

Served: May 26, 2004



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

Issued by the Department of Transportation
on the **21st day of May, 2004**

In the matter of the revocation of the commuter
air carrier authorization issued to

**MID-ATLANTIC FREIGHT, INC.
d/b/a OBXpress Air Shuttle**

Docket OST-02-14145

pursuant to the provisions of 14 CFR 204.7

ORDER REVOKING COMMUTER AUTHORITY

Summary

By this order, we revoke the Commuter Air Carrier Authorization issued to Mid-Atlantic Freight, Inc. d/b/a OBXpress Air Shuttle (MAF) for reason of dormancy.

Background

By Order 2003-5-14, served May 12, 2003, the Department found MAF fit and issued to it a Commuter Air Carrier Authorization authorizing the carrier to conduct scheduled passenger operations as a commuter. The effectiveness of this authority was conditioned upon MAF's providing evidence that it (1) had received required operating authority from the Federal Aviation Administration, (2) had obtained the liability insurance required by Part 205 of our rules, and (3) had provided updated information, including financial information, demonstrating its continuing fitness.

Under section 204.7 of our rules (14 CFR 204.7), MAF had one year (in this case, until May 12, 2004) to have its commuter authority made effective. If it did not, that authority was subject to revocation for reason of dormancy at that time. MAF did not provide the material needed to receive effective commuter authority. Instead, by letter dated May 11, 2004, the carrier advised us that it was not planning to pursue scheduled passenger service at this time.

Under the circumstances, by this order, we will revoke the Commuter Air Carrier Authorization issued to MAF by Order 2003-5-14. This action is taken without prejudice to MAF's filing a new application for commuter authority at a later date should it choose to do so.

ACCORDINGLY, Pursuant to authority assigned by the Department in its regulations, 14 CFR 385.12:

1. We revoke for reason of dormancy the Commuter Air Carrier Authorization issued to Mid-Atlantic Freight, Inc. d/b/a OBXpress Air Shuttle by Order 2003-5-14.
2. We will serve a copy of this order on the persons listed in Attachment A.

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.

This order shall become effective and become the final action of the Department of Transportation upon expiration of the above period unless within such period a petition for review is filed or the Department gives notice that it will review this order on its own motion.

By:

RANDALL D. BENNETT
Director
Office of Aviation Analysis

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

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