



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

Issued by the Department of Transportation on February 18, 2004

**NOTICE OF ACTION TAKEN -- DOCKET OST 1999-5708**

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This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: ABACO AIR LTD.

Date Filed: December 15, 2003

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to continue to conduct charter foreign air transportation of persons, property and mail, between the Bahamas and Florida, using small equipment (see below).

If renewal, date and citation of last action: February 26, 2003, in this Docket.

Applicant representative: Denise D. Kelly, 242-367-2266 DOT analyst: Allen F. Brown, 202-366-2405

Responsive pleadings: None.

**DISPOSITION**

Action: Approved

Action date: February 18, 2004

Effective dates of authority granted: February 18, 2004, through March 1, 2005.

Basis for approval: Reciprocity with the Bahamas.

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations of our standard exemption conditions.

Special conditions/Remarks: In the conduct of these operations, the applicant may only use aircraft designed to have a maximum passenger capacity of not more than 60 seats or a maximum payload capacity of not more than 18,000 pounds.

**Action taken by: Paul L. Gretch, Director, Office of International Aviation**

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Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; (2) grant of the authority was consistent with the public interest; and (3) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within seven (7) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

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