

76341



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

Issued by the Department of Transportation  
on the 7th day of April, 2000

Served: April 11, 2000

Essential Air Service at

**HANA, HAWAII**

under 49 U.S.C. 41731 *et seq.*

Docket OST-1999-6502 - 10

**ORDER EXTENDING SERVICE OBLIGATION**

**Summary**

By this order, the Department of Transportation is extending Pacific Wings' service obligation at Hana for another 30 days, through May 10, 2000<sup>1</sup>.

**Background**

On November 11, 1999, Air Nevada, Inc., d/b/a Pacific Wings, filed a 90-day notice of intent to suspend its subsidy-free essential air service at Hana, Hawaii, effective February 9, 2000. By Order 99-12-23, December 27, 1999, the Department prohibited Pacific Wings from suspending service at Hana for 30 days beyond the end of the 90-day notice period, through March 9, 2000, and requested proposals from carriers interested in providing replacement service. As required by 49 U.S.C. 41734, we have extended Pacific Wings' service obligation additional 30-day periods, the latest through April 8, 2000, by Order 2000-3-3.

Pacific Wings has submitted three proposals in response to the Department's solicitation and we have received comments from the civic officials. However, since it is unlikely that the selection proceeding will be completed before the end of Pacific Wings' current 30-day hold-in period, in accordance with 49 U.S.C. 41734(c), we will extend Pacific Wings' service obligation at Hana for an additional 30 days, through May 10, 2000, or until replacement service actually begins, whichever occurs first.

This order is issued under authority assigned in 14 CFR 385.12(k)(5).

<sup>1</sup> This date is 32 days from the end of the prior hold-in period. Order 2000-3-3 mistakenly ended on April 8, 2000, which is a Saturday. Therefore, the next 30-day hold-in will run from the correct date, April 10, through May 10, 2000. (See 14 C.F.R. 302.16)

**ACCORDINGLY**

1. We require Air Nevada, Inc., d/b/a Pacific Wings, to maintain essential air service at Hana, Hawaii, as set forth in Appendix C of Order 2000-2-5, for an additional 30-day period through May 10, 2000, or until a carrier capable of providing reliable replacement service actually begins service, whichever occurs first;<sup>2</sup>
2. We direct Pacific Wings to retain all books, records, and other source and summary documentation to support claims for payment, and to preserve and maintain such documentation in a manner that readily permits its audit and examination by representatives of the Department. Such documentation shall be retained for seven years, or until the Department indicates that the records may be destroyed. Copies of flight logs for aircraft sold or disposed of must be retained. The carrier may forfeit its compensation for any claim that is not supported under the terms of this order;
3. Docket OST-1999-6502 will remain open until further order of the Department; and
4. We will serve a copy of this order on the Mayor and airport manager of Hana, Hawaii; the Department of Transportation of Hawaii; and Pacific Wings.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.50, must file such petitions within ten days after the date of service of this order.

This order will be effective immediately, and the filing of a petition for review shall not preclude its effectiveness.

By:

**RANDALL D. BENNETT**  
Acting Director  
Office of Aviation Analysis

(SEAL)

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

---

<sup>2</sup> In accordance with 49 U.S.C. 41734(c), we will extend Pacific Wings' service obligation for successive 30-day periods as necessary until replacement service actually begins.