



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

Issued by the Department of Transportation  
on the 13<sup>th</sup> day of February, 2003

Essential Air Service at

**OSHKOSH, WISCONSIN**

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

**Served: February 19, 2003**

**Docket OST-1999-5712**

**ORDER EXTENDING SERVICE OBLIGATION**

**Summary**

By this order, the Department of Transportation is extending Great Lakes' service obligation at Oshkosh, Wisconsin, for another 30 days, through [March 17, 2003](#).<sup>1</sup>

**Background**

On May 20, 1999, Great Lakes Aviation, Ltd., d/b/a United Express (Great Lakes), filed a 90-day notice of its intent to suspend its subsidy-free service at Oshkosh, Wisconsin, effective August 18, 1999. By Order 99-8-11, August 13, 1999, the Department prohibited Great Lakes from suspending service beyond the end of its 90-day notice period, through September 16, 1999, and requested proposals, with subsidy if necessary, from carriers interested in providing replacement service. As required by 49 U.S.C. 41734, we have extended Great Lakes' service obligation for additional 30-day periods, the latest through [February 14, 2003](#), by Order [2003-1-20](#).

By Order 99-10-6, October 6, 1999, the Department established an annual subsidy rate of \$460,392 for Great Lakes' hold-in service, until the Department takes further action. In the meantime, the community is exploring other service options for Oshkosh. We recently issued Order 2002-10-26, again requesting proposals for Oshkosh service. In addition, the Department issued Order 2002-12-24, tentatively terminating the community's subsidy eligibility because the subsidy per passenger exceeds the statutory ceiling of \$200 per passenger and the community is less than 210 miles from the medium hub airport at Milwaukee. The Department is reviewing objections from the community and an air carrier and will issue a final order soon.

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<sup>1</sup> Since March 16<sup>th</sup> is a Sunday, this hold-in period will end on Monday, March 17<sup>th</sup>. (See 14 CFR 302.08.)

Since this case will not be completed before the end of the current 30-day hold-in period, in accordance with 49 U.S.C. 41734(c), we will extend Great Lakes' service obligation at Oshkosh for an additional 30 days, until further Department action.

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

**ACCORDINGLY,**

1. We require Great Lakes Aviation, Ltd., d/b/a United Express, to maintain essential air service at Oshkosh, Wisconsin, as set forth in Appendix D of Order 99-8-11, for an additional 30-day period through [March 17, 2003](#), until further Department action;<sup>2</sup>
2. We direct Great Lakes Aviation, Ltd., d/b/a United Express, 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-1999-5712 will remain open until further order of the Department; and
4. We will serve a copy of this order on the Mayor and Airport Manager of Oshkosh, the Mayor of Chicago, the Chicago Department of Aviation, and Great Lakes Aviation, Ltd., d/b/a United Express.

By:

**READ C. VAN de WATER**  
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>*

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<sup>2</sup> In accordance with 49 U.S.C. 41734(c), we will extend Great Lakes' service obligation until the case is fully resolved.