



Office of the Secretary  
of Transportation

U.S. DEPARTMENT OF TRANSPORTATION  
DOCKET OPERATIONS AND MEDIA MANAGEMENT  
Washington, D.C. 20590

2003-35

**Weekly Summary of Aviation Orders and Regulations  
August 25 - August 29, 2003**

Order	Docket	Summary	Date Action Taken
2003-8-22	UNDOCKETED	<b>Organization and Delegation of Powers and Duties; Commercial Space Launch Act - Amdt. 1-202</b> Order 2003-8-22, the Department (1) grants all U.S. certificated carriers a waiver of the provisions of Section 212.4 to the extent that this section would otherwise prevent the operation of charter flights for the campaign organizations; (2) grants the campaign organizations of the 2004 Democratic and Republican Presidential and Vice Presidential candidates a waiver of Section 212.4 which would otherwise prohibit them from charging and receiving payment for air transportation provided on a single entity charter to Secret Service personnel, members of the press, and other communications media personnel; provided, that the relief granted shall apply only to those campaign organizations registered with the Federal Election Commission; (3) the Department waives the requirements of Section 212.4 to the extent necessary to permit U.S. certificated air carriers to operate charters to and/or from the 2004 Republican and Democratic National Conventions carrying State Delegates and alternates, members of state and national Republican and democratic Committees traveling on official business to the conventions, members of their immediate families, and members of the press; and,	08/20/2003

Continued:

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2003-8-22	UNDOCKETED	(4) the relief granted by this order to operate Presidential campaign charters will expire on November 10, 2004. <b>Served: 08/25/2003</b>	08/20/2003
2003-8-24	OST-2002-12014	<b>L.A.B. Flying Service, Inc. 90-Day Notice to Terminate Essential Air Service at Excursion Inlet, Alaska</b> Order 2003-8-24, the Department extends L.A.B. Flying Service's service obligation at Excursion Inlet, Alaska, for an additional 30 days, through September 29, 2003. <b>Served: 08/29/2003</b>	08/26/2003
2003-8-25	OST-2003-14626	<b>SkyWest Airlines - 90-Day Notice of Intent to Terminate Service at West Yellowstone, Montana</b> Order 2003-8-25, the Department extends the service obligation of SkyWest Airlines, Inc., d/b/a Delta Connection (SkyWest), at West Yellowstone, Montana, for an additional 30 days, through October 2, 2003. <b>Served: 08/29/2003</b>	08/26/2003
2003-8-26	OST-2002-13983	<b>Great Lakes Aviation, Ltd. 90-Day Notice of Intent to Terminate Scheduled Air Service at Grand Island, Nebraska</b> Order 2003-8-26, the Department extends the service obligation of Great Lakes Aviation, Ltd. (Great Lakes), at Grand Island, Nebraska, for an additional 30 days, through October 2, 2003. <b>Served: 08/29/2003</b>	08/26/2003
2003-8-28	OST-2003-14194	<b>Economic Enforcement Consent Orders - 2003</b>	08/28/2003

Order 2003-8-28, the Department (1) approves this settlement and the provisions of this order as being in the public interest; (2) finds that JetBlue Airways violated the requirements of 14 CFR Section 382.21(a)(2) by failing to provide a priority space to stow one passenger's standard-size folded wheelchair in the passenger cabin of its new aircraft with at least 100 seats; (3) finds that JetBlue Airways, in the instances, violated the Air Carrier Access Act, 49 U.S.C. Section 41705; (4) finds that to the extent the violations occurred in interstate air transportation, the conduct violated 49 U.S.C. Section 41702; (5) finds that the violations involved unfair and deceptive practices and thereby violated 49 U.S.C. Section 41712; and, (6) orders JetBlue Airways and its successors and assignees to cease and desist from further violations of 14 CFR Part 382 and 49 U.S.C. Sections 41702, 41705, and 41712.

**Served: 08/28/2003**

2003-8-29

OST-2003-  
14194

**Economic Enforcement Consent  
Orders - 2003**  
Order 2003-8-28, the Department

08/28/2003

(1) approves this settlement and the provisions of this order as being in the public interest; (2) finds that America West violated the requirements of 14 CFR Section 382.21(a)(2) by failing to provide for space to stow one passenger's standard-size folded wheelchair on its aircraft ordered on or before April 5, 1990, or delivered on or after April 5, 1992, with at least 100 passenger seats; (3) finds that America West violated the requirements of 14 CFR Section 382.41(e) by adopting a policy that did not allow a passenger to stow a personal wheelchair in the passenger cabin of its aircraft with closets; (4) finds that America West, violated the Air Carrier Access Act, 49 U.S.C. Section 41705; (5) finds that to the extent the violations occurred in interstate air transportation, the conducted violated 49 U.S.C. Section 41702; (6) finds that the violations involved unfair and deceptive practices and thereby violated 49 U.S.C. Section 41712; and, (7) orders America West and its successors and assigns to cease and desist from further violations of 14 CFR Part 382 and 49 U.S.C. Sections 41702, 41705, and 41712.

**Served: 08/28/2003**

2003-8-30

OST-2003-  
14194

**Economic Enforcement Consent  
Orders - 2003**

08/28/2003

Order 2003-8-30, the Department approves this settlement and the provisions of this order as being in

the public interest; (2) finds that Southwest Airlines violated the requirements of 14 CFR 382.21(a)(2) by failing to provide space to stow one passenger's standard-size folding wheelchair in the passenger cabin of its aircraft ordered by Southwest after April 5, 1990, or delivered to Southwest after April 5, 1992; (3) finds that to the extent the violations occurred in interstate air transportation, the conduct violated 49 U.S.C. Section 41702; (4) finds that the violations involved unfair and deceptive practices and thereby violated 49 U.S.C. Section 41712; and, (5) orders Southwest Airlines and its successors and assigns to cease and desist from further violations of 14 CFR 382.21(a)(2) and 49 U.S.C. Sections 41702, 41705, and 41712.  
**Served: 08/28/2003**

2003-8-31

OST-1996-1899

**96-10-39 Order to Show Cause Essential Air Service - Kingman and Prescott, Arizona**

08/29/2003

Order 2003-8-31, the Department sets final subsidy rates, retroactive to October 1, 2001, until further Department action, for Mesa Air Group, on behalf of its subsidiary, Air Midwest, for its provision of essential air service (EAS) for Kingman and Prescott, Arizona.  
**Served: 08/29/2003**