

Served: March 17, 1999



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

Issued by the Department of Transportation  
on the 15th day of March, 1999

Application of

**SUN JET INTERNATIONAL, INC.**

to resume operations pursuant to 14 CFR 204.7

**Docket OST-98-3957**

**ORDER CONFIRMING ORAL ACTION AND REISSUING CERTIFICATE**

By Order 99-2-13, issued February 12, 1999, the Department found Sun Jet International, Inc., fit to resume its interstate passenger charter air transportation operations. That same order also reissued the carrier's certificate to reflect (1) the addition of the trade name "Southeast Airlines" in the company's operations, and (2) the terms and conditions currently contained in interstate passenger charter certificates.

The authority in that order was to be effective six (business) days after Sun Jet fulfilled certain conditions. Specifically, the carrier was required to provide (1) evidence of FAA authority to conduct its prospective operations; (2) evidence that it had obtained required liability insurance coverage; (3) a statement of any changes since the show-cause order in this case was issued;<sup>1</sup> and (4) evidence that the company's available financial resources were sufficient to meet our financial test.

During the period February 9-12, Sun Jet provided documentation relative to the above requirements. These documents showed that the carrier had obtained liability insurance coverage meeting our requirements, had undergone no material changes in fitness areas since the issuance of Order 99-2-3, and continued to have financial resources sufficient to meet our financial test. Finally, the carrier provided copies of its Air Carrier Certificate and Operations Specifications showing that the FAA had authorized Sun Jet to resume operations.

In submitting its effectiveness documents, Sun Jet requested that the Department waive the six-day waiting period and make its authority effective immediately. In this regard, Sun Jet advised us that during the preceding week it had received several requests for its services over the

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<sup>1</sup> See Order 99-2-3, issued February 2, 1999.

upcoming weekend as a result of an on-going pilot sick out involving American Airlines.<sup>2</sup> Since our review of the documentation provided by Sun Jet was satisfactory, we orally advised Sun Jet on February 12 that we were making its authority effective on that date. We confirm that action here and reissue the carrier's certificate to reflect this action.

**ACCORDINGLY**, Acting under authority assigned by the Department in its regulations, 14 CFR 385.12:

1. We confirm our oral action of February 12, 1999, making the authority to resume operations granted to Sun Jet International, Inc., by Order 99-2-13 effective on that date and reissue the carrier's interstate passenger charter certificate in the attached form to reflect the effective date.

2. We direct that should Sun Jet propose to operate more than one aircraft, the carrier must notify the Department in writing at least 45 days in advance and demonstrate its fitness for such operations prior to placing the additional aircraft into service.<sup>3</sup>

3. We further direct that, within 45 days following the end of the first year of resumed operations, Sun Jet International, Inc., shall provide the Department's Air Carrier Fitness Division with a detailed progress report on its operations. The report shall include a description of the carrier's current operations (number and type of aircraft, principal markets served, total number of full-time and part-time employees), a summary of how these operations have changed during the year, a discussion of any changes it anticipates from its current operations during its second year, current financial statements,<sup>4</sup> and a listing of current senior management and key technical personnel.<sup>5</sup>

4. 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 385.50, may file their petitions within 10 days of the date of this order.

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<sup>2</sup> This action was causing numerous flight cancellations by American.

<sup>3</sup> Furthermore, in accordance with the Department's Notice dated July 21, 1998, Sun Jet is requested to give the Department a 30-day advance notification of any proposed change in ownership, restructuring, or recapitalization. This notice should be submitted to the Air Carrier Fitness Division. The carrier may contact the Fitness Division prior to submitting its notice to determine what fitness information should be provided.

<sup>4</sup> These financial statements should include a balance sheet as of the end of the company's first full year of actual flight operations and a 12-month income statement ending that same date.

<sup>5</sup> The carrier should also be prepared to meet with staff members of the Fitness Division to discuss its current and future operations.

The action confirmed here was effective when taken and the filing of a petition for review shall not preclude its effectiveness.

By

**JOHN V. COLEMAN**  
Director  
Office of Aviation Analysis

(SEAL)

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**Certificate of Public Convenience and Necessity  
for  
Interstate Charter Air Transportation**

**This Certifies That**

**SUN JET INTERNATIONAL, INC.  
d/b/a SOUTHEAST AIRLINES**

**is authorized, subject to the provisions of Subtitle VII of Title 49 of United States Code, the orders, rules, and regulations issued thereunder, and the attached Terms, Conditions, and Limitations, to engage in interstate charter air transportation of persons, property, and mail.**

**This Certificate is not transferable without the approval of the Department of Transportation.**

**By Direction of the Secretary**

**Issued by Order 99-3-9  
On March 15, 1999  
Effective on February 12, 1999**

**John V. Coleman  
Director  
Office of Aviation Analysis**

Attachment



## Terms, Conditions, and Limitations

**SUN JET INTERNATIONAL, INC.**  
**d/b/a SOUTHEAST AIRLINES**

is authorized to engage in interstate charter air transportation of persons, property, and mail between any point in any State, territory, or possession of the United States or the District of Columbia, and any other point in any of those entities.

This authority is subject to the following provisions:

- (1) The holder shall at all times conduct its operations in accordance with the regulations prescribed by the Department of Transportation for the services authorized by this certificate, and with such other reasonable terms, conditions, and limitations as the Department of Transportation may prescribe in the public interest.
- (2) The holder's authority under this certificate is effective only to the extent that such operations are also authorized by the Federal Aviation Administration.
- (3) The holder shall at all times remain a "Citizen of the United States" as required by 49 U.S.C. 40102(a)(15).
- (4) The holder shall maintain in effect liability insurance coverage as required under 14 CFR Part 205. Failure to maintain such insurance coverage will render a certificate ineffective, and this or other failure to comply with the provisions of Subtitle VII of Title 49 of the United States Code or the Department's regulations shall be sufficient grounds to revoke this certificate.
- (5) The holder is not authorized to engage in air transportation between points within the State of Alaska.
- (6) Should the holder propose any substantial changes in its ownership, management, or operations (as that term is defined in 14 CFR 204.2(n)), it must first comply with the requirements of 14 CFR 204.5.

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\* This certificate is being reissued to reflect its effective date.

(7) In the event that the holder commences but subsequently ceases all operations for which it was found "fit, willing, and able," its authority under this certificate shall be suspended under the terms of 14 CFR 204.7 and the holder may neither recommence nor advertise such operations unless its fitness to do so has been redetermined by the Department. Moreover, if the holder does not resume operations within one year of its cessation, its authority shall be revoked for dormancy.

**SERVICE LIST FOR SUN JET INTERNATIONAL, INC.**

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