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Order 2001-7-7

Served: July 17, 2001

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

Issued by the Department of Transportation
on the 12th day of July, 2001

Essential Air Service at **NORFOLK, NEBRASKA** **ALLIANCE and CHADRON, NEBRASKA** **OTTUMWA, IOWA** Under 49 U.S.C. 41731 *et seq.*	**Docket OST-2000-8320** - 7 **Docket OST-2000-8322** - 7 **Docket OST-2000-8323** - 8

ORDER EXTENDING SERVICE OBLIGATION

Summary

By this order, the Department is extending Great Lakes' service obligation at Norfolk, Alliance and Chadron, Nebraska, and Ottumwa, Iowa, for an additional 30 days, through August 15, 2001.

Background

On November 15, 2000, Great Lakes Aviation, Ltd., d/b/a United Express (Great Lakes), filed a series of 90-day notices of its intent to suspend its scheduled air service at the above communities, effective February 13, 2001. By Order 2000-12-8, December 11, 2000, the Department prohibited Great Lakes from suspending service at the communities for an initial 30-day period, through March 15, 2001. That order also requested proposals from carriers interested in providing replacement service. Great Lakes is the only carrier providing scheduled air service at these three communities. As required by 49 U.S.C. 41734, we have extended Great Lakes' service obligation for additional 30-day periods, the latest through July 16, 2001, by Order 2001-6-7.

We have received proposals from Great Lakes for all four communities and from Corporate Airlines for service at Ottumwa and we are in the process of negotiating service and subsidy levels with the carriers. However, 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 Great Lakes' service obligation at the aforementioned communities 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. The Department requires Great Lakes Aviation, Ltd., d/b/a United Express, to maintain its current level of service at Norfolk, Alliance and Chadron, Nebraska, and Ottumwa, Iowa, through August 15, 2001, or until a carrier capable of providing reliable replacement service actually begins, whichever occurs first;[1]

2. The Department directs Great Lakes 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. Dockets OST-2000-8320, OST-2000-8322 and OST-2000-8323, will remain open until further order of the Department; and

4. The Department will serve a copy of this order on the parties listed in the certificates of service of each of the dockets cited in ordering paragraph 3.

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)

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