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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 cancellation of the interstate
scheduled certificate issued to

NAC NETWORK, INC.
d/b/a NACNET

in accordance with section 204.7 of the
Department's Regulations

Docket OST-99-6005-5

ORDER CANCELLING CERTIFICATE

NAC Network, Inc. d/b/a NACNET holds certificate authority under 49 U.S.C. 41102 to engage in interstate scheduled air transportation of persons, property, and mail.¹ The company provided air carrier operations under its certificate until October 15, 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, we advised NACNET on February 23, 2000, that its certificate authority was suspended under the provisions of section 204.7 of our rules. Section 204.7 also provides that the authority granted to an air carrier shall be terminated if the carrier does not recommence actual flying operations within one year of the date of its cessation of operations.

On July 20, 2000, we sent NACNET a letter reminding it of the requirements of section 204.7 and the impact of that section on the company's certificate authority if it did not file a notice of its intent to resume certificated operations, and resume those operations by October 15, 2000. The company subsequently advised us that it did not have any plans to resume scheduled service and would not object to the cancellation of its certificate.

We have, therefore, decided to cancel, for reason of dormancy, the section 41102 certificate issued to NACNET authorizing it to engage in interstate air transportation of persons, property,

¹ See Order 99-8-1, issued August 2, 1999.

and mail. Our action is without prejudice to the company's applying for new certificate authority at any time in the future.

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

1. We cancel the interstate scheduled section 41102 certificate issued to NAC Network, Inc. d/b/a NACNET by Order 99-8-1 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.

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/reports/reports_aviation.asp*

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