

Order: 2003-1-13
Served: January 16, 2003



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

Issued by the Department of Transportation
on the **16th day of January, 2003**

Essential air service at

**MARION, ILLINOIS,
KIRKSVILLE, MISSOURI**

**Docket OST-1997-2515
Docket OST-2000-7881**

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

ORDER SETTING INTERIM SUBSIDY RATES

Summary

By this order, the Department is extending as interim rates the recently expired subsidy rates for the essential air service (EAS) provided by Corporate Airlines, Inc., d/b/a American Connection, at Marion and Kirksville, until new final rates can be established.

Background and Decision

By Order 2000-12-22, December 29, 2000, Corporate was selected to provide subsidized EAS at Marion, Illinois, for the two-year period through November 29, 2002. Similarly, by Order 2000-10-33, October 27, 2000, Corporate was selected to provide subsidized EAS at Kirksville, Missouri, for the two-year period through December 5, 2002. Those rates have expired without our having established new rates. Consequently, it is necessary for us to extend the expired rates as interim rates, subject to retroactive adjustment, in order to ensure that Corporate will continued to be paid for its services until we can establish new final rates retroactive to November 30, 2002, in the case of Marion, and retroactive to December 6, 2002, in the case of Kirksville. The new final rates may be higher, lower or the same as the interim rates we are extending here.

This order is issued under authority delegated in 14 CFR 385.12(k)(2).

ACCORDINGLY,

1. We extend the subsidy rates for Corporate Airlines, Inc., d/b/a American Connection, for the provision of essential air service at Marion, Illinois, as established by Order 2000-12-27, and at Kirksville, Missouri, as established by Order 2000-10-33, as interim rates, subject to retroactive adjustment, effective on November 30, 2002, in the case of Marion, and effective on December 6, 2002, in the case of Kirksville, until further Department action;

2. We direct Corporate Airlines, Inc., d/b/a American Connection, to retain all books, records, and other source and summary documentation to support 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. These dockets will remain open until further order of the Department; and

4. We will serve copies of this order on the mayors and airport managers of Marion, Illinois, and Kirksville, Missouri, and on Corporate Airlines, Inc., d/b/a American 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 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)

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on the World Wide Web at <http://dms.dot.gov>*