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3:00 p.m.



**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

Issued by the Department of Transportation  
on the 10<sup>th</sup> day of August, 1999

Served: August 10, 1999

Applications of

**AVATLANTIC AIRLINES, INC.**

for certificates of public convenience and necessity  
under 49 U.S.C. 41102 to engage in interstate and  
foreign charter air transportation of persons, property,  
and mail

**Dockets OST-99-5133  
OST-99-5134**

**ORDER DISMISSING APPLICATIONS**

On February 22, 1999, AvAtlantic Airlines, Inc., filed applications in Dockets OST-99-5133 and OST-99-5134 for certificates to provide interstate and foreign charter air transportation of persons, property, and mail pursuant to section 41102 of Title 49 of the United States Code (Transportation). The Department advised the applicant that additional information in support of the company's fitness was needed and, on a number of subsequent occasions, AvAtlantic requested and was granted extensions of time to respond. Most recently, AvAtlantic advised us that it was undergoing changes in areas relevant to its fitness. At that time, we notified AvAtlantic that, if it did not complete its applications by August 6, 1999, we would dismiss them without further notice. To date, we have not received the material needed to complete the applications. Under the circumstances, we have decided to dismiss the applications filed by AvAtlantic in the above-noted dockets without prejudice to its filing new applications in the future at such time as it is prepared to fully prosecute them.

**ACCORDINGLY**, Acting under authority assigned by the Department in its Regulations, 14 CFR 385.12:

1. We dismiss, without prejudice, the applications filed by AvAtlantic Airlines, Inc., in Dockets OST-99-5133 and OST-99-5134 requesting certificates authorizing interstate and foreign charter air transportation of persons, property, and mail.
2. We will serve a copy of this order on the persons listed in Attachment A.

Persons entitled to petition the Department for review of this order, under 14 CFR 385.30, may file their petitions within 10 days of the date of service of this order.

The action taken in this order shall be effective immediately, and the filing of a petition for review shall not alter its effectiveness.

By:

**JOHN V. COLEMAN**  
Director  
Office of Aviation Analysis

(SEAL)

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[http://dms.dot.gov/reports/reports\\_aviation.asp](http://dms.dot.gov/reports/reports_aviation.asp)

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