



Office of the Secretary  
of Transportation

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

99-4

Weekly Summary of Orders and  
Regulations

JANUARY 25 – JANUARY 29, 1999

Order	Docket	Summary	Date Action Taken
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(#) Published in the Federal Register.

99-1-7	UNDOC'D	<p>FITNESS DETERMINATION OF EDELWEISS HOLDINGS, INC. D/B/A EDELWEISS AIR D/B/A RIO GRANDE AIR AS A COMMUTER AIR CARRIER UNDER SECTION 49 U.S.C. 41738: The Department, acting under authority assigned in its Regulations 14 CFR 385.12(a)(5)(iv) and (b)(1): (1) confirms its oral action of January 14, 1999, making the Commuter Air Carrier Authorization issued to Edelweiss Holdings, Inc. d/b/a/ Edelweiss Air, d/b/a/ Rio Grande Air effective on that same date and: (2) reissues to Edelweiss Holdings, Inc. the Commuter Air Carrier Authorization issued to it by Order 98-12-31, to reflect its effective date. Served: January 22, 1999</p>	1-20-99
99-1-8	OST-98-4837	<p>ESSENTIAL AIR SERVICE AT BANGOR, MAINE UNDER 49 U.S.C. 41731 <i>et seq.</i>: The Department takes no action to prohibit Delta Air Lines, Inc., from terminating all scheduled air service at Bangor, Maine, as of March 2, 1999. Served: January 25, 1999</p>	1-21-99

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99-1-9	OST-98-3843 OST-98-3704 OST-98-3703	<p>ESSENTIAL AIR SERVICE AT FAIRMONT, MINNESOTA; NORFOLK, NEBRASKA; YANKTON, SOUTH DAKOTA UNDER 49 U.S.C. 41713 <i>et seq.</i>: 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 February 22, 1999, or until a carrier capable of providing reliable replacement service actually begins service, whichever is first. Served January 25, 1999</p>	1-21-99
99-1-10	OST-99-5011	<p>COMPLAINT OF NORTHWEST AIRLINES, INC. AGAINST THE COUNCIL OF THE EUROPEAN UNION AND THE GOVERNMENTS OF THE 15 EU MEMBER STATES UNDER 49 U.S.C. SECTION 41310: The Department invites interested persons to file answers to the complaint of Northwest Airlines, Inc., in Docket OST-99-5011, no later than February 5, 1999; and if answers are filed, replies to those answers should be filed no later than February 12, 1999. Both should be served upon the persons named in ordering Paragraph 4. Served: January 25, 1999</p>	1-22-99
99-1-11	OST-99-5035	<p>IN THE MATTER OF EXPANDED AIR SERVICES AT ALASKA INTERNATIONAL AIRPORTS: The Department announces steps designed to permit expanded activities at international airports in the State of Alaska. Therefore, interested parties are directed to show cause why the tentative decision set forth should</p>	1-22-99

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Order	Docket	Summary	Date Action Taken
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99-1-11	OST-99-5035	not be made final. Objections to the tentative finds and conclusions should be filed no later than fourteen (14) calendar days after the date of service of this order. Served: January 26, 1999	1-22-99
99-1-12	OST-99-4984	The Department approves and grants antitrust immunity to the IATA Agreement, subject, where applicable, to conditions previously imposed which concerns proportional fares, established under the provisions of Resolution 015h, which are used to construct through fares between interior U.S. points and the United Kingdom. As part of an automated biannual review process under that resolution, the agreement revises add-on fare levels for approximately 360 U.S. cities to be used in constructions over a total of 22 U.S. gateways to reflect changes in U.S. domestic fares. Served: January 27, 1999	1-25-99
99-1-13	OST-98-4538	APPLICATION OF NATIONAL AIRLINES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER 49 U.S.C. 41102 TO ENGAGE IN INTERSTATE SCHEDULED AIR TRANSPORTATION OF PERSONS, PROPERTY AND MAIL: The Department tentatively finds that National Airlines, Inc., is a citizen of the United States and is fit, willing, and able to provide interstate scheduled air transportation of persons, property, and mail and should be issued a certificate of public convenience and necessity for such operations. Therefore, interested persons are directed to show cause why the Department should not issue an order making final the tentative findings and	1-26-99
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Order	Docket	Summary	Date Action Taken
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99-1-13	OST-98-4538	<p>conclusions stated and award a certificate to National Airlines, Inc. Interested persons having objections should file them no later than 14 calendar days after the service date of this order; answers to objections shall be filed no later than 7 calendar days thereafter.  Served: January 26, 1999  (#)</p>	1-26-99
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99-1-14	UNDOC'D	<p>SOBELAIR, S.A./N.V. VIOLATIONS OF 49 U.S.C. 41708 AND 14 CFR PART 217 AND 250:  The Department approves this settlement and the provisions of this order as being in the public interest and finds that Sobelair, S.A./N.V. has violated 14 CFR Parts 217 and 250 by failing to file reports in a timely manner. By engaging in the conduct and violations described, Sobelair, S.A./N.V. has also violated 49 U.S.C. 41708. Therefore, Sobelair, S.A./N.V., and all other entities owned or controlled by or under common ownership with Sobelair, S.A./N.V., and their successors and assignees, are ordered to cease and desist from violations of 49 U.S.C. 41708 and 14 CFR Part 217 and 250 and is assessed \$15,000 in compromise of civil penalties that might otherwise be assessed for the violations found in the ordering paragraphs.  Served: January 28, 1999</p>	1-28-99
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99-1-15	OST-98-3843 OST-97-2785 OST-98-3703 OST-97-2785 OST-97-2785 OST-98-3704	<p>ESSENTIAL AIR SERVICE AT FAIRMONT, MINNESOTA; BROOKINGS, SOUTH DAKOTA; YANKTON, SOUTH DAKOTA; DEVILS LAKE, NORTH DAKOTA; JAMESTOWN, NORTH DAKOTA; NORFOLK, NEBRASKA UNDER 49 U.S.C. 41731 <i>et seq.</i>:            The Department is setting a final annual subsidy rate of \$4,794, 180 for Great Lakes Aviation, Ltd., d/b/a United Express, for its provision of subsidized essential air service (EAS) at Fairmont, Minnesota, Brookings and Yankton, South Dakota, Devils Lake and Jamestown, North Dakota, and Norfolk, Nebraska, from September 28, 1998, until further Department action, but no later than April 1, 1999.            Served: February 1, 1999</p> <p><b>RULEMAKINGS:</b></p> <p>NOTICE OF WITHDRAWAL</p>	1-2-99
	OST-95-248 (50053)	<p>AMENDMENTS TO THE ON-TIME DISCLOSURE RULE:            The Office of the Secretary is withdrawing its rulemaking proposal to revise the on-time flight performance reporting requirements. The Department had proposed to re-establish the exclusion of flights delayed or cancelled due to mechanical problems. This withdrawal of the rule is taken in response to comments made to the notice of proposed rulemaking by consumers groups, safety experts and various airlines.</p>	1-26-99