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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 December 4, 2001

NOTICE OF ACTION TAKEN – DOCKET OST-2000-7842 - 2

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: AIR AMBULANCE SERVICES LTD.

Date Filed: August 23, 2000

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to conduct passenger and/or cargo charter operations between The Bahamas and the United States and other U.S. charters pursuant to 14 CFR Part 212, using aircraft designed to have a maximum passenger capacity of not more than 60 seats and a maximum payload capacity of not more than 18,000 pounds.

If renewal, date of last action: New authority.

Applicant representative(s): Franklin W. Walkine, 242-362-1606

Responsive pleadings: None

DISPOSITION

Action: Approved

Action date: December 4, 2001

Effective dates of authority granted: December 4, 2001, through December 4, 2002.

Basis for approval: Reciprocity with The Bahamas

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: Standard exemption conditions.

Special conditions/Remarks: In the conduct of the charter operations described above, Air Ambulance Services Ltd. may only use aircraft designed to have a maximum passenger capacity of not more than 60 seats and a maximum payload capacity of not more than 18,000 pounds. Moreover, Air Ambulance Services may carry Third and Fourth Freedom charter traffic without prior Department approval. Other charter operations to/from the United States under this authority, however, are subject to prior approval under 14 CFR Part 212.

We found, based on the record of this case, that the applicant is operationally and financially qualified to conduct its proposed operations and is properly licensed by its homeland. Also, the FAA has advised us that it knows of no reason to withhold this authority.

We note that the ownership and control of Air Ambulance Services Ltd. is diffuse. In that connection, a citizen of the Bahamas owns 60 per cent of the applicant's stock, and two U.S. citizens each own 20 per cent. Further, the Bahamian owner is the applicant's president and chief financial officer. One of the U.S. citizens is the applicant's secretary and director of operations and the other U.S. citizen holds the position of vice president. We have decided to waive, to the extent necessary to grant the authority requested, the Department's standard requirement that a foreign carrier be substantially owned and effectively controlled by citizens of its licensing homeland. We concluded that such waiver was warranted, finding nothing in the ownership and control of Air Ambulance Services Ltd. that would be inimical to U.S. aviation policy or interests.

**Action taken by: Paul L. Gretch, Director
Office of International Aviation**

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; (2) the applicant was qualified to perform its proposed operations; (3) grant of the authority was consistent with the public interest; and (4) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

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