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

Issued by the Department of Transportation  
on the 30th day of August, 2000

Essential Air Service at

**PONCE, PUERTO RICO**

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

Served: September 1, 2

Docket OST-1999-6592 - 8

## ORDER EXTENDING SERVICE OBLIGATION

### Summary

By this order, the Department is extending American Eagle's service obligation at Ponce, Puerto Rico, for an additional 30 days, through September 29, 2000.

### Background

On December 2, 1999, Executive Airlines, Inc., d/b/a American Eagle (American Eagle), filed a 90-day notice of its intent to suspend its subsidy-free service at Ponce, effective March 2, 2000. American Eagle currently provides ten nonstop round trips a week in the Ponce-San Juan market. By Order 2000-2-6, February 3, 2000, the Department prohibited American Eagle from suspending service at the community for an initial 30-day period and stated that we would issue subsequent 30-day hold-in orders until we could secure replacement service. That order also requested proposals from carriers interested in providing replacement service. As required by 49 U.S.C. 41734, we have extended American Eagle's service obligation for additional 30-day periods, the latest through August 30, 2000, by Order 2000-7-32.

Since this case will not be concluded before the end of the current 30-day hold-in period, as required by 49 U.S.C. 41734, we are extending American Eagle's service obligation for an additional 30 days, or until replacement service actually begins, whichever occurs first.

This order is issued under authority delegated in 49 CFR 1.56(i).

### ACCORDINGLY,

1. The Department requires Executive Airlines, Inc., d/b/a American Eagle, to maintain essential air service at Ponce, Puerto Rico, consisting of ten nonstop round trips a week to

San Juan for an additional 30-day period, through September 29, 2000, or until a carrier capable of providing reliable replacement service actually begins, whichever occurs first;<sup>1</sup>

2. The Department directs American Eagle to retain all books, records, and other source and summary documents to support subsidy 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-1999-6592 will remain open until further order of the Department; and

4. The Department will serve a copy of this order on the Mayor and Airport Manager of Ponce, Puerto Rico; the Puerto Rico Ports Authority; and Executive Airlines Inc., d/b/a American Eagle.

By:

**FRANCISCO J. SANCHEZ**  
Assistant Secretary for Aviation  
and International Affairs

(SEAL)

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<sup>1</sup> In accordance with 49 U.S.C. 41734(c), we will extend American Eagle's service obligation for successive 30-day periods as necessary until replacement service actually begins.