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Order 2001-12-12

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

Application of

**CHALLENGE AIR CARGO, INC.**

for change of name and reissuance of certificates of public  
convenience and necessity under 14 CFR Part 215

Docket OST-01-10202 - 2

**ORDER CONFIRMING ORAL ACTION  
AND REISSUING CERTIFICATES**

By Order 2000-6-7, served June 12, 2000, the Department transferred certain U.S.-Latin America scheduled cargo certificate and exemption authority previously issued to Challenge Air Cargo, Inc. (Challenge) to United Parcel Service Co. (UPS). In that same order, the Department granted Challenge an exemption to operate under its previous authority until such time as UPS was able to inaugurate its own services under the transferred authority.

By application filed on July 20, 2001, in Docket OST-01-10202, Challenge advised the Department that the transfer of operations from Challenge to UPS was substantially completed and that Challenge intended to concentrate its future operations on providing domestic and foreign cargo charter services. In order to avoid confusion in the marketplace between Challenge's past operations and its future operations, the carrier also decided to change its name to Centurion Air Cargo, Inc. (Centurion). In its application, Challenge requested that the Department re-issue its remaining certificate authority in the Centurion name.<sup>1</sup> In its application, Challenge requested that the Department orally grant the carrier permission to use its new name on an expedited basis.

Part 215 of the Department's regulations provides that any carrier wanting to change its name must first register that name with the Department. The rule further provides that the Department may register such name after the carrier gives notification to similarly named carriers of the proposed use of the name. Since there were no other similarly named carriers requiring notification, the Department orally granted Challenge's request on July 20. By this order, we confirm that oral action. At the same time, we will also re-issue the certificate authority currently issued to Challenge to reflect the company's new name.

<sup>1</sup> With the transfer of authority completed, Challenge was left with two certificates, a domestic all-cargo certificate authorizing interstate scheduled and charter cargo operations, and a certificate authorizing foreign charter cargo operations. See Order 87-2-38, issued February 25, 1987.

In this regard, in its application, the carrier advised us that it intended to concentrate its future efforts on providing charter cargo services, and has no plans at present to conduct scheduled cargo operations. Centurion requested that its re-issued authority reflect the more limited scope of the carrier's current operations. We will, therefore, cancel the domestic all-cargo certificate Centurion now holds and, in its place, issue it a new interstate charter cargo certificate. Together with its re-issued foreign charter certificate, Centurion will be authorized to provide worldwide charter cargo operations, but will no longer hold authority to engage in scheduled cargo services. Should Centurion want to provide scheduled services in the future, it may file a new application for such authority at that time.

**ACCORDINGLY**, acting under authority assigned by the Department in its Regulations, 14 CFR 385.12:

1. We confirm our oral action of July 20, 2001, registering Centurion Air Cargo, Inc., as the new corporate name for Challenge Air Cargo, Inc.
2. We cancel the Domestic All-Cargo Air Service Certificate issued to Challenge Air Cargo, Inc., by Order 87-2-38, and issue to Centurion Air Cargo, Inc., a new certificate, in the form and subject to the Terms, Conditions, and Limitations attached, authorizing it to engage in interstate charter air transportation of property and mail.
3. We re-issue to Centurion Air Cargo, Inc., in the form and subject to the Terms, Conditions, and Limitations attached, the certificate issued to Challenge Air Cargo, Inc., by Order 87-2-38 authorizing it to engage in foreign charter air transportation of property and mail.
4. 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 14 CFR 385.30, may file their petitions within 10 days of the date of service of this order.

The action confirmed in this order was effective when taken, 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>*



Certificate of Public Convenience and Necessity  
for  
Interstate Charter Air Transportation

*This Certifies That*

**CENTURION AIR CARGO, INC.**

*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 interstate 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* 2001-12-12  
*On* December 17, 2001  
*Effective on* December 17, 2001

*Randall D. Bennett*  
*Director*  
*Office of Aviation Analysis*



*Terms, Conditions, and Limitations*

**CENTURION AIR CARGO, INC.**

*is authorized to engage in interstate charter air transportation of 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 is not authorized to carry passengers (other than cargo attendants accompanying freight shipments).*
- (3) 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.*
- (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 operations 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.*



Certificate of Public Convenience and Necessity  
for  
Foreign Charter Air Transportation

*This Certifies That*

**CENTURION AIR CARGO, INC.**

*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 2001-12-12*

*On December 17, 2001*

*Effective on December 17, 2001*

*Randall D. Bennett*

*Director*

*Office of Aviation Analysis*



*Terms, Conditions, and Limitations*

**CENTURION AIR CARGO, INC.**

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

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*\*This certificate is being reissued to reflect the change in the carrier's name from Challenge Air Cargo, Inc., to Centurion Air Cargo, Inc., and to reflect the standard terms, conditions, and limitations currently contained in such certificates.*

(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.*

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