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Order 2002-8-23



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

Served: August 28, 2002

Issued by the Department of Transportation
on the 23rd day of August, 2002

Essential Air Service at

EXCURSION INLET, ALASKA

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

DOCKET OST-2002-12014 - 4

ORDER EXTENDING SERVICE OBLIGATION

Summary

By this order, the Department is extending L.A.B. Flying Service's service obligation at Excursion Inlet, Alaska, for an additional 30 days, through September 30, 2002.¹

Background

On April 1, 2002, L.A.B. Flying Service, Inc. (L.A.B.), filed a 90-day notice of its intent to suspend its unsubsidized service at Excursion Inlet, Alaska. By Order 2002-7-4, July 2, 2002, the Department prohibited the carrier from suspending service at the community for an initial 30-day period, through July 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 Alaska Seaplane's service obligation for additional 30-day periods, the latest through August 30, 2002, by Order 2002-7-41.

L.A.B. has submitted a proposal; however, this case will not be completed before the end of the current hold-in period, and, as required by 49 U.S.C. 41734, we must continue to hold L.A.B. in for an additional 30-day period.

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

ACCORDINGLY,

1. The Department requires L.A.B. Flying Service, Inc., to maintain essential air service at Excursion Inlet, Alaska, as described in ordering paragraph 2 of Order 2002-7-4, for an

¹ Since September 29th is a Sunday, this hold-in period will end on Monday, September 30th. (See 14 CFR 302.08)

additional 30-day period, through September 30, 2002, or until a carrier capable of providing reliable replacement service actually begins, whichever occurs first;²

2. The Department directs L.A.B. Flying Service to retain all books, records, and other source and summary documents 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-2002-12014 will remain open until further order of the Department; and

4. The Department will serve copies of this order on the Mayors and Airport Managers of Excursion Inlet, the State of Alaska and L.A.B. Flying Service, 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 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)

*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 L.A.B.'s service obligation for successive 30-day periods as necessary until replacement service actually begins.