

Order: 2003-3-7
Served: March 17, 2003



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

Issued by the Department of Transportation
on the 12th day of March, 2003

Essential air service at

**SARANAC LAKE/LAKE PLACID,
NEW YORK**

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

Dockets OST-2000-8025

ORDER SETTING INTERIM SUBSIDY RATE

Summary

By this order, the Department is extending as an interim rate the recently expired subsidy rate for the essential air service (EAS) provided by Champlain Enterprises, Inc., d/b/a CommutAir, at Saranac Lake/Lake Placid, New York, until new a final rate can be established.

Background and Decision

By Order 2001-2-10, issued February 9, 2001, CommutAir was selected to provide subsidized EAS at Saranac Lake/Lake Placid, New York, for the two-year period through January 31, 2003. This rate has now expired without our having established a new rate. Consequently, it is necessary for us to extend the expired rate as an interim rate in order to ensure that CommutAir will continued to be paid for its services, until we can establish a new final rate. The new final rate may be higher, lower or the same as the rate we are extending here.

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

ACCORDINGLY,

1. We extend the subsidy rate for Champlain Enterprises, Inc., d/b/a CommutAir, for the provision of essential air service at Saranac Lake/Lake Placid, New York, as established by Order 2001-2-10, as an interim rate, subject to retroactive adjustment to February 1, 2003, until further Department action;
2. We direct Champlain Enterprises, Inc., d/b/a CommutAir, 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. This docket will remain open until further order of the Department; and
4. We will serve a copy of this order on the mayors and airport manager of Saranac Lake and Lake Placid, New York, the New York Department of Transportation, the Governor of New York, and CommutAir.

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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