

¹ US Airways, Inc. (“US Airways”) intends to codeshare on flights operated by Mesa in this market. US Airways currently provides daily scheduled air service in the PHX-ACA and PHX-ZIH markets using its own aircraft, and already holds authority to provide codeshare service in these markets. (See Notice of Action Taken, September 21, 2007, Docket DOT-OST-2007-29308; see *a/so* Notice of Action Taken, November 1, 2007, Docket DOT-OST-2005-22645 (dismissing, as moot, US Airways’ application to renew its codeshare authority in the Phoenix-Guadalajara market because it held authority to serve that market with its own aircraft.))

1. Mesa is a Nevada corporation with its principal office at 410 North 44th Street, Suite 700, Phoenix, Arizona, 85008.

2. The services proposed in this application will greatly serve the public interest by enabling Mesa to offer consumers enhanced U.S.-Mexico services while supporting commerce and providing substantial competition to other carriers serving Mexico from the United States.

3. In order to initiate this scheduled air service, Mesa requests an exemption from 49 U.S.C. § 41101 and, to the extent necessary, a designation permitting it to engage in scheduled foreign air transportation of persons, property, and mail in the PHX-ACA and PHX-ZIH markets.

4. Mesa is a citizen of the United States within the meaning of 49 U.S.C. § 40102(a)(15)(C) and is fit, willing, and able to provide the services contemplated by this application. Mesa holds various certificates of public convenience and exemption authorities. (See, e.g., Notice of Action Taken, October 22, 2007, Docket DOT-OST-2003-16529 (renewing Mesa's exemption authority to provide scheduled foreign air transportation between Phoenix, Arizona, and Mazatlan, Mexico.) Pursuant to Rule 24 of the Department's Rules of Practice, Mesa requests that the Department take official notice of all information previously filed to establish its fitness.

5. Mesa plans to commence service on September 12, 2009, using Bombardier CRJ-900 aircraft. Mesa will operate this service one day a week, on a seasonal basis.²

² Mesa will operate southbound flights on Saturdays, and northbound flights on Sundays. Mesa would operate this service through November 1, 2009.

6. The December 12, 2005, Amendment to the Air Transportation Services Agreement between the United States and Mexico allows the United States Government to designate up to three (3) airlines to provide air service between points in the United States and Acapulco, and the United States and Ixtapa/Zihuatanejo, Mexico. (See Annex I, Paragraph B, Sub-paragraph 5.)

7. US Airways is the only U.S. carrier currently providing scheduled, non-stop service in the PHX-ACA and PHX-ZIH markets,³ and Mesa is unaware of any other U.S. carriers with authority to serve this market. By granting the requested authority, one designation for a U.S. carrier to provide scheduled air service in the PHX-ACA and PHX-ZIH markets will remain available. Accordingly, the proposed services are consistent with the aviation agreement between the United States and Mexico.

8. Mesa is not a participant in the CRAF program. Furthermore, Mesa submits that its application raises no environmental or energy issues, and anticipates no difficulty in obtaining fuel for this service.

9. Mesa will accept and abide by all terms, limitations, and conditions that the Department normally attaches to exemption authority for scheduled foreign air transportation. Mesa asks that this requested authority be granted for a term of at least two (2) years.

10. Mesa urges the Department to use expedited procedures in approving the authority sought in this application. This will enable US Airways promptly to implement its planned services, secure all necessary local approvals, and engage in advance sales and marketing of its new scheduled air services.

³ See <http://www.oag.com/NorthAmerica/airlineandairport/GetSched.asp>

11. The requisite filing fee is enclosed.

WHEREFORE, Mesa respectfully requests that its application for an exemption and a designation (to the extent necessary), as discussed herein, be granted, as well as such further relief as the Department deems warranted for such services. Mesa further requests that the Department notify the Government of Mexico in writing of the designation of Mesa for the scheduled air services at issue in this application.

Respectfully submitted,

Brian S. Gillman/BTS

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May 8, 2009

CERTIFICATE OF SERVICE

I certify that, on May 8, 2009, I caused to be served a copy of the foregoing Application of Mesa Airlines, Inc. for an Exemption, by email, or first class U.S. mail, postage pre-paid, upon those addressees listed below:

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