



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

Issued by the Department of Transportation  
on the 24<sup>th</sup> day of November, 2003

Applications of

**USA JET AIRLINES, INC.**

for certificates of public convenience and necessity  
under 49 U.S.C. 41102 to engage in interstate and  
foreign scheduled air transportation of persons,  
property, and mail

**Served: November 24, 2003**

**Dockets OST-02-12987  
OST-01-12989**

**ORDER CONFIRMING ORAL ACTION AND ISSUING EFFECTIVE  
CERTIFICATES**

By Order 2003-5-31, issued May 28, 2003, the Department found USA Jet Airlines, Inc., (USA Jet) a certificated all-cargo air carrier, fit to engage in interstate and foreign charter passenger air transportation.<sup>1</sup> That order also issued to the company an interstate charter passenger certificate. Subsequently, by Order 2003-7-9, served July 11, 2003, we issued to USA Jet a companion foreign charter passenger certificate.

The authority to operate under these passenger certificates was to become effective on the sixth (business) day after the Department had received (1) a copy of USA Jet's Air Carrier Certificate and Operations Specifications issued by the Federal Aviation Administration (FAA) authorizing such operations, (2) a certificate of insurance evidencing passenger liability insurance coverage meeting the requirements of Part 205 of our rules, and (3) updated fitness information, including evidence that the carrier continued to have funding sufficient to meet our financial fitness criteria.

On October 30, 2003, USA Jet filed updated financial information demonstrating that it continued to have available resources sufficient to meet the Department's financial fitness requirement together with a statement indicating that it had not undergone any significant change in areas affecting its fitness. This filing also contained documents indicating that USA Jet had acquired appropriate insurance to conduct passenger operations. On October 31, 2003, USA Jet filed a copy of its updated FAA operating authority allowing passenger operations. All of the information provided by USA Jet was satisfactory and, under the circumstances, we concluded that there was no reason to require it to wait the full six days for its authority to become effective. Therefore, on November 3, we orally advised the carrier that we were making its certificate authority

<sup>1</sup> USA Jet holds effective authority to engage in interstate scheduled all-cargo operations. See Order 98-2-25.

for passenger operations effective on that date. By this order, we confirm our oral action of November 3 and reissue the carrier's certificates to reflect their effective date.

**ACCORDINGLY:** Acting under the authority assigned by the Department in its Regulations, 14 CFR 385.12:

1. We confirm our oral action of November 3, 2003, making the section 41102 interstate and foreign charter certificate authority for passenger operations issued to USA Jet Airlines, Inc., effective on that date.
2. We reissue to USA Jet Airlines, Inc., the section 41102 interstate and foreign charter passenger certificates issued to it by Orders 2003-5-31 and 2003-7-9, respectively, in the attached form to reflect their effective date.
3. We direct USA Jet Airlines, Inc., to submit to the Air Carrier Fitness Division a first-year progress report within 45 days following the end of its first year of certificated operations.<sup>2</sup>
4. 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 385.30, may file their petitions within 10 days of the service date of this order.

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<sup>2</sup> The report should include a description of the carrier's current operations (number and type of aircraft, principal markets served, total number of full-time and part-time employees), a summary of how these operations have changed during the year, a discussion of any changes it anticipates from its current operations during its second year, current financial statements (including a balance sheet at the end of its first year of flight operations and a 12-month income statement ending that same date), and a listing of current senior management and key technical personnel.

The action confirmed in this order was effective when taken and the filing of a petition for review shall not alter its effectiveness.

By:

**RANDALL D. BENNETT**  
Director  
Office of Aviation Analysis

(SEAL)

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<http://dms.dot.gov>*



**Certificate of Public Convenience and  
Necessity  
for  
Interstate Charter Air Transportation  
(as reissued)**

*This Certifies That*

**USA JET AIRLINES, INC.**

*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 charter air transportation of persons, property, and mail.*

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

*By Direction of the Secretary*

*Issued by Order 2003-11-24  
On November 24, 2003  
Effective on November 3, 2003*

*Randall D. Bennett  
Director  
Office of Aviation Analysis*



*Terms, Conditions, and Limitations*

**USA JET AIRLINES, INC.**

is authorized to engage in interstate charter 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 under this certificate is effective only to the extent that such operations are also authorized by the Federal Aviation Administration (FAA), and comply with all U.S. Government 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 not authorized to engage in air transportation operations between points within the State of Alaska.*
- (6) Should the holder propose any substantial changes in its ownership, management, or operations (as that term is defined in 14 CFR 204.2(l)), it must first comply with the requirements of 14 CFR 204.5.*
- (7) In the event that the holder ceases all operations for which it was found "fit, willing, and able," its authority under all certificates held 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.*

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*\*This certificate is being reissued to reflect its effective date.*



**Certificate of Public Convenience and  
Necessity  
for  
Foreign Charter Air Transportation  
(as reissued)**

*This Certifies That*

**USA JET AIRLINES, INC.**

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

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

*By Direction of the Secretary*

*Issued by Order 2003-11-24  
On November 24, 2003  
Effective on November 3, 2003*

*Randall D Bennett  
Director  
Office of Aviation Analysis*



*Terms, Conditions, and Limitations*

**USA JET AIRLINES, INC.**

is authorized to engage in foreign charter air transportation of persons, property, and mail:

*Between any place in the United States and any place outside thereof.*

*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 shall at all times conduct its operations in accordance with all treaties and agreements between the United States and other countries, and the exercise of the privileges granted by this certificate is subject to compliance with such treaties and agreements and with any orders of the Department of Transportation issued under them or for the purpose of requiring compliance with them.*
- (3) The exercise of the authority granted here is subject to the holder's first obtaining from the appropriate foreign governments such operating rights as may be necessary.*
- (4) The holder's authority under this certificate is effective only to the extent that such operations are also authorized by the Federal Aviation Administration (FAA), and comply with all U.S. Government requirements concerning security.\*\**
- (5) The holder shall at all times remain a "Citizen of the United States" as required by 49 U.S.C. 40102(a)(15).*
- (6) 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*

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\* This certificate is being reissued to reflect its effective date.

\*\* To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) to or from a foreign airport, contact its Principal Security Inspector (PSI) to advise the PSI of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served.

*of the United States Code or the Department's regulations shall be sufficient grounds to revoke this certificate.*

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

*(8) 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 USA JET AIRLINES, INC.**

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