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Order 2003-6-37
Served July 3, 2003

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

Issued by the Department of Transportation
on the 30th day of June, 2003

Essential Air Service at

BRADFORD, PENNSYLVANIA

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

Docket OST-2003-14528 -19

ORDER EXTENDING SERVICE OBLIGATION

Summary

By this order, the Department of Transportation extends the service obligation of Mesa Air Group, Inc., d/b/a Air Midwest (Air Midwest), at Bradford, Pennsylvania, for an additional 30 days, through August 13, 2003.

Background

On March 14, 2003, Air Midwest filed a 90-day notice of its intent to suspend its unsubsidized service at Bradford, effective June 14, 2003. By Order 2003-4-3, April 2, 2003, the Department prohibited Air Midwest from suspending service beyond the end of its 90-day notice period, through July 14, 2003, and requested proposals, with subsidy if necessary, from carriers interested in providing replacement service.

On June 14, 2003, Air Midwest became eligible for compensation for its forced service. Therefore, by Order 2003-6-31, June 23, 2003, the carrier and Department staff agreed to annual subsidy rates to be paid while the carrier-selection case is processed. The carrier will be paid \$499,642 for two daily nonstop round trips to Pittsburgh, until it inaugurates service consisting of three daily nonstop round trips to Pittsburgh, at which time its subsidy will increase to \$698,018. Since this case will not be completed by the end of the current hold-in period, and in accordance with 49 U.S.C. 41734(c), we will extend Air Midwest's service obligation at Bradford for an additional 30 days, or until suitable replacement service actually begins, whichever occurs first.

This order is issued under authority assigned in 14 CFR 385.12(k)(5).

ACCORDINGLY,

1. We require Mesa Air Group, Inc., d/b/a Air Midwest, to maintain essential air service between Bradford, Pennsylvania, and Greater Pittsburgh International Airport, consisting of at

least two daily nonstop round trips for an additional 30-day period through August 13, 2003, or until suitable replacement service actually begins, whichever occurs first;¹

2. We direct Air Midwest 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-2003-14528, 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 Bradford, and Air Midwest.

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 (10) 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)

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

¹ In accordance with 49 U.S.C. 41734(c), we will extend Air Midwest's service obligation for successive 30-day periods, as necessary, until its proposed service actually begins.