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Order 2000-7-18

Served: July 14, 2000



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

Issued by the Department of Transportation
on the 14th day of July, 2000

In the matter of the revocation of the section
41102 certificates issued to

WINAIR, INC.

in accordance with section 204.7 of the
Department's Regulations

**Dockets OST-97-2936-14
97-2937-14
98-4446-9**

ORDER REVOKING INTERSTATE CERTIFICATES

WINAIR, Inc., based in Salt Lake City, Utah, holds certificate authority under 49 U.S.C. 41102 to engage in interstate and foreign charter and interstate scheduled air transportation of persons, property, and mail.¹ On July 6, 1999, WINAIR ceased all operations for which it held certificate authority and surrendered its air carrier certificate to the Federal Aviation Administration.

By letter dated July 7, 1999, we advised WINAIR that, under the provisions of section 204.7 of our rules (14 CFR 204.7), its certificate authority was automatically suspended as of the date of its cessation of operations. We further advised the carrier that it had one year from the date of its cessation, that is, until July 6, 2000, to be redetermined fit and to recommence operations or its certificates would be revoked for reason of dormancy. We again reminded WINAIR of the revocation-for-dormancy provisions of section 204.7 by letter dated May 8, 2000.

It has now been over a year since WINAIR ceased operations. To date, the carrier has not filed an application to resume operations. Therefore, we have decided to revoke, for reason of dormancy, the section 41102 certificates issued to WINAIR authorizing it to engage in interstate and foreign air transportation of persons, property, and mail. Our action is without prejudice to the company's applying for new certificate authority any time in the future.

¹ See Orders 98-1-19, 98-3-10 and 98-11-24, respectively.

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

1. We revoke the interstate section 41102 charter and scheduled certificates issued to WINAIR, Inc., by Orders 98-1-19 and 98-11-24 for reason of dormancy.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 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:

RANDALL D. BENNETT
Acting Director
Office of Aviation Analysis

(SEAL)

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

² By this order, we revoke only WINAIR'S interstate certificates. Revocation of the certificate authorizing it to engage in foreign charter air transportation is subject to Presidential review in accordance with section 41307 of the Statute and will be handled in a separate order.

SERVICE LIST FOR WINAIR, INC.

LEON CHRISTENSEN
PRESIDENT, WINAIR, INC.
303 NORTH 2370 WEST
SALT LAKE CITY, UTAH 84116

EILEEN M. GLEIMER
COUNSEL FOR WINAIR, INC.
BOROS & GAROFALO, P.C.
SUITE 700
WASHINGTON, DC 20036-2605

DOUGLAS R. HANSON
POI FOR WINAIR, INC.
FAA FSDO
116 NORTH 2400 WEST
SALT LAKE CITY, UTAH 84116

RICHARD DUTTON
ASSISTANT MANAGER, CSET
AFS-900, SUITE 203b
45005 AVIATION DRIVE
DULLES, VA 20166-7537

AMERICAN ASSOC. OF
AIRPORT EXECUTIVE
4224 KING STREET
ALEXANDRIA, VA 22302

PETER LYNCH AGC-300
ASST. CHIEF COUNSEL FOR
ENFORCEMENT
FEDERAL AVIATION ADMIN.
800 INDEPENDENCE AVE. SW
WASHINGTON, DC 20591

BRADLEY D. PEARSON
MANAGER, FLIGHT STANDARDS DIV.
NW MT REGION HEADQUARTERS
1601 LIND AVE. SW
RENTON, WA 98055

DIRECTOR K-25
OFFICE OF AIRLINE INFO
DEPT. OF TRANSPORTATION
400 SEVENTH ST. SW
WASHINGTON, DC 2059

JONI MOUNT
PRODUCT MANAGER
OFFICIAL AIRLINE GUIDES
2000 CLEARWATER DR.
OAK BROOK, IL 60521

JIM ZAMMAR
DIR. OF REV. ACCOUNTING
AIR TRANSPORT ASSOC.
SUITE 1100
1301 PENNSYLVANIA AVE., NW
WASHINGTON, DC 20004

ALLAN MUTTEN
ASST. TREASURER
1530 WILSON BLVD.
SUITE 800
ARLINGTON, VA 22209

GEORGE L. THOMPSON
REGIONAL COUNSEL
NW MT REGION HEADQUARTERS
1601 LIND AVE. SW
RENTON, WA 98055