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Order 2001-12-11

Served: December 20, 2001



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

Issued by the Department of Transportation  
on the 17th day of December, 2001

In the matter of the revocation of the interstate  
scheduled passenger certificate issued to

**PUERTO RICO AIRWAYS, CORP.**

in accordance with section 204.7 of the  
Department's Regulations

Docket OST-98-4838 - 19

**ORDER REVOKING CERTIFICATE**

**Summary**

By this order, we are revoking the interstate scheduled passenger certificate issued to Puerto Rico Airways, Corp. for reason of dormancy.

**Background**

By Order 99-7-18, issued July 28, 1999, the Department found Puerto Rico Airways fit and issued it a certificate to engage in interstate scheduled passenger operations. The effectiveness of this certificate was conditioned upon Puerto Rico Airways' fulfilling a number of conditions, including providing us with a copy of its Air Carrier Certificate and Operations Specifications from the Federal Aviation Administration (FAA) authorizing such operations and evidence that it had obtained funds sufficient to meet the Department's financial fitness criteria.

Section 204.7 of the Department's Aviation Economic Regulations (14 CFR 204.7) provides that, if a company does not institute air transportation operations within one year of being found fit, its economic authority will be terminated for reason of dormancy. Under this rule, Puerto Rico Airways' one-year period would have expired on July 28, 2000. However, prior to that date, the company requested a six-month extension of time in which to complete the steps necessary for it to commence operations. That request was granted, as were several subsequent extensions. The last extension expired on November 29, 2001.

In seeking the most recent extension in September 2001, Puerto Rico Airways indicated that it needed additional time to complete its funding negotiations in order to be in a position to acquire an aircraft and proceed with its FAA certification. Since that time, the company has

not provided any evidence to the Department that it has, in fact, obtained the necessary funding or has otherwise made any further progress in becoming operational.

Therefore, under these circumstances and in accordance with section 204.7 of our rules, we have decided to revoke the interstate scheduled passenger certificate issued to Puerto Rico Airways by Order 99-7-18 for reason of dormancy. Our action is without prejudice to the company's filing for new certificate authority in the future at such time as it is able to obtain the necessary financing to conduct its proposed operations.

**ACCORDINGLY**, Acting under authority assigned by the Department in its regulations, 14 CFR 385.12:

1. We revoke the certificate of public convenience and necessity issued by Order 99-7-18 to Puerto Rico Airways, Corp. authorizing it to conduct interstate scheduled air transportation of persons, property, and mail.
2. We will serve a copy of this order on the persons listed in Attachment A.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.30, may file their petitions within 10 days of the service date of this order.

The action taken in this order shall be effective immediately and the filing of a petition for review shall not alter its effectiveness.

By:

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

(SEAL)

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<http://dms.dot.gov>*

**SERVICE LIST FOR PUERTO RICO AIRWAYS, CORP.**

MR GUILLERMO ORTIZ-OSORIO  
CEO PUERTO RICO AIRWAYS CORP  
406 MOTHER GASTON BLVD  
BROOKLYN NY 11221

MR DONALD BRIGHT K-25  
OFFICE OF AIRLINE INFO  
DEPT OF TRANSPORTATION  
400 7TH STREET SW  
WASHINGTON DC 20590

MR ALLEN MUTEN  
ASST TREASURER  
AIRLINES REPORTING CORP  
1530 WILSON BLVD STE 800  
ARLINGTON VA 22209-2448

MR JIM J MARQUEZ  
HOLLAND & KNIGHT LLP  
2099 PENNSYLVANIA AVE NW  
SUITE 100  
WASHINGTON DC 20006

REGIONAL COUNSEL  
FAA ASO-7  
SOUTHERN REGION HDQ  
P O BOX 20636  
ATLANTA GA 30337

MS JONI MOUNT PRODUCT MGR  
TRANSPORT PRINT PRODUCTS  
OFFICIAL AIRLINE GUIDES  
2000 CLEARWATER DR  
OAK BROOK IL 60521

MR RAFAEL E GILESTRA  
CERTIFICATION PROJECT MGR  
FAA FSDO  
LA TORRE de PLAZA las AMERICAS  
525 FD ROOSEVELT AVE STE 901  
SAN JUAN PR 00918-1198

MR PETER LYNCH AGC-300  
ASST CHIEF CNSL ENFORCEMENT  
FEDERAL AVIATION ADMIN  
800 INDEPENDENCE AVE SW  
WASHINGTON DC 20591

AM ASSOC OF AIRPORT EXECS  
601 MADISON STREET STE 400  
ALEXANDRIA VA 22314-1756

MR RICHARD DUTTON AFS-900  
ASST MGR CSET  
FEDERAL AVIATION ADMIN  
45005 AVIATION DRIVE STE 203B  
DULLES VA 20166-7537

MR JD MEALOR  
AIRLINE DATA COORDINATOR  
INNOVATA LLC  
3915 OLD MUNDY MILL ROAD  
OAKWOOD GA 30566-3410

MANAGER FLT STANDARDS DIV  
FAA ASO-200  
SOUTHERN REGION  
P O BOX 20636  
ATLANTA GA 30337

MR JIM ZAMMAR  
DIR OF REVENUE ACCOUNTING  
AIR TRANSPORT ASSOC STE 1100  
1301 PENNSYLVANIA AVE NW  
WASHINGTON DC 20004