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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 6th day of September, 2001

Applications of

**TOURJETS AIRLINE CORPORATION
(formerly SwissJet, Inc.)**

Docket OST-2000-7546 - 17

for certificates of public convenience and necessity under 49
U.S.C. 41102 to engage in interstate and foreign charter air
transportation of persons, property and mail

ORDER ISSUING FOREIGN CERTIFICATE

By Order 2001-9-2 , issued September 6, 2001 , we found Tourjets Airline Corporation (Tourjets) fit, willing, and able to engage in interstate and foreign charter air transportation of persons, property, and mail. By that order, we issued a certificate of public convenience and necessity authorizing Tourjets to engage in interstate charter air transportation.

By this order, we are issuing a companion certificate authorizing Tourjets to engage in foreign charter air transportation. Instead of repeating our findings and conclusions in Order 2001-9-2, we incorporate them here by reference.

ACCORDINGLY,

1. We issue a certificate of public convenience and necessity in the form attached to Tourjets Airline Corporation to engage in foreign charter air transportation in the form attached.
2. Unless disapproved by the President of the United States under 49 U.S.C. 41307, this order shall become effective on the 61st day after its submission for section 41307 review or upon the date of receipt of advice from the President or his designee under Executive Order 12597 and implementing regulations that he or she does not intend to disapprove the Department's order under that section, whichever occurs earlier. ¹

¹ This order was submitted for section 41307 review on September 6, 2001. On November 7, 2001, we received notification that the President's designee under Executive Order 12597 and implementing regulations did not intend to disapprove the Department's order.

3. Should Tourjets Airline Corporation propose to operate more than three aircraft, we direct it to notify the Department in writing at least 45 days prior to the proposed operations and demonstrate its fitness for such operations before their commencement.
4. We direct Tourjets Airline Corporation to submit to the Air Carrier Fitness Division a first-year progress report within 45 days following the end of its first year of certificated operations.²
5. We will serve a copy of this order on the persons listed in Attachment A.

By:

SUSAN McDERMOTT
Deputy Assistant Secretary for
Aviation and International Affairs

(SEAL)

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

² The report shall include a description of Tourjet's current operations (number and type of aircraft, principal markets served, total number of full-time and part-time employees), a summary of how these operations have changed during the year, a discussion of any changes it anticipates from its current operations during its second year, current financial statements (including a balance sheet as of the end of the company's first full year of flight operations and a 12-month income statement ending that same date), and a listing of current senior management and key technical personnel.



**Certificate of Public Convenience and Necessity
for
Foreign Charter Air Transportation**

This Certifies That

TOURJETS AIRLINE CORPORATION

is authorized, subject to the provisions of Subtitle VII of Title 49 of the United States Code, the orders, rules, and regulations issued thereunder, and the attached Terms, Conditions, and Limitations, to engage in foreign charter air transportation of persons, property, and mail.

This Certificate is not transferable without the approval of the Department of Transportation.

By Direction of the Secretary

*Issued by Order 2001-11-3
On November 6, 2001
Effective on (See Attached)*

*Susan McDermott
Deputy Assistant Secretary for
Aviation and International Affairs*

Attachment



Terms, Conditions, and Limitations

TOURJETS AIRLINE CORPORATION

is authorized to engage in foreign charter air transportation of persons, property, and mail:

Between any place in the United States and any place outside thereof.

This authority is subject to the following provisions:

- (1) *The authority to operate under this certificate will not become effective until six (business) days after the Department has received the following documents; provided, however, that the Department may stay the effectiveness of this authority at any time prior to that date:*
 - (a) *A copy of the holder's Air Carrier Certificate and Operations Specifications authorizing such operations from the Federal Aviation Administration (FAA).*
 - (b) *A certificate of insurance on OST Form 6410 evidencing liability insurance coverage meeting the requirements of 14 CFR 205.5(b) for all of its aircraft.*
 - (c) *A statement of any changes the holder has undergone in its ownership, key personnel, operating plans, financial posture, or compliance history, since the date of the Show Cause Order in this case.*
 - (d) *A revised list of pre-operating expenses already paid and those remaining to be paid, as well as independent verification that the holder has available to it funds sufficient to cover any remaining pre-operating expenses and to provide a working capital reserve equal to the operating costs that would be incurred in three months of operations.*
- (2) *Pending receipt of effective authority, the holder may not accept payment of any kind (i.e., cash, check, or credit card), issue tickets for the operations proposed under this certificate, or enter into contracts with charter operators, and any advertisement by the holder must prominently state: "This service is subject to receipt of government operating authority."*

