



Office of the Secretary
of Transportation

U.S. DEPARTMENT OF TRANSPORTATION
DOCKETS
Washington, D.C. 20590

98-38

Weekly Summary of Orders and
Regulations

SEPTEMBER 14 – SEPTEMBER 18, 1998

Order	Docket	Summary	Date Action Taken
-------	--------	---------	-------------------

(#) Published in the Federal Register.

98-9-11	OST-998-3843 OST-98-3704 OST-98-3703	<p>ESSENTIAL AIR SERVICE AT FAIRMONT, MINNESOTA; NORFOLK, NEBRASKA; YANKTON, SOUTH DAKOTA</p> <p>The Department requires Great Lakes Aviation, Ltd.,d/b/a United Express, to maintain essential air service at Fairmont, Minnesota, Norfolk, Nebraska, and Yankton, South Dakota, as set forth in Appendix C of Order 98-5-19, for an additional 30-day period through September 23, 1998, or until a carrier capable of providing reliable replacement service actually begins service, whichever is first.</p> <p>Served 9-18-98</p>	9-14-98
98-9-12	OST-97-2605	<p>ESSENTIAL AIR SERVICE AT GLASGOW, MONTANA; GLENDIVE, MONTANA; HAVRE, MONTANA; LEWISTOWN, MONTANA; MILES CITY, MONTANA; SIDNEY, MONTANA; WOLFPOINT, MONTANA UNDER 49 U.S.C. 41731 <i>et seq.</i></p> <p>The Department is tentatively reselecting Big Sky Transportation Co., d/b/a Big Sky Airlines, to provide essential air service at the seven Montana communities named above for the two-year period beginning December 1, 1998, at an annual subsidy rate of \$4,697,222, and providing for objections or competing proposals from other interested carriers. Such objections or competing service proposals are to be filed no later than 20 days from the date</p>	9-14-98

Order	Docket	Summary	Date Action Taken
		Continued..... Continued.....	
98-9-12	OST-97-2605	of service of this order. If they are received within the 20-day period, Big Sky will be compensated at the subsidy rate set forth in ordering paragraph 2 as a final rate until all objections are resolved. Served 9-18-98	9-14-98
		Intervening number appeared in a previous issue	
98-9-14	OST-98-4011	ESSENTIAL AIR SERVICE A IDAHO FALLS, IDAHO; JACKSON, WYOMING UNDER 49 U.S.C. 41731 <i>et seq.</i> The Department permits Delta Air Lines, Inc., to suspend all scheduled air service at Idaho Falls, Idaho, and Jackson, Wyoming. Served 9-21-98	9-14-98
98-9-15	49087	IN THE MATTER OF THE REVOCATION OF THE INTERSTATE SCHEDULED AIR TRANSPORTATION CERTIFICATE ISSUED UNDER 49 U.S.C. 41102 TO MAHALO AIR, INC. PURSUANT TO THE PROVISIONS OF SECTION 204.7 OF THE DEPARTMENT'S AVIATION REGULATIONS The Department, acting under authority assigned in its Regulations, 14 CFR 385.12, revokes, without prejudice, the interstate scheduled certificate issued to Mahalo Air, Inc., by Order 94-9-33. Served 9-22-98	9-16-98

Order	Docket	Summary	Date Action Taken
98-9-16	OST-97-2935 OST-97-2401 OST-97-2402	<p>EMERGENCY REQUEST FOR PROPOSALS AT EL DORADO/CAMDEN, ARKANSAS; JONESBORO, ARKANSAS; HARRISON, ARKANSAS; HOT SPRINGS, ARKANSAS; ENID, OKLAHOMA; PONCA CITY, OKLAHOMA; BROWNWOOD, TEXAS UNDER 49 U.S.C. 41731 <i>et seq.</i></p> <p>The Department places Exec Express II, d/b/a Aspen Mountain Air (AMA, formerly Lone Star Airlines) on notice that it may not suspend essential air service (EAS) at the communities captioned above until it has first fully complied with the 90-day notice provision of 49 U.S.C. 41734, and then only when a replacement carrier actually begins service. The Department also requests proposals to provide emergency replacement service at the seven communities within ten (10) days of the issue date of this order. (See Appendix A for a map.)</p> <p>Served 9-23-98</p>	9-16-98
98-9-17	OST-98-4423	<p>ESSENTIAL AIR SERVICE AT BEMIDJI, MINNESOTA; BRAINERD, MINNESOTA; DULUTH/SUPERIOR, MINNESOTA; EAU CLAIRE, WISCONSIN; FT. DODGE, IOWA; GREENVILLE, MISSISSIPPI; GRAND FORKS, NORTH DAKOTA; HIBBING/CHISHOLM, MINNESOTA; HOUGHTON/HANCOCK, MICHIGAN; INTERNATIONAL FALLS, MINNESOTA; JACKSON, TENNESSEE; LAUREL/HATTIESBURG, MISSISSIPPI; OWENSBORO, KENTUCKY; ROCKFORD, ILLINOIS; MUSCLE SHOALS, ALABAMA; THIEF RIVER FALLS, MINNESOTA; WATERTOWN, SOUTH DAKOTA UNDER 49 U.S.C. 41731 <i>et seq.</i></p> <p>The Department is vacating Order 98-9-8, which directed Mesaba Aviation, Inc. and Express Airlines I to reinstate Essential Air</p> <p>Continued.....</p> <p>Continued.....</p>	9-17-98

