



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

Issued by the Department of Transportation
on the 25th day of February, 2003

Essential air service at

TEXARKANA, ARKANSAS

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

Served: February 28, 2003

Docket OST-2003-14264

ORDER ALLOWING SUSPENSION OF SERVICE

Background

On January 14, 2003, Atlantic Southeast Airlines, Inc., d/b/a Delta Connection, filed a 90-day notice of intent to suspend its unsubsidized scheduled service at Texarkana, Arkansas, after April 30, 2003. ASA filed notice pursuant to the Department's "one-third rule": section 323.3(a)(5) of the Department's Regulations (14 CFR 323.3(a)(5)) requires a carrier to file a 90-day notice if its proposed suspension of service would reduce the total number of passenger seats linking the affected community to a Federal Aviation Administration-designated hub by 33 percent or more.

ASA currently operates four daily nonstop round trips to Dallas/Ft. Worth, three with 30-seat Embraer EMB-120 Brasilia aircraft and one with a Canadair Regional Jet. Texarkana also receives unsubsidized service by American Eagle Airlines, Inc., which operates three daily nonstop round trips to Dallas/Ft. Worth with 34-seat Saab SF 340 aircraft.¹

The community did not respond to ASA's notice.

Essential Air Service Determination

Texarkana's essential air service determination, as last established by Order 84-5-78, May 22, 1984, required a minimum of two nonstop or one-stop round trips a day to both Dallas/Ft. Worth and Memphis providing at least 67 inbound and outbound seats.² However, that order questioned whether Texarkana required a two-hub determination, and stated that Texarkana's needs would be reevaluated if a suspension notice were subsequently filed for the market. In August 1984, Scheduled Skyways, Inc., filed notice to suspend all of its services at Texarkana, where it was one of three carriers operating to Dallas/Ft. Worth and the only carrier

¹ See the Appendix for a map.

² Order 84-5-78 required capacity sufficient to accommodate 40 inbound and outbound passengers, which continues to represent the maximum guarantee under the essential air service program. Under the 60-percent load-factor standard subsequently established by the Airport and Airway Safety and Capacity Expansion Act of 1987, P.L. 100-223, the number of guaranteed seats is therefore 67: $40/0.60 = 66.7$.

operating to Memphis. The Texarkana community eventually agreed to allow Scheduled Skyways to suspend service so long as Texarkana's dual-hub designation remained unchanged. As a result, the community's determination continues to specify both Dallas/Ft. Worth and Memphis as hubs, but as a practical matter the community has not received service to Memphis in nearly 20 years.³

Decision

We will allow ASA to suspend service at Texarkana after April 30, as it intends. American Eagle will continue to provide the community with a link to the national air transportation network. As noted earlier, American Eagle operates three daily nonstop round trips to Dallas/Ft. Worth with 34-seat Saabs -- a total of 102 inbound and outbound seats a day. That level of capacity easily meets Texarkana's guarantee of 67 inbound and outbound seats a day, which represents the maximum seating guarantee under the essential air service program. Consequently, Texarkana's remaining service will remain above the level that the program was designed to maintain.

Before ASA suspends service, however, we expect it to contact all passengers who hold reservations for flights that will be suspended, to inform them of the suspension and the continued availability of American Eagle's service, and to assist them in arranging alternate transportation.

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

ACCORDINGLY,

1. We allow Atlantic Southeast Airlines, Inc., d/b/a Delta Connection, to suspend its service at Texarkana, Arkansas, after April 30, 2003;
2. This docket will remain open until further order of the Department; and
3. We will serve copies of this order on the mayor and airport manager of Texarkana, Arkansas; Atlantic Southeast Airlines, Inc., d/b/a Delta Connection; and American Eagle Airlines, Inc.

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>*

³ See Orders 84-9-81, September 27, 1984, and 84-10-54, October 12, 1984.

MAP

