



Office of the Secretary  
of Transportation

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

2004-20

**Weekly Summary of Aviation Orders and Regulations  
May 10 - May 14, 2004**

<b>Order</b>	<b>Docket</b>	<b>Summary</b>	<b>Date Action Taken</b>
2004-5-7	OST-2004-17121	<b>Application of Allegiant Air, Inc. Disclaimer of Jurisdiction/Reissuance of Certificate/Approval of Transfer of Certificate</b> Order 2004-5-7, the Department (1) confirms the oral action of March 15, 2004, disclaiming jurisdiction over the transfer of the interstate scheduled passenger certificate issued to Allegiant Air, Inc., to Allegiant Air, LLC; and, (2) reissues the carrier's interstate certificate in the new name. <b>Served: 05/10/2004</b>	05/05/2004
2004-5-10	OST-2002-13089	<b>United Parcel Service Co. Petition to Institute a Public Inquiry Into the Citizenship and Foreign Control of DHL Airways, Inc.</b> Order 2004-5-10, the Department denies the petition for discretionary review. As a result, the Department will allow Judge Kolko's Recommended Decision, which finds that ASTAR is a U.S. citizen, to become the Department's final decision in this proceeding. <b>Served: 05/13/2004</b>	05/13/2004

2004-5-11

OST-2004-  
16943

**Economic Enforcement Consent  
Orders - 2004**

05/13/2004

Order 2004-5-11, the Department (1) approves the settlement and the provisions of this order as being in the public interest; (2) finds that Premier Aircraft Management, Inc., violated 49 U.S.C. Section 41301 and 14 CFR Part 375, as by engaging in air transportation without appropriate economic authority; (3) finds that Premier Aircraft Management, Inc., violated 49 U.S.C. Sections 41301 and 41703, by holding out and performing air transportation for compensation or hire between points entirely within the United States; (4) finds that by engaging in the conduct, Premier Aircraft Management, Inc., engaged in an unfair and deceptive practice and an unfair method of competition in violation of 49 U.S.C. Section 41712; and, (5) Premier Aircraft Management, Inc., and all other entities owned and controlled by, or under common ownership and control with Premier Aircraft Management, Inc., and their successors and assignees, are ordered to cease and desist from engaging in air transportation without appropriate authority and, in particular, further violations of 49 U.S.C. Sections 41301, 41703, and 41712 and 14 CFR Part 375.

**Served: 05/13/2004**

2004-5-12

OST-2004-  
16943

**Economic Enforcement Consent  
Orders - 2004**

05/13/2004

Order 2004-5-12, the Department (1) approves the settlement and the provisions of this order as being in the public interest; (2) finds that Brendan Airways d/b/a USA3000 Airlines violated 14 CFR 399.84 by causing to be published airfares in newspaper advertisements in which the carrier's own fuel surcharge was stated separately from the base fare; (3) finds that by engaging in the conduct and violation, Brendan Airways d/b/a USA3000 Airlines also engaged in unfair and deceptive practices and unfair methods of competition in violation of 49 U.S.C. Section 41712; and, (4) Brendan Airways d/b/a USA3000 Airlines and all other entities owned and controlled by, or under common ownership and control of Brendan Airways d/b/a USA3000 Airlines and their successors and assignees, are ordered to cease and desist from future violations of 14 CFR 399.84 and 49 U.S.C. Section 41712.

**Served: 05/13/2004**