Order 2001-4-27

Served: April 25, 2001

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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 20th day of April, 2001

Essential Air Service at	
OWENSBORO, KENTUCKY	**Docket OST-2000-7855** – 28
MUSCLE SHOALS, ALABAMA	**Docket OST-2000-7856**
JACKSON, TENNESSEE	**Docket OST-2000-7857**
Under 49 U.S.C. 41731 *et seq.*	

ORDER EXTENDING SERVICE OBLIGATION

Summary

By this order, the Department is extending Northwest Airlink's service obligation at Owensboro, Kentucky, Muscle Shoals, Alabama and Jackson, Tennessee, for an additional 30 days, through May 23, 2001.

Background

On August 24, 2000, Express Airlines I, Inc., d/b/a Northwest Airlink (Northwest Airlink), filed a 90-day notice of its intent to suspend its subsidy-free service at the above communities, effective November 22, 2000. By Order 2000-10-3, October 2, 2000, the Department prohibited Northwest Airlink from suspending service at the communities for an initial 30-day period, through December 22, 2000, 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. Northwest Airlink is the only carrier providing scheduled air service at these three communities. As required by 49 U.S.C. 41734, we have extended Northwest Airlink's service obligation for additional 30-day periods, the latest through April 23, 2001, by Order 2001-3-22.

We recently issued Order 2001-3-21, selecting Corporate Airlines to serve Jackson and Owensboro. Corporate and Northwest Airlink are currently working out a transition date. At

Muscle Shoals, we have not received any proposals to replace Northwest Airlink. Thus, as required by 49 U.S.C. 41734, we must continue to hold Northwest Airlink in for an additional 30-day period or until Corporate's replacement service begins at Owensboro and Jackson.

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

ACCORDINGLY,

1. The Department requires Express Airlines I, Inc., d/b/a Northwest Airlink, to maintain essential air service at Owensboro, Kentucky, Muscle Shoals, Alabama, and Jackson, Tennessee, consisting of at least two nonstop or one-stop round trips each weekday and weekend period in the Owensboro-Memphis market; at least two nonstop or one-stop round trips each weekday and weekend period in the Muscle Shoals-Memphis market; and at least two nonstop round trips each weekday and weekend period in the Jackson-Memphis market for an additional 30-day period, through May 23, 2001, or until a carrier capable of providing reliable replacement service actually begins, whichever occurs first;[1]

2. The Department directs Northwest Airlink 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. Dockets OST-2000-7855, OST-2000-7856 and OST-2000-7857, will remain open until further order of the Department; and

4. The Department will serve a copy of this order on the Mayors and Airport Managers of Owensboro, KY, Muscle Shoals, AL, and Jackson, TN; and Express Airlines I, Inc., d/b/a Northwest Airlink.

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[1] In accordance with 49 U.S.C. 41734(c), we will extend Northwest Airlink's service obligation for successive 30-day periods as necessary until replacement service actually begins.

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
Director
Office of Aviation Analysis

(SEAL)

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