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Order 2003-10-24

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

Served: October 27, 2003

Issued by the Department of Transportation
on the 22nd day of October, 2003

Ninety-day notice of intent of

GREAT LAKES AVIATION, LTD.

DOCKET OST-2003-16033 - 2

to terminate service at Cody, Wyoming, under
49 U.S.C. 41731 *et seq.*

ORDER ALLOWING SUSPENSION OF SERVICE

Summary

By this order, the Department is allowing Great Lakes Aviation, Ltd., d/b/a Great Lakes Airlines (Great Lakes), to suspend its unsubsidized service at Cody, Wyoming, on or after November 24, 2003. (See Appendix A for map.)

Background

On August 25, 2003, Great Lakes filed a notice of its intent to suspend its unsubsidized service at Cody, Wyoming, effective at the end of the required 90-day notice period, on or after November 24, 2003. Great Lakes currently operates two daily one-stop round trips to Denver with 19-seat Beech 1900 aircraft.

In addition to Great Lakes' service, Cody receives service provided by SkyWest Airlines, a Delta Air Lines code-share carrier, consisting of three daily nonstop round trips to Salt Lake City, with 30-seat Embraer Brasilia aircraft.

Order 97-12-8 defines Cody's essential air service (EAS) level as two daily round trips to Denver or Salt Lake City with a total of 63 seats inbound and 63 seats outbound.¹

Community Response

We have not received any objections or comments from the community.

Decision

¹ Order 97-12-8 established Cody's seat guarantee at 58, based on capacity sufficient to accommodate 38 enplanements a day at a 65-percent load factor: $38/65 = 58$. However, the Airport and Airway Safety and Capacity Expansion Act of 1987, P.L. 100-223, subsequently changed the load-factor standard from 65 to 60 percent, and Cody's guarantee thus became 63 seats: $38/60 = 63$.

After careful consideration, we have decided to allow Great Lakes to suspend service at Cody, effective November 24, 2003. Even without Great Lakes' service, Cody will still receive the nonstop service operated by SkyWest Airlines to Salt Lake City, providing 90 seats inbound and 90 seats outbound, far in excess of Cody's guarantee of 63 seats inbound and outbound each day. Moreover, the service provided by SkyWest Airlines fully meets the community's EAS level and provides Cody a continuing link to the national air transportation system. Furthermore, Salt Lake City is a major hub for Delta Air Lines and, through its code-share affiliates, provides Cody passengers with on-line connections throughout Delta's nationwide network.

As a final matter, before suspending service, we expect Great Lakes to contact all passengers who hold reservations for the flights to be suspended, to inform them of the suspension, and to assist them in arranging alternate transportation or to provide a refund of the ticket price, without penalty, if requested.

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

ACCORDINGLY,

1. We allow Great Lakes Aviation, Ltd., d/b/a Great Lakes Airlines, to suspend its scheduled service at Cody, Wyoming, effective November 24, 2003;
2. We will rely on SkyWest Airlines, operating under a Delta Air Lines code-share, to meet the EAS needs of Cody;
3. Docket OST-2003-16033 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 Cody, Great Lakes Aviation, and SkyWest Airlines.

By:

MICHAEL W. REYNOLDS
Acting 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>*

CODY, WYOMING
AND SURROUNDING COMMUNITIES

