ORDER 2002-4-23
SERVED: May 2, 2002

165404

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

Issued by the Department of Transportation
on the **29th day of April, 2002**

Essential Air Service at **LAUREL/HATTIESBURG, MISSISSIPPI** under 49 U.S.C. 41731 *et seq.*

Docket OST-2001-10685 - 16

ORDER EXTENDING SERVICE OBLIGATION

Summary

By this order, the Department of Transportation extends Northwest Airlink's service obligation at Laurel/Hattiesburg, Mississippi, for another 30 days, through June 3, 2002.[1]

Background

On September 21, 2001, Express Airlines I, d/b/a Northwest Airlink (Northwest Airlink), filed a 90-day notice of its intent to suspend its subsidy-free service at Laurel/Hattiesburg, Mississippi, effective January 1, 2002. By Order 2001-12-26, December 31, 2001, the Department prohibited Northwest Airlink from suspending service beyond the end of its 90-day notice period, through January 31, 2002, and requested proposals, with subsidy if necessary, from carriers interested in providing replacement service. As required by 49 U.S.C. 41734, we have extended Northwest Airlink's service obligation for additional 30-day periods, the latest through May 3, 2002, by Order 2002-4-1.

On April 1, 2002, Express I petitioned the Department to allow it to immediately reduce its current level of service at Laurel/Hattiesburg from three round trips a day to two, citing the fact that Laurel/Hattiesburg is now served on a nonstop, turnaround basis to Memphis, whereas it had been served over a Laurel/Hattiesburg-Meridian-Memphis routing. By Order 2002-4-5, April 5, 2002, the Department allowed Express I to reduce its level of service to two nonstop round trips a day to Memphis effective immediately.

Although we have received proposals from both Northwest Airlink and Corporate Airlines, this case will not be completed before the end of the current 30-day hold-in period. Thus, in accordance with 49 U.S.C. 41734(c), we will extend Northwest

[1] Since June 2nd is a Sunday, this hold-in period will end on Monday, June 3rd. (See 14 CFR 302.16)

Airlink's service obligation 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).

ACCORDINGLY,

1. We require Express Airlines I, d/b/a Northwest Airlink, to maintain essential air service between Laurel/Hattiesburg and Memphis, Tennessee, as specified in Order 2002-4-5, for an additional 30-day period through June 3, 2002, or until a carrier capable of providing reliable replacement service actually begins service, whichever occurs first;[2]

2. We direct Northwest Airlink 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-2001-10685 will remain open until further order of the Department; and

4. We will serve a copy of this order on the Mayors of Laurel and Hattiesburg, Mississippi, the Executive Director of the Hattiesburg-Laurel Mississippi Regional Airport Authority, and Express Airlines I, d/b/a Northwest Airlink.

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
Director
Office of Aviation Analysis

(SEAL)

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