



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

Issued by the Department of Transportation on January 13, 2000

NOTICE OF ACTION TAKEN -- DOCKET OST 99-6679

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: HELIJET AIRWAYS INC.

Date Filed: December 17, 1999

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to conduct: 1) scheduled, combination services between any point or points in Canada and any point or points in the United States; and 2) charter operations, carrying persons, property and mail, between Canada and the United States and other charters pursuant to 14 CFR Part 212.

If renewal, date and citation of last action: New authority.

Applicant representative(s): Gary B. Garofalo and John R. Copley, 202-822-9070

Responsive pleadings: None.

DISPOSITION

Action: Approved.

Action date: January 13, 2000

Effective dates of authority granted: January 13, 2000, through January 13, 2001.

Basis for approval: United States-Canada Air Transport Agreement (Agreement).

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated:

Standard exemption conditions

Special conditions/Partial grant/Denial basis/Remarks: We found that Helijet is operationally and financially qualified to conduct the operations it proposes and that it is substantially owned and effectively controlled by citizens of Canada. In the conduct of these operations, Helijet must adhere to all applicable provisions of the U.S.-Canada Agreement (under which Helijet is designated). Also, the FAA had advised us that it knows of no reason to withhold this operating authority. In the conduct of the scheduled and charter operations described above, Helijet may only use small aircraft. (Small aircraft means any aircraft designed to have: 1) A maximum passenger capacity of not more than 30 seats and a maximum payload capacity of not more than 7,500 pounds; and/or 2) maximum authorized takeoff weight on wheels not greater than 35,000 pounds.) Moreover, Helijet may carry Third and Fourth Freedom charter traffic without prior Department approval. Other charter operations to/from the United States under this authority, however, are subject to prior approval under 14 CFR Part 212.

Action taken by: Paul L. Gretch, Director
Office of International Aviation

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) immediate action was required and was consistent with Department policy; (2) the applicant was qualified to perform its proposed operations; (3) grant of the authority was consistent with the public interest; and (4) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

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