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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 May 17, 2002

NOTICE OF ACTION TAKEN – DOCKET OST 2001-9521 – 6

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: WESTERN EXPRESS AIR LINES INC.

Date Filed: April 9, 2002

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to conduct, using small equipment (see below), passenger and cargo charter operations between Canada and the United States, and other charters pursuant to 14 CFR Part 212, for a period of one year.

If renewal, date and citation of last action: The passenger authority is new authority. We last granted Western Express Air Lines an exemption to conduct certain U.S. cargo operations on May 9, 2001, in this Docket.

Applicant representative(s): Kenneth D. Symonds, 604-273-1500

Responsive pleadings: None

DISPOSITION

Action: Approved.

Action date: May 17, 2002

Effective dates of authority granted: May 17, 2002, through May 17, 2003

Basis for approval: United States-Canada Air Transport Agreement

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: Standard exemption conditions and the equipment-size condition detailed below.

Special Conditions/Remarks: In the conduct of the operations described above, Western Express Air Lines 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.

**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 seven (7) 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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