



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

Issued by the Department of Transportation
on the 11th day of September, 2000

Served: September 14, 2000

In the matter of the revocation of the interstate
scheduled passenger certificate issued to

NATIONS AIR EXPRESS, INC.

in accordance with section 204.7 of the
Department's Regulations

Docket 48729

ORDER REVOKING CERTIFICATE AUTHORITY

Nations Air Express, Inc., holds certificate authority under 49 U.S.C. 41102 to engage in interstate scheduled air transportation of persons, property, and mail.¹ The company conducted operations under its certificate authority until on or about September 1, 1999, when it ceased all operations. Section 204.7 of the Department's Aviation Economic Regulations (14 CFR 204.7) provides that, if a carrier ceases conducting the operations for which it was found fit, willing and able, its authority to conduct such operations is automatically suspended. As a result of its cessation of operations, in accordance with section 204.7 of our rules, Nations Air's authority was automatically suspended.²

Section 204.7 also provides that the authority granted to an air carrier shall be terminated if the carrier has not operated for a one-year period under any authority for which it was found fit. By letter dated May 19, 2000, we reminded Nations Air of the dormancy provisions of section 204.7 of our rules, and stated that, in accordance with the rule, we would revoke its certificate authority for reason of dormancy unless before September 1, 2000, we had received notification of the carrier's intent to have its fitness redetermined and to resume operations.

To date, the carrier has not filed any notice to resume operations. Further, Nations Air has not filed any request for an exemption from the revocation-for-dormancy provisions of our rules.

¹ See Order 98-7-6, served July 8, 1998. This order reissued to Nations Air the interstate scheduled certificate previously issued by Order 95-3-32 to reflect the standard condition relative to service to Love Field now used in such certificates.

² The company was notified of this suspension by letter dated September 17, 1999.

Therefore, under these circumstances and in accordance with section 204.7 of our rules, we have decided to revoke, for reason of dormancy, the section 41102 certificate issued to Nations Air authorizing it to engage in interstate scheduled passenger air transportation.³

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

1. We revoke the interstate scheduled passenger section 41102 certificate issued to Nations Air Express, Inc., by Order 98-7-6 for reason of dormancy.
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.

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

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>*

³ Our action here is without prejudice to the company's filing for new certificate authority in the future.

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