

Order 2003-2-21

Served: February 26, 2003



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

Issued by the Department of Transportation
on the 26th day of February 2003

Application of

**ASTRAL AVIATION, INC.
d/b/a SKYWAY AIRLINES**

for reissuance of its certificate of public
convenience and necessity

Docket OST-03-14446

ORDER REISSUING CERTIFICATE

Astral Aviation Inc. d/b/a Skyway Airlines (Astral) holds a certificate to engage in interstate air transportation of persons, property and mail. Astral was originally issued effective certificate authority by Order 94-2-25. That certificate was reissued by Order 98-7-6. On February 4, 2003, Astral filed an application to reissue its certificate in the name of "Skyway Airlines, Inc. d/b/a Midwest Connect." Astral is a wholly-owned subsidiary of Midwest Express Airlines, Inc., which also filed an application on February 4, 2003, requesting that its certificate be reissued in a new corporate name. Astral is a regional air carrier that provides service in connection with Midwest Express' mainline operations.

The carrier states that this is a change in corporate name only and does not constitute a change in operations, substantial or otherwise. Although the change in corporate name will be accomplished by an amendment to its articles of incorporation effective March 1, 2003, Astral anticipates that it will continue to trade under certain additional trade names for an undefined period of time while it completes the transition to the new corporate and trade names. Thus, the carrier also seeks authority to use the following trade names: Skyway Airlines; Skyway Airlines, The Midwest Express Connection; and Skyway Airlines, The Midwest Airlines Connection.

Part 215 of the Department's regulations provides that any carrier wishing to change its name must first register that name with the Department. The rule further states that the Department may register such name after the carrier gives notification to similarly named carriers of the proposed use of the name. In this case, there are no similarly named carriers.

By this order, we reissue the certificate held by Astral Aviation, Inc. d/b/a Skyway Airlines to reflect the change in corporate name effective as of March 1, 2003.

ACCORDINGLY, Pursuant to authority assigned by the Department in its regulations, 14 CFR 385.12:

1. We reissue the certificate issued to Astral Aviation, Inc. d/b/a Skyway Airlines by Order 98-7-6 to Skyway Airlines, Inc. d/b/a Midwest Connect in the form attached effective on March 1, 2003.
2. We authorize Skyway Airlines, Inc. d/b/a Midwest Connect to also use Skyway Airlines; Skyway Airlines, The Midwest Express Connection; and Skyway Airlines, The Midwest Airlines Connection as trade names.
3. We will serve a copy of this order on the persons listed in Attachment A to this order.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.50, may file their petitions within 10 days of the service date of this order.

The action taken by this order is effective immediately and the filing of a petition for review shall not alter its effectiveness.

By:

RANDALL D. BENNETT
Director
Office of Aviation Analysis

(SEAL)

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



**Certificate of Public Convenience and
Necessity
for
Interstate Air Transportation**

This Certifies That

**SKYWAY AIRLINES, INC.
d/b/a MIDWEST CONNECT**

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

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

Secretary

By Direction of the

Issued by Order 2003-2-21

Randall D. Bennett

~~Effective February 26, 2003~~
Effective February 26, 2003
Analysis

~~Office of~~ Office of Aviation



Terms, Conditions, and
Limitations

SKYWAY AIRLINES, INC.
d/b/a MIDWEST CONNECT

is authorized to engage in interstate air transportation of persons, property, and mail between any point in any State, territory, or possession of the United States or the District of Columbia, and any other point in any of those entities.

This authority is subject to the following provisions:

(1) 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.

(2) The holder's authority is effective only to the extent that such operations are also authorized by the Federal Aviation Administration (FAA), and comply with all Department of Transportation and Department of Homeland Security requirements concerning security.

(3) The holder shall at all times remain a "Citizen of the United States" as required by 49 U.S.C. 40102(a)(15).

(4) 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.

(5) The holder is authorized to conduct charter flights in interstate and/or foreign air transportation in accordance with the provisions of 14 CFR 212.

(6) The holder may reduce or terminate service at any point or between any two points, subject to compliance with the provisions of 49 U.S.C. 41734 and all orders and regulations issued by the Department of Transportation under that section.

*This certificate is being reissued to reflect a change in corporate name from Astral Aviation, Inc. d/b/a Skyway Airlines to Skyway Airlines, Inc. d/b/a Midwest Connect.

(7) The holder may not provide scheduled passenger air transportation to or from Dallas (Love Field), Texas, except within the limits set forth in section 29 of the International Air Transportation Competition Act of 1979, as amended by section 337 of the Department of Transportation and Related Agencies Appropriations Act, 1998.

(8) Should the holder propose any substantial changes in its ownership, management, or operations (as that term is defined in 14 CFR 204.2(1)), it must first comply with the requirements of 14 CFR 204.5.

(9) In the event that the holder ceases all operations for which it was found "fit, willing and able," its authority under this certificate 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 SKYWAY AIRLINES, INC.
d/b/a MIDWEST CONNECT**

MR JAMES RANKIN
PRESIDENT
ASTRAL AVIATION INC
1190 WEST RAWSON AVE
OAK CREEK WI 53154

MR ROBERT SILVERBERG
SILVERBERG, GOLDMAN
& BIKOFF LLP
1101 30TH ST NW SUITE 120
WASHINGTON DC 20007

MR JOHN THEIM
MGR FSDO FAA
4915 S HOWELL AVE 4TH FL
MILWAUKEE WI 53207

MR. RICHARD DUTTON
ASST MANAGER CSET
FAA AFS-900 SUITE 203B
45005 AVIATION DRIVE
DULLES VA 20166-7537

MR DAVID HANLEY
MANAGER AGL 200
FLIGHT STANDARDS DIVISION
2300 EAST DEVON AVE
DES PLAINES IL 60018

MR PERRY KUPIETZ
REGIONAL COUNSEL
FAA AGL 7
2300 EAST DEVON AVE
DES PLAINES IL 60018

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

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

AMERICAN ASSOCIATION OF
AIRPORT EXECUTIVES
601 MADISON ST SUITE 400
ALEXANDRIA VA 22314

MR DON BRIGHT K-25
DIRECTOR
OFFICE OF AIRLINE
INFORMATION
400 7TH STREET SW
WASHINGTON DC 20590

MR. JAMES ZAMMAR
DIRECTOR OF REVENUE
ACCOUNTING
ATA SUITE 1100
1301 PENNSYLVANIA AVE NW
WASHINGTON DC 20004

MR ALLEN MUTEN
ASSISTANT TREASURER
AIRLINES REPORTING CORP
1530 WILSON BLVD STE 800
ARLINGTON VA 22209-2448

MR J D MEALOR
AIRLINE DATA COORDINATOR
INNOVATA LLC
3915 OLD MUNDY MILL RD
OAKWOOD GA 30566-3410