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Order 2000-8-10



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

Issued by the Department of Transportation  
on the 9<sup>th</sup> Day of August, 2000

Served: August 10, 2000

Applications of

**AIR-SERV., INC. d/b/a AIRSERV**

for certificates of public convenience and necessity under 49  
U.S.C. 41102 to engage in interstate and foreign charter air  
transportation of persons, property and mail

Dockets OST-00-7231 - 8  
OST-00-7232 - 12

**FINAL ORDER**

By Order 2000-8-1, issued August 1, 2000, we directed all interested persons to show cause why we should not make final our tentative findings and conclusions stated in it and award certificates of public convenience and necessity to Air-Serv., Inc. d/b/a AirServ, d/b/a Indigo, L.L.C., and d/b/a NewWorldAir Holdings, Inc., authorizing it to engage in interstate and foreign charter air transportation of persons, property and mail. Interested persons were given 7 days to file objections.

No objections to the show-cause order were received within the answer period provided.

Since AirServ currently holds the necessary Federal Aviation Administration authority to operate its proposed service, has presented evidence of appropriate insurance coverage, and has demonstrated that it has access to funds to meet our financial fitness criteria, we are making the interstate authority effective as of the date of issuance of this order.

**ACCORDINGLY,**

1. We find that Air-Serv., Inc. d/b/a AirServ, d/b/a Indigo, L.L.C., and d/b/a NewWorldAir Holdings, Inc., is fit, willing, and able to engage in interstate and foreign charter air transportation of persons, property and mail.
2. We issue a certificate of public convenience and necessity to Air-Serv., Inc. d/b/a AirServ, d/b/a Indigo, L.L.C., and d/b/a NewWorldAir Holdings, Inc., authorizing it

to engage in interstate charter air transportation of persons, property and mail in the form and subject to the Terms, Conditions, and Limitation attached.<sup>1</sup>

3. We direct Air-Serv., Inc., to submit to the Air Carrier Fitness Division a first year progress report within 45 days following the end of its first year of certificated operations.<sup>2</sup>

4. We will serve a copy of this order on the persons listed in Attachment A to this order.

By:

**A. BRADLEY MIMS**  
Acting Assistant Secretary for Aviation  
and International Affairs

(SEAL)

*An electronic version of this document is available on the World Wide Web at  
[http://dms.dot.gov/reports/reports\\_aviation.asp](http://dms.dot.gov/reports/reports_aviation.asp)*

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<sup>1</sup> By this order, we issue only an interstate certificate to Air-Serv., Inc. Issuance of a foreign certificate is subject to Presidential review under 49 U.S.C. 41307 and will be handled in a separate order.

<sup>2</sup> The report should 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, a balance sheet as of the end of the company's first full year of actual flight operations and a twelve month income statement ending that same date, and a listing of current senior management and key technical personnel. The carrier should also be prepared to meet with staff members of the Fitness Division to discuss its current and future operations.



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

*This Certifies That*

**AIR-SERV., INC.  
d/b/a AIRSERV  
d/b/a INDIGO, I.L.C.  
d/b/a NEWWORLDAIR HOLDINGS, INC.**

*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 2000-8-10  
On August 9, 2000  
Effective on August 9, 2000*

*A. Bradley Mims  
Acting Assistant Secretary for  
Aviation and International Affairs*



*Terms, Conditions, and Limitations*

**AIR-SERV., INC. d/b/a AIRSERV  
d/b/a INDIGO, L.L.C.  
d/b/a NEWWORLD AIR HOLDINGS, INC.**

*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 may not operate aircraft designed to have a maximum passenger capacity of more than thirty (30) seats. In the event that the holder wishes to institute operations with aircraft having a larger capacity, it must first be determined fit for such operations.*
- (4) The holder shall at all times remain a "Citizen of the United States" as required by 49 U.S.C. 40102(a)(15).*
- (5) 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.*
- (6) The holder is not authorized to engage in air transportation between points within the State of Alaska.*

(7) Should the holder propose any substantial changes in its ownership, management, or operations (as that term is defined in 14 CFR 204.2(l)), it must first comply with the requirements of 14 CFR 204.5.

(8) 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 AIR-SERV., INC. d/b/a AIRSERV**

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