



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

Issued by the Department of Transportation
on the 29th day of May, 2