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Order 2001-8-22

Served: August 29, 2001



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

Issued by the Department of Transportation
on the 24th day of August, 2001

Application of

HEARTLAND AIRLINES, LLC

for a certificate to engage in interstate scheduled air
transportation under 49 U.S.C. 41102

Docket OST-00-7815 -15

ORDER DISMISSING APPLICATION

On August 16, 2000, HeartLand Airlines, LLC, filed an application in Docket OST-00-7815 requesting a certificate pursuant to section 41102 to allow it to engage in interstate scheduled passenger operations, primarily to major East Coast and Midwest business centers from its intended base in Dayton, Ohio.

In November 2000, HeartLand informed us that the funding plan contained in its application had been terminated and, as a result, we advised HeartLand that it would need to file a revised funding plan before we could proceed with our review of its application. By letter dated February 12, 2001, in response to our inquiries as to the status of HeartLand's attempts to develop a new funding plan, HeartLand requested that the Department defer processing of its application indefinitely. By letter dated February 15, 2001, we advised HeartLand that we would grant it a six-month deferral (until August 15, 2001) and, at the end of this time, we would reassess whether any additional deferrals should be granted.

On August 15, 2001, HeartLand advised us that due to market conditions there was no basis for it to request that the Department continue to defer consideration of its application and, hence, HeartLand would not object to the dismissal of its application.

In light of the above, we have decided to dismiss HeartLand's application in Docket OST-00-7815 without prejudice to the company's refiling its application at some future time.

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

1. We dismiss, without prejudice, the application filed in Docket OST-00-7815 by HeartLand Airlines, LLC.
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 the 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
Director
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(SEAL)

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