

119503

Order 2000-12-25
Served: December 29, 2000



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

Issued by the Department of Transportation
on the 26th day of December, 2000

Essential Air Service at

SARANAC LAKE/LAKE PLACID, NEW YORK

Under 49 U.S.C. 41731 *et seq.*

Docket OST-2000-8025 - 3

ORDER EXTENDING SERVICE OBLIGATION

Summary

By this order, the Department of Transportation is extending CommutAir's service obligation at Saranac Lake/Lake Placid, New York, for another 30 days, through February 9, 2001.¹

Background

On September 12, 2000, CommutAir, Inc., filed a 90-day notice of its intent to suspend service at Saranac Lake, effective December 11, 2000. By Order 2000-11-6, November 8, 2000, the Department prohibited CommutAir from suspending service beyond the end of its 90-day notice period, through January 10, 2001, and requested proposals, with subsidy if necessary, from carriers interested in providing replacement service.

Since we have not yet received any proposals in response to our request, it is unlikely this case will be concluded before the end of the current hold-in period. As required by 49 U.S.C. 41734, we will extend CommutAir's service obligation at Saranac Lake for an additional 30 days, or until replacement service actually begins, whichever occurs first.

This order is issued under authority assigned in 14 CFR 385.12(k)(5).

¹ At the time of CommutAir's filing, it operated as USAirways Express. As of December 2, 2000, the carrier has operated as Continental Connection.

ACCORDINGLY,

1. We require CommutAir, Inc., to maintain essential air service at Saranac Lake/Lake Placid, New York, as described in ordering paragraph 2 of Order 2000-11-6, for an additional 30-day period through February 9, 2001, or until a carrier capable of providing reliable replacement service actually begins service, whichever occurs first;²
2. We direct CommutAir to retain all books, records, and other source and summary documentation to support subsidy claims for payment, and to preserve and maintain such documentation in a manner that readily permits its audit and examination by representatives of the Department. Such documentation shall be retained for seven years or until the Department indicates that the records may be destroyed. Copies of flight logs for aircraft sold or disposed of must be retained. The carrier may forfeit its compensation for any claim that is not supported under the terms of this order;
3. Docket OST-2000-8025 will remain open until further order of the Department; and
4. We will serve a copy of this order on the Mayor and Airport Manager of Saranac Lake, New York, and CommutAir, Inc.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.50, must file such petitions within ten (10) days after the date of service of this order.

This order will be effective immediately, and the filing of a petition for review shall not preclude 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>*

² In accordance with 49 U.S.C. 41734(c), we will extend CommutAir's service obligation for successive 30-day periods as necessary until replacement service actually begins.