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ORDER 2001-6-9



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

Issued by the Department of Transportation  
on the 14<sup>th</sup> day of June, 2001

Ninety-day notice of intent of  
  
**ATLANTIC SOUTHEAST AIRLINES, INC.**  
**d/b/a DELTA CONNECTION**  
  
to terminate service at Wichita Falls, TX, and  
Lawton/Ft. Sill, OK, under 49 U.S.C. 41731 *et seq.*

Served: June 19, 2001

Docket OST-2001-9564 - 2  
Docket OST-2001-9565 - 2

**ORDER ALLOWING SUSPENSION OF SERVICE**

**Summary**

By this order, the Department is allowing Atlantic Southeast Airlines, Inc., to suspend its service at Wichita Falls, Texas, and Lawton/Ft. Sill, Oklahoma.

**Background**

On April 26, 2001, Atlantic Southeast Airlines, Inc., d/b/a Delta Connection (ASA), filed a 90-day notice of its intent to suspend service at Wichita Falls, Texas, and Lawton/Ft. Sill, Oklahoma, effective August 1, 2001. ASA filed notice pursuant to the Department's "one-third rule (14 CFR 323.3(a)(5)). The Department's Aviation Economic Regulations require carriers to file a 90-day notice if their proposed suspension of service would reduce the total number of passenger seats linking the affected community to Federal Aviation Administration-designated hubs by 33% or more.

Wichita Falls' essential air service determination, as last established by Order 84-5-77, May 22, 1977, requires at least two daily nonstop round trips to Dallas/Ft. Worth providing at least 62 seats in each direction with 15-seat aircraft or larger. Lawton/Ft. Sill's essential air

service determination, as last established by Order 84-4-47, April 13, 1984, requires at least two daily nonstop round trips to Dallas/Ft. Worth providing at least 62 seats in each direction with 15-seat or larger aircraft.<sup>1</sup> (See Appendix A for map)

ASA operates four daily nonstop round trips between both communities and Dallas/Ft. Worth using 30-seat Embraer Brasilia aircraft. Wichita Falls and Lawton/Ft. Sill also receive significant service from American Eagle, which operates five and six daily nonstop round trips to Dallas/Ft. Worth, respectively, using 34-seat Saab 340 aircraft. We did not receive any objections to ASA's notices.

### **Decision**

We will allow ASA to suspend service at Wichita Falls and Lawton/Ft. Sill as proposed. American Eagle's service far exceeds both communities' essential air service requirements both in terms of frequency and capacity. It provides far more than the two-round-trip-a-day minimum to the designated hub of Dallas/Ft. Worth, and it provides Wichita Falls a total of 170 and Lawton/Ft. Sill a total of 204 seats in each direction, far exceeding capacity guarantees.

The "one-third" rule, by imposing a 90-day notice requirement, is designed to ensure that when a carrier intends to withdraw from a community, the marketplace will have sufficient time to react without a major disruption. Here, if demand warrants, we would expect American Eagle to increase its service in response to ASA's withdrawal, or another carrier may elect to inaugurate service at Wichita Falls and Lawton/Ft. Sill.

As a final matter, ASA has advised us that, before it suspends service, it will contact all passengers holding reservations for flights that will be suspended, to inform them of the suspension and the availability of existing service provided by American Eagle, and to assist them in arranging alternative transportation.

This order is issued under authority delegated in 49 CFR 1.56(i).

### **ACCORDINGLY,**

1. We take no action to prohibit Atlantic Southeast Airlines, Inc., d/b/a Delta Connection, from suspending service at Wichita Falls, Texas, and Lawton/Ft. Sill, Oklahoma, effective August 1, 2001.
2. We will rely on American Airlines d/b/a American Eagle, to provide essential air service at Wichita Falls, Texas, and Lawton/Ft. Sill, Oklahoma; and

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<sup>1</sup> Both community's seating guarantees reflected the maximum under the essential air service program's guidelines, based on 40 enplanements a day and a 65% load factor:  $40 \div .65 = 62$  seats. However, the Airport and Airway Safety and Capacity Expansion Act of 1987, P.L. 100-223, subsequently changed the program's load-factor standard from 65% to 60%; although the Department did not formally update the communities' determinations, the seating guarantees became  $40 \div .60 = 67$  seats.

3. We will serve a copy of this order on the parties listed in the Certificate of Service of Dockets OST-2001-9564 and OST-2001-9565.

By:

**SUSAN McDERMOTT**  
Deputy Assistant Secretary for Aviation  
and International Affairs

(SEAL)

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

*The electronic version may not include all of the appendices*

APPENDIX A

Wichita Falls, TX and Lawton/Ft. Sill, OK



Historical Traffic and Enplanements at  
Wichita Falls, Texas<sup>1</sup>

<u>Year</u>	<u>O&amp;D Traffic</u>	<u>Enplanements</u>	<u>Daily Average Enplanements<sup>2</sup></u>
1996	80,629	40,315	128.8
1997	98,522	49,261	157.4
1998	99,297	49,649	158.6
1999	99,370	49,685	158.7
2000	114,090	57,045	182.3

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<sup>1</sup> Source: Airport Activity Statistics; Form 298-C and Schedule T-100.

<sup>2</sup> Daily averages are based on 313 annual service days.

Historical Traffic and Enplanements at  
Lawton/Ft. Sill, Oklahoma<sup>1</sup>

<u>Year</u>	<u>O&amp;D Traffic</u>	<u>Enplanements</u>	<u>Daily Average Enplanements<sup>2</sup></u>
1996	132,238	66,119	211.2
1997	131,730	65,865	210.4
1998	121,860	60,840	194.4
1999	123,079	61,540	196.6
2000	121,117	60,559	193.5

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<sup>1</sup> Source: Airport Activity Statistics; Form 298-C and Schedule T-100.

<sup>2</sup> Daily averages are based on 313 annual service days.