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Order 2000-11-18

Served: November 16, 2000



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

Issued by the Department of Transportation  
on the 2nd day of October, 2000

Application of

**AERO MICRONESIA, INC.  
d/b/a ASIA PACIFIC AIRLINES**

**Dockets OST-98-3479-26**

for renewal of its certificate of public convenience and  
necessity to engage in foreign charter air transportation  
of property and mail

**ORDER ISSUING PERMANENT FOREIGN CERTIFICATE AUTHORITY**

By Order 2000-10-2 , issued October 2, 2000 we found that Aero Micronesia, Inc. d/b/a Asia Pacific Airlines continued to be fit willing, and able to engage in interstate and foreign charter air transportation of property and mail. Further, by that order, we reissued its certificate of public convenience and necessity making permanent Asia Pacific's temporary authority to engage in interstate charter air transportation of property and mail.

By this order, we are reissuing a companion permanent certificate authorizing Asia Pacific to engage in foreign charter air transportation of property and mail. Instead of repeating our findings and conclusions in Order 2000-10-2 , we incorporate them here by reference.

**ACCORDINGLY,**

1. We reissue on a permanent basis the section 41102 certificate issued previously to Aero Micronesia, Inc. d/b/a Asia Pacific Airlines authorizing it to engage in foreign charter air transportation of property and mail in the form and subject to the Terms, Conditions, and Limitations attached.

2. Unless disapproved by the President of the United States under 49 U.S.C. 41307, this order shall become effective on the 61<sup>st</sup> day after its submission for section 41307 review or upon the date of receipt of advice from the President or his designee under Executive

Order 12597 and implementing regulations that he or she does not intend to disapprove the Department's order under that section, whichever occurs earlier.<sup>1</sup>

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

By

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

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

(SEAL)

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<sup>1</sup> This order was submitted for section 41307 review on October 2, 2000. On November 13, 2000, we received notification that the President's designee under Executive Order 12597 and implementing regulations did not intend to disapprove the Department's order.



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

*This Certifies That*

**AERO MICRONESIA, INC.  
d/b/a ASIA PACIFIC AIRLINES**

*is authorized, subject to the provisions of Subtitle VII of Title 49 of the United States Code, the orders, rules, and regulations issued thereunder, and the attached Terms, Conditions, and Limitations, to engage in foreign charter air transportation of property and mail.*

*This Certificate is not transferable without the approval of the Department of Transportation.*

*By Direction of the Secretary*

*Issued by Order 2000-11-18*

*On October 2, 2000*

*Effective on November 13, 2000*

*Francisco J. Sanchez*

*Assistant Secretary for*

*Aviation and International Affairs*



*Terms, Conditions, and Limitations*

**AERO MICRONESIA, INC.  
d/b/a ASIA PACIFIC AIRLINES**

*is authorized to engage in foreign charter air transportation of property and mail:*

*Between any place in the United States and any place outside thereof.*

*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 is not authorized to carry passengers (other than cargo attendants accompanying freight shipments).*
- (3) The holder shall at all times conduct its operations in accordance with all treaties and agreements between the United States and other countries, and the exercise of the privileges granted by this certificate is subject to compliance with such treaties and agreements and with any orders of the Department of Transportation issued under them or for the purpose of requiring compliance with them.*
- (4) The exercise of the authority granted here is subject to the holder's first obtaining from the appropriate foreign governments such operating rights as may be necessary.*
- (5) The holder's authority under this certificate is effective only to the extent that such operations are also authorized by the Federal Aviation Administration (FAA), and comply with all FAA requirements concerning security.*

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*\*This certificate is being reissued to remove the condition limiting its effectiveness to a one-year period.*

- (6) *The holder shall at all times remain a "Citizen of the United States" as required by 49 U.S.C. 40102(a)(15).*
- (7) *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.*
- (8) *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.*
- (9) *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 AERO MICRONESIA, INC.  
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