

Order 98-10-10
Served October 16, 1998



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

Issued by the Department of Transportation
on the 9th day of October, 1998

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

**NAVCOM AVIATION II, INC.
D/B/A PRESTIGE AIRWAYS**

Docket OST-96-988

in accordance with section 204.7 of the Department's
Regulations

ORDER REVOKING CERTIFICATE

Summary

By this order, we are revoking the interstate scheduled air transportation certificate held by Navcom Aviation II, Inc. d/b/a Prestige Airways (Prestige) pursuant to the Department's rules (14 CFR 204.7) which provide for the revocation of a carrier's certificate if, following a cessation of all operations, it fails to have its fitness reestablished and resume operations within one year.

Background

Prestige was issued a certificate to engage in interstate scheduled air transportation of persons, property, and mail by Order 95-3-5.¹ The carrier conducted operations under this authority until it ceased all operations on April 24, 1997, after its aircraft was voluntarily returned to the lessor.

By letter dated April 27, 1997, we notified Prestige that, in accordance with the provisions of section 204.7, its certificate authority was automatically suspended and, if it did not file a notice of intent to resume operations along with updated fitness information by April 24, 1998 (one year from the date of cessation), its certificate would be revoked. On February 18, 1998, we reminded Prestige that the date by which it must file a notice of intent to

¹ This certificate was reissued by Order 96-2-4 to reflect a change in the carrier's name.

resume operations was near. We also advised Prestige that, if it could not file its notice of intent to resume operations by April 24, it could, if “good cause” were shown, request an exemption from the revocation provisions of section 204.7.

On April 24, 1998, Prestige filed in Docket OST-98-3769 a request for an exemption from the revocation provisions of section 204.7 to allow it until August 24, 1998, to complete efforts to obtain sufficient capital investment and begin the Federal Aviation Administration (FAA) certification process to resume flight operations.

After evaluating the applicant’s filing, and considering that no objections to Prestige’s application had been received, the Department, by Order 98-6-28, served June 30, 1998, granted the carrier a six-month waiver from the revocation provisions of section 204.7 until October 26, 1998, to have its fitness redetermined and resume operations, provided Prestige first filed all the information required for a fitness redetermination by August 24, 1998.

On August 21, the FAA advised us that Prestige’s Director of Maintenance had resigned, its Director of Quality of Assurance had taken a leave of absence, and its Director of Operations was expected to resign soon. In addition, the date given to Prestige to file the necessary fitness information, August 24, passed without the carrier being able to supply the requested data. By letter dated September 11, 1998, Prestige stated it was surrendering its economic authority for cancellation.

In light of the above, we revoke for reason of dormancy Prestige’s certificate authority at this time. This action is without prejudice to the company’s reapplying for such authority in the future.

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 Navcom Aviation II, Inc. d/b/a Prestige Airways by Order 95-3-5, as reissued by Order 96-2-4, 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.

This order shall be effective and become the final action of the Department of Transportation upon the expiration of the above period unless within such period a petition for review is filed or the Department gives notice that it will review this order on its own motion.

By:

JOHN V. COLEMAN
Director
Office of Aviation Analysis

(SEAL)

*An electronic version of this document is available on the World Wide Web at:
<http://dms.dot.gov>*

SERVICE LIST FOR
NAVCOM AVIATION II INC.,
D/B/A PRESTIGE AIRWAYS

DR ELIJAH JACKSON
PRESIDENT
NAVCOM AVIATION II INC
D/B/A PRESTIGE AIRWAYS
9815 GODWIN DRIVE
MANASSAS VA 20110

AMER ASSOC OF ARPT EXECS
4224 KING STREET
ALEXANDRIA VA 22302

Attachment A

MR EDDIE L THOMAS
ASST CH COUNSEL ASO-7
FAA SOUTHERN REGION HDQTRS
PO BOX 20636
ATLANTA GA 30320

MR RICHARD A NELSON
OFFICIAL AIRLINE GUIDES
2000 CLEARWATER DR
OAK BROOK IL 60521

MR RICK PARROTTINO
FAA FSDO
#2 INTER'L PLAZA DR
SUITE 700
NASHVILLE TN

MR W MICHAEL SACREY
MGR FLT STAND DIV ASO-200
FAA SOUTHERN REGION HDQTRS
PO BOX 20636
ATLANTA GA 30320

MR JIM ZAMMAR
DIR OF REV ACCOUNTING
AIR TRANSPORT ASSOC
1301 PENNSLY AVE NW STE 1100
WASHINGTON DC 20004

MR LEE BAUER
COUNSEL FOR
PRESTIGE AIRWAYS
ROLLER & BAUER PLLC
1350 EYE ST NW STE 200
WASHINGTON DC 20005

MR QUENTIN SMITH AFS-200
MGR AIR TRANSP DIV
OFFICE OF FLIGHT STDS
FEDERAL AVIATION ADMIN
800 INDEPENDENCE AVE SW
WASHINGTON DC 20591

MR ALLAN MUTEN
ASST TREASURER
AIRLINES REPORTING CORP
1530 WILSON BLVD STE 800
ARLINGTON VA 22209

MR LOUIS CUSIMANO AFS-900
MANAGER
FLT STANDS CERT PROG OFFICE
FEDERAL AVIATION ADMIN
45005 AVIATION DR STE 131
DULLES VA 20166

MR TIM CARMODY K-25
DIR OFF OF AIRLINE INFO
DEPT OF TRANSP
400 SEVENTH ST SW
WASHINGTON DC 20590

MR PETER LYNCH AGC-300
ASST CH COUNSEL
FOR ENFORCEMENT
FEDERAL AVIATION ADMIN
800 INDEPENDENCE AVE SW
WASHINGTON DC 20591