

167767

Served: May 10, 2002



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

Issued by the Department of Transportation  
 on the 7th day of May, 2002

In the matter of the revocation of the interstate  
 scheduled certificate issued to

**JIM AIR, INC.**

Docket OST-96-1676 -b

in accordance with section 204.7 of the  
 Department's Regulations

**ORDER REVOKING CERTIFICATE**

Jim Air, Inc., holds certificate authority under 49 U.S.C. 41102 to engage in interstate scheduled air transportation of persons, property, and mail.<sup>1</sup> The company conducted operations under its certificate authority until April 30, 2001, when it ceased all operations due to the unavailability of aircraft liability insurance for its operations at an economical cost. Section 204.7 of the Department's Aviation Economic Regulations (14 CFR 204.7) provides that, if a carrier ceases conducting the operations for which it was found fit, willing and able, its authority to conduct such operations is automatically suspended. As a result of its cessation of operations, in accordance with section 204.7 of our rules, Jim Air's authority was automatically suspended.<sup>2</sup>

Section 204.7 also provides that the authority granted to an air carrier shall be terminated if the carrier has not operated for a one-year period under any authority for which it was found fit. By letter dated March 5, 2002, we reminded Jim Air of the dormancy provisions of section 204.7 of our rules, and stated that, in accordance with the rule, we would revoke its certificate authority for reason of dormancy unless before April 30, 2002, we had received notification of the carrier's intent to have its fitness redetermined and to resume operations.

Since that time, while we have informally discussed with Jim Air issues related to its current and future air taxi operations, we have not received from the carrier any request for it to resume scheduled operations under its certificate.

<sup>1</sup> See Order 98-7-6, issued July 8, 1998. This order reissued to Jim Air the interstate scheduled certificate previously issued by Order 97-6-20 to reflect the current format used for such certificates.

<sup>2</sup> The company was notified of this suspension by letter dated April 30, 2001.

Therefore, under these circumstances and in accordance with section 204.7 of our rules, we have decided to revoke, for reason of dormancy, the section 41102 certificate issued to Jim Air authorizing it to engage in interstate scheduled air transportation.<sup>3</sup>

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

1. We revoke the interstate scheduled section 41102 certificate issued to Jim Air, Inc., by Order 98 7 6 for reason of dormancy.
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.

The action taken in this order shall be effective immediately and the filing of a petition for review shall not alter its effectiveness.

By:

**RANDALL D. BENNETT**  
Director  
Office of Aviation Analysis

(SEAL)

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<http://dms.dot.gov>*

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<sup>3</sup> Our action here is without prejudice to the company's filing for new certificate authority in the future.