



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

**Issued by the Department of Transportation
on the 22nd day of March, 1999**

Served: March 25, 1999

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

WESTERN PACIFIC AIRLINES, INC.

in accordance with section 204.7 of the
Department's Regulations

Docket 49941

ORDER REVOKING CERTIFICATE

Section 204.7 of the Department's Aviation Economic Regulations (14 CFR 204.7) provides, among other things, that the authority granted to an air carrier shall be terminated if the carrier ceases all operations for which it was found fit and does not recommence actual flying operations within one year of the date of its cessation of operations.

Western Pacific Airlines, Inc., holds certificate authority under 49 U.S.C. 41102 to engage in interstate scheduled air transportation of persons, property, and mail.¹ The company provided air carrier operations under its certificate until February 4, 1998, when it ceased all operations.

As a result of its cessation of operations, we advised Western Pacific on February 5, 1998, that its certificate authority was suspended under the provisions of section 204.7 of our rules.

On November 5, 1998, we sent Western Pacific a letter reminding it of the requirements of section 204.7 and the impact of that section on the company's certificate authority if it did not file a notice of its intent to resume certificated operations by December 21, 1998, and resume those operations by February 4, 1999.

To date, Western Pacific has not notified us of any desire to resume operations, nor has it filed any of the information required to have its fitness redetermined. Therefore, we have decided to

¹ See Order 95-5-22, issued May 18, 1995.

revoke, for reason of dormancy, the section 41102 certificate issued to Western Pacific authorizing it to engage in interstate air transportation of persons, property, and mail. Our action is without prejudice to the company's applying for new certificate authority any time in the future.

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

1. We revoke the interstate scheduled section 41102 certificate issued to Western Pacific Airlines, Inc., by Order 95-5-22 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 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)

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http://dms.dot.gov/reports/reports_aviation.asp*

SERVICE LIST FOR WESTERN PACIFIC AIRLINES INC.

Attachment A

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