



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

Issued by the Department of Transportation
on the 7th day of September, 2004

Essential Air Service at

MANLEY HOT SPRINGS AND MINTO, ALASKA

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

Served: September 10, 2004

DOCKET OST-2004-17563

ORDER EXTENDING SERVICE OBLIGATION

Summary

By this order, the Department of Transportation extends the service obligation of Warbelow's Air Ventures, Inc. (Warbelow's), at Manley Hot Springs and Minto, Alaska, for an additional 30 days, through [October 12, 2004](#).¹

Background

On May 13, 2004, Warbelow's filed a 90-day notice of its intent to suspend its unsubsidized service at Manley Hot Springs and Minto, effective August 12, 2004. By Order 2004-6-26, June 28, 2004, the Department prohibited Warbelow's from suspending service beyond the end of its 90-day notice period, through September 10, 2004, and requested proposals, with subsidy if necessary, from carriers interested in providing replacement service.

Since this case will not be completed by the end of the current hold-in period, in accordance with 49 U.S.C. 41734(c), we will extend Warbelow's service obligation at Manley Hot Springs and Minto for an additional 30 days, or until the carrier selection process is completed, whichever occurs first.

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

ACCORDINGLY,

1. We require Warbelow's Air Ventures, Inc., to maintain essential air service at Manley Hot Springs and Minto, Alaska, consisting of three round trips a week to Fairbanks, for an additional 30-day period through [October 12, 2004](#), or until reliable replacement service actually begins, whichever occurs first;²

¹ Since October 10th is a Sunday and Monday is a holiday, this hold-in period will end on Tuesday, October 12th. (See 14 CFR 302.08.)

² In accordance with 49 U.S.C. 41734(c), we will extend Warbelow's service obligation for successive 30-day periods, as necessary, until its proposed service actually begins.

2. We direct Warbelow's 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, whichever comes first. 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-2004-17563, will remain open until further order of the Department; and
4. We will serve copies of this order on the civic officials of Manley Hot Springs and Minto, the Alaska Department of Transportation and Public Facilities, the Governor of Alaska and Warbelow's Air Ventures.

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>*