

Order 2001-1-17

Served: January 26, 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 23rd day of January, 2001

Essential Air Service at

PRESQUE ISLE, MAINE

Under 49 U.S.C. 41731 *et seq.*

Docket OST-2000-8012-5

ORDER EXTENDING SERVICE OBLIGATION

Summary

By this order, the Department of Transportation is extending CommutAir's service obligation at Presque Isle, Maine, for an additional 30 days, through February 26, 2001.¹

Background

On September 25, 2000, CommutAir, Inc.,² filed a 90-day notice of its intent to suspend all scheduled service at Presque Isle, effective December 26, 2000. By Order 2000-11-17, November 15, 2000, the Department prohibited CommutAir from suspending service beyond the end of its 90-day notice period, through January 25, 2001, and requested proposals, with subsidy if necessary, from carriers interested in providing replacement service.

Although we have received proposals for replacement service, it is unlikely this case will be completed before the end of the current 30-day hold-in period. Thus, in accordance with 49 U.S.C. 41734(c), we will extend CommutAir's service obligation at Presque Isle for an additional 30 days, or until replacement service actually begins, whichever occurs first.

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

¹ Since February 24th is a Saturday, the effective end-date for this hold-in period will be Monday, February 26th. (See 14 C.F.R. 302.16)

² At the time of CommutAir's filing, it operated as USAirways Express. As of December 2, 2000, the carrier has operated as Continental Connection.

ACCORDINGLY,

1. We require CommutAir, Inc., d/b/a Continental Connection, to maintain air service at Presque Isle, Maine, for an additional 30-day period through February 26, 2001, or until a carrier capable of providing reliable replacement service actually begins service, whichever occurs first;³
2. We direct Commutair, Inc., to retain all books, records, and other source and summary documentation 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. Docket OST-2000-8012 will remain open until further order of the Department; and
4. We will serve a copy of this order on the Town Manager and Airport Manager of Presque Isle, Maine, the Maine Department of Transportation, and CommutAir, Inc., d/b/a Continental Connection.

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 (10) 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)

*An electronic version of this document is available on the World Wide Web at
<http://dms.dot.gov>*

³ In accordance with 49 U.S.C. 41734(c), we will extend CommutAir's service obligation for successive 30-day periods as necessary until replacement service actually begins.