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Order 2001-2-17

Served: February 28, 2001



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

Issued by the Department of Transportation
on the 23rd day of February, 2001

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

CARDINAL AIRLINES, INC.

Docket OST-99-5798 - 9

in accordance with section 204.7 of the
Department's Regulations

ORDER CANCELING CERTIFICATE

Summary

By this order, we are canceling the interstate scheduled passenger certificate issued to Cardinal Airlines, Inc., for reason of dormancy.

Background

By Order 2000-2-27, issued February 23, 2000, the Department found Cardinal Airlines, Inc., fit, willing, and able to provide interstate scheduled air transportation of persons, property, and mail, and issued Cardinal a certificate for such operations. However, the effectiveness of this certificate was conditioned upon Cardinal's fulfilling a number of conditions, including providing us with a copy of its Air Carrier Certificate and Operations Specifications from the Federal Aviation Administration authorizing such operations and evidence that Cardinal had available 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 by the Department to do so, its economic authority will be terminated for reason of dormancy. Under this rule, Cardinal's one-year period expired on February 23, 2001.

On February 21, 2001, counsel for Cardinal orally advised us that the company had no objection to our cancellation of its certificate authority. In doing so, counsel noted that Cardinal was unable to proceed towards commencement of operations at this time due to

problems it had experienced in obtaining its funding, but that the company fully expects to reapply for new certificate authority when it has resolved these funding issues.

Under these circumstances and in accordance with section 204.7 of our rules, we will cancel the interstate scheduled certificate issued to Cardinal by Order 2000-2-27. This action is without prejudice to the company's filing for new certificate authority in the future.

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

1. We cancel the certificate of public convenience and necessity issued by Order 2000-2-27 to Cardinal Airlines, Inc., 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.

This order shall be effective and become the final action of the Department of Transportation upon the expiration of the above period unless within such period a petition for review is filed or the Department gives notice that it will review this order on its own motion.

By:

RANDALL D. BENNETT
Director
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(SEAL)

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

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