- (3) *The holder shall at all times conduct its operations in accordance with the regulations prescribed by the Department of Transportation for the services authorized by this certificate, and with such other reasonable terms, conditions, and limitations as the Department of Transportation may prescribe in the public interest.*
- (4) *The holder shall at all times conduct its operations in accordance with all treaties and agreements between the United States and other countries, and the exercise of the privileges granted by this certificate is subject to compliance with such treaties and agreements and with any orders of the Department of Transportation issued under them or for the purpose of requiring compliance with them.*
- (5) *The exercise of the authority granted here is subject to the holder's first obtaining from the appropriate foreign governments such operating rights as may be necessary.*
- (6) *The holder's authority is effective only to the extent that such operations are also authorized by the FAA, and comply with all FAA requirements concerning security.*
- (7) *The holder shall at all times remain a "Citizen of the United States" as required by 49 U.S.C. 40102(a)(15).*
- (8) *The holder shall maintain in effect liability insurance coverage as required under 14 CFR Part 205. Failure to maintain such insurance coverage will render a certificate ineffective, and this or other failure to comply with the provisions of Subtitle VII of Title 49 of the United States Code or the Department's regulations shall be sufficient grounds to revoke this certificate.*
- (9) *Should the holder propose any substantial changes in its ownership, management, or operations (as that term is defined in 14 CFR 204.2(l)), it must first comply with the requirements of 14 CFR 204.5.*
- (10) *In the event that the holder does not commence actual flying operations under this certificate within one year of the date of the Department's determination of its fitness, its authority shall be revoked for dormancy, unless the holder is conducting operations under another type of certificate authority. Further, in the event that the holder commences operations for which it was found "fit, willing, and able" and subsequently ceases all such operations, its authority under all certificates held shall be suspended under the terms of 14 CFR 204.7 and the holder may neither recommence nor advertise such operations unless its fitness to do so has been redetermined by the Department. Moreover, if the holder does not resume operations within one year of its cessation, its authority shall be revoked for dormancy.*

Attachment A

SERVICE LIST FOR TOURJETS AIRLINE CORPORATION

MR. SERGE FELLER, PRES.
TOURJETS AIRLINE CORPORATION
750 SW 34TH ST, STE 207
FT. LAUDERDALE, FLORIDA 33315

MR JOSHUA I. ROMANOW
WINTHROP, STIMSON, PUTNAM
& ROBERTS
1133 CONNECTICUT AVE NW
WASHINGTON, DC 20036

MR PETER LYNCH, ASST CHIEF
COUNSEL FOR ENFORCEMENT AGC-300
FEDERAL AVIATION ADMINISTRATION
800 INDEPENDENCE AVE SW
WASHINGTON DC 20591

MR RICHARD DUTTON
ASST. MANAGER CSET
FAA, AFS-900
45005 AVIATION DRIVE
DULLES, VIRGINIA 20166-7537

MR. EDDIE L. THOMOAS, ASO-7
OFFICE OF THE REGIONAL COUNSEL
FAA, SOUTHERN REGION HQ
P. O. BOX 20636
ATLANTA, GEORGIA 30320

MS DAWN VEATCH, ACTG. MANAGER
FLIGHT STANDARDS DIV, ASO-200
FAA, SOUTHERN REGION HQ.
P. O. BOX 20636
ATLANTA, GEORGIA 30320

MR BILL WEAVER, MANAGER
FLIGHT STANDARDS DISTRICT OFFICE
1050 LEE WAGONER, STE 201
FT. LAUDERDALE, FLORIDA 33315

AMERICAN ASSOCIATION OF
AIRPORT
EXECUTIVES
4224 KING STREET
ALEXANDRIA VA 22320

MS JONI MOUNT
OFFICIAL AIRLINE GUIDE
2000 CLEARWATER DRIVE
OAK BROOK IL 60521

MR DONALD BRIGHT, ACTG DIR
OFFICE OF AIRLINE INFORMATION
K-25
DEPARTMENT OF TRANSPORTATION
400 SEVENTH ST SW
WASHINGTON DC 20590

MR JIM ZAMMAR
DIRECTOR OF REVENUE ACCOUNTING
AIR TRANSPORT ASSOCIATION
1709 NEW YORK AVE NW
WASHINGTON DC 20006

MR ALLAN MUTEN
ASSISTANT TREASURER
AIRLINES REPORTING CORPORATION
1530 WILSON BLVD., STE 800
ARLINGTON VA 22209-2448