

Served July 22, 1999



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

Issued by the Department of Transportation
on the 20th day of July, 1999

In the matter of the cancellation of the interstate and
foreign charter certificates issued to

GLOBAL AIR CARGO, INC.

Docket OST-97-2683

in accordance with section 204.7 of the Department's
Regulations

ORDER CANCELING CERTIFICATE

Summary

By this order, we are canceling the interstate charter certificate issued to Global Air Cargo, Inc., for reason of dormancy.

Background

By Order 97-11-38, issued November 25, 1997, the Department tentatively found Global Air Cargo, Inc., fit, willing, and able to provide interstate and foreign charter air transportation of property and mail. By Order 97-12-18, issued December 12, 1997, we made final our tentative findings and conclusions and issued an interstate charter certificate to Global Air Cargo. The carrier's foreign charter certificate authority was issued by Order 98-1-12. The effectiveness of these certificates was conditioned upon Global Air Cargo's fulfilling a number of conditions, including providing us with a copy of its Air Carrier Certificate and Operations Specification from the Federal Aviation Administration authorizing such operations and evidence that Global Air Cargo had available funds sufficient to meet the Department's financial fitness criteria.

Section 204.7 of the Department's Aviation Economic Regulations (14 CFR 204.7) provides that, if a company does not institute air transportation operations within one year of being found fit by the Department to do so, its economic authority will be terminated for reason of dormancy. Under this rule, Global Air Cargo's one-year period would have expired on December 12, 1998. However, prior to that date, the company requested and was granted a six-month extension of time (until May 12, 1999) from the one-year "use or lose" requirement of section 204.7. That extension was further extended based on an oral request from the carrier until June 18, 1999. In requesting this extension, Global Air Cargo

agreed that if it was unable to provide evidence of its financing prior to June 18, it would not object to the Department taking action to cancel its certificates for reason of dormancy.¹

Therefore, under these circumstances and in accordance with section 204.7 of our rules, we will cancel the interstate charter certificate issued to Global Air Cargo by Order 97-12-18. Cancellation of Global Air Cargo's foreign charter certificate is subject to Presidential review under 49 U.S.C. 41307 and will be handled in a separate order.

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

1. We cancel the certificate of public convenience and necessity issued by Order 97-12-18 to Global Air Cargo, Inc., authorizing it to conduct interstate charter air transportation of property and mail.²
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 the Department's Regulations, 14 CFR 385.30, may file their petitions within 10 days of the service date of this order.

This order shall be effective and become the final action of the Department of Transportation upon the expiration of the above period unless within such period a petition for review is filed or the Department gives notice that it will review this order on its own motion.

By:

JOHN V. COLEMAN
Director
Office of Aviation Analysis

(SEAL)

*An electronic version of this document is available on the World Wide Web at:
<http://dms.dot.gov>*

¹ Although it had agreed to the cancellation of its certificate authority if it was unable to provide evidence of financing by June 18, the company subsequently requested another short extension of time. In response to this request, the Department allowed Global Air Cargo until July 8, to demonstrate that it was in possession of the required funding. That date has passed without any of the required documentation being supplied, nor has the company contacted the Department requesting a further extension of time in which to file.

² Our action here is without prejudice to the company's filing for new certificate authority in the future.

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