



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

Issued by the Department of Transportation  
on the 15th day of November, 2000

Essential Air Service at

**HOBBS, NEW MEXICO**

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

**Docket OST-2000-7802 - 2**

**ORDER**

**Summary**

By this order, the Department of Transportation is giving notice that it will take no action to prohibit Mesa Airlines from terminating scheduled air service at Hobbs, New Mexico. The Department is also amending the essential air service determination for Hobbs to require service to either Albuquerque, Dallas/Ft. Worth, or Denver.

**Background**

On August 15, 2000, Mesa Air Group filed a notice of intent of Mesa Airlines to terminate scheduled air service at Hobbs, New Mexico, effective November 13, 2000. At the time of its filing, Mesa was the only carrier providing scheduled service at Hobbs, consisting of three round trips each weekday and each weekend to Albuquerque, New Mexico, all with 19-seat Beech 1900 aircraft. Since that time, Big Sky Transportation Co. has inaugurated service at Hobbs, consisting of two nonstop round trips each weekday and each weekend to Dallas, and one two-stop round trip each weekday and each weekend to Denver. All of Big Sky's service at Hobbs is performed with 19-passenger Metro aircraft. This service has been encouraged and supported with subsidy from the community.

Under 49 U.S.C. 41733, Hobbs' current essential air service determination, set by Order 87-5-77, May 28, 1987, requires at least two nonstop or one-stop round trips each weekday and each weekend to Albuquerque, providing capacity for 12 enplanements. Service must be provided with two pilots and with aircraft having at

least two engines and convenient cabin access through airstair door or similar type access. Except for the fact that the definition requires service to Albuquerque, Big Sky's service provided from Hobbs to Dallas/Ft. Worth (a large hub airport) fully satisfies these requirements.

### **Decision on Essential Air Service Determination**

49 U.S.C. 41733(e) directs the Department periodically to review essential air service determinations and to make adjustments to those determinations as appropriate. The community and State of New Mexico have actively recruited air service to hubs other than Albuquerque, specifically to Dallas/Ft. Worth and incidentally to Denver. Against that backdrop, it would not be logical to conclude that those services do not meet the community's air service needs. In addition, for calendar year 1998, Albuquerque (a medium hub) generated 2,973,187 passenger enplanements, while Dallas/Ft. Worth (one of the four largest domestic hubs) generated 27,718,454 enplanements, and Denver (also a large hub) generated 16,836,869. Perhaps more significantly, Albuquerque accounted for 39,995 aircraft departures scheduled (110 a day), while Dallas/Ft. Worth accounted for 377,286 departures (1,034 a day), and Denver accounted for 173,460 (475 a day).<sup>1</sup>

Based on the above and acting under authority delegated in 49 CFR 1.56(i), we will by this order amend the essential air service determination for Hobbs to require service to either Albuquerque, Dallas/Ft. Worth, or Denver, effective November 13, 2000. The Department will grant interested persons until 60 days from the date of service of this order to submit a petition for reconsideration of the amended determination.

### **Petitions for Reconsideration**

In accordance with the Department's Aviation Procedural Regulations (14 CFR 302.37), interested persons may file petitions for reconsideration of the amended basic essential air service determination for Hobbs issued by this order within 60 days of the date of service of this order. All petitions for reconsideration should be filed with the Office of the Secretary's Docket Section<sup>2</sup> in Docket OST-2000-7802 and should contain specific objections supported with relevant data, stating how the amended determination differs from the statutory requirements for basic essential air service determinations (49 U.S.C. 41731-41733), and stating the levels of basic essential air service that should be designated.

---

<sup>1</sup> Source of passenger enplanement and aircraft departure data: "Airport Activity Statistics of Certificated Carriers, Twelve Months Ending December 31, 1998," Table 3. 1998 is the most recent calendar year for which these data have been published.

<sup>2</sup> Documentary Services Division, Docket Section, SVC-121.30  
Office of the Secretary  
U.S. Department of Transportation  
Room PL401  
400 Seventh Street, S.W.  
Washington, D.C. 20590

**Decision on Air Carrier Notice to Terminate Scheduled Service**

49 U.S.C. 41733 provides that the Secretary of Transportation shall pay subsidy compensation for the provision of essential air service only if such compensation is necessary to maintain basic essential service to the community. Based on that consideration, together with our decision to amend Hobbs' essential air service determination, we will take no action to prohibit Mesa Airlines from terminating its service at Hobbs.

Before Mesa terminates service, we expect it to contact all passengers holding reservations for travel after the suspension date, to notify them of the suspension of service and availability of Big Sky's replacement service, and to assist them in making alternative travel arrangements.

This order is issued under authority delegated in 49 CFR 1.56a(f).

**ACCORDINGLY**

1. Effective November 13, 2000, the Department amends the essential air service determinations for Hobbs, New Mexico, to require service to either Albuquerque, Dallas/Ft. Worth, or Denver;
2. The Department establishes a 60-day period following the date of service of this order for interested persons to submit petitions for reconsideration of the amended determination for Hobbs. Petitions for reconsideration should be submitted in accordance with 14 CFR 325.7 and contain specific objections supported with relevant economic data, stating how the determination departs from the statutory requirements for basic essential air service determinations (49 U.S.C. 41731-41733), and stating the level of essential air service that should be designated. The filing of a petition for reconsideration shall not stay the effectiveness of the new determination;
3. We will take no action to prohibit Mesa Airlines from suspending its service at Hobbs, New Mexico, effective November 13, 2000;
4. Docket 2000-7802 shall remain open until further order of the Department; and

5. We will serve a copy of this order on the Mayor and Airport Manager of Hobbs, New Mexico, the New Mexico State Highway & Transportation Department, and Mesa Airlines.

By:

**FRANCISCO J. SANCHEZ**  
Assistant Secretary for Aviation  
and International Affairs

(SEAL)

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