Order	Docket	Summary	Date Action Taken
98-9-17	OST-98-4423	Service at 17 communities and directed Northwest Airlines to provide the requisite support services to both carriers. Served 9-24-98	9-17-98
98-9-18	OST-98-3895 OST-98-3896 OST-98-4412	<p data-bbox="683 468 1295 804">APPLICATIONS OF RELIANT AIRLINES, INC. FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER 49 U.S.C. 41102 TO ENGAGE IN INTERSTATE AND FOREIGN CHARTER AIR TRANSPORTATION OF PROPERTY AND MAIL; APPLICATION OF RELIANT AIRLINES, INC. FOR AN EXEMPTION FROM 14 CFR 201.5</p> <p data-bbox="683 810 1295 1549">The Department tentatively finds that Reliant Airlines, Inc. (Reliant) is a citizen of the United States and is fit, willing, and able to provide interstate and foreign charter air transportation of property and mail as a certificated air carrier and therefore directs all interested persons to show cause why it should not issue an order making final the tentative findings and conclusions. Interested persons with objections to the issuance of a final order are directed to file such objections with the Department of Transportation no later than 14 days after the service date of this order. Answers to objections shall be filed no later than 7 days thereafter. An exemption from the requirements of Section 201.5 of the Departmental rules to the extent necessary to allow the company to carry revenue cargo on FAA proving run flights is granted to Reliant Airlines, Inc.</p> <p data-bbox="683 1556 1295 1623">Served 9-17-98 (#)</p>	9-17-98
98-9-19	OST-98-3615	COMPLAINT OF US AIRWAYS, INC. AGAINST THE GOVERNMENT OF THE	9-18-98

Order	Docket	Summary	Date Action Taken
		<p>UNITED KINGDOM UNDER 49 U.S.C. SECTION 41310 the Department grants the motion of US Airways, Inc., to dismiss its complaint against the Government of the United Kingdom, without prejudice to refiling, and terminates the proceeding in the captioned docket Served 9-25-98</p>	
98-9-20	OST-98-3404 OST-98-3479	<p>APPLICATIONS OF AERO MICRONESIA, INC. d/b/a ASIA PACIFIC AIRLINES FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER 49 U.S.C. 41102 TO ENGAGE IN INTERSTATE AND FOREIGN CHARTER AIR TRANSPORTATION OF PROPERTY AND MAIL</p> <p>The Department tentatively finds that Aero Micronesia, Inc. d/b/a Asia Pacific Airlines is a citizen of the United States and is fit, willing, and able to provide interstate and foreign charter air transportation of property and mail and should be issued certificates of public convenience and necessity for such operations and therefore directs all interested persons to show cause why orders making final the tentative findings and conclusions stated should not be issued to Aero Micronesia. Interested persons having objections to the issuance of orders making final any of the proposed findings, conclusions, or the certificate award set forth are directed to file them with the Department of Transportation Dockets. The motion of Aero Micronesia, Inc. d/b/a Asia Pacific Airlines, for confidential treatment of documents to the extent discussed in this order is granted. To the extent not granted, its request is denied; and motions of Aero</p> <p>Continued..... Continued.....</p>	9-18-98
98-9-20	OST-98-3404	Micronesia, Inc. and Trans Pacific Leasing	9-18-98

Order	Docket	Summary	Date Action Taken
-------	--------	---------	-------------------

OST-98-3479

Corporation to file unauthorized documents is also granted. Petitions for reconsideration of the Rule 39 determination in this order or a statement of intent to seek judicial review are due on the fifth business day after service of this order. Answers to petitions for reconsideration to the Rule 39 determination are due five calendar days thereafter.
 Served 9-18-98
 (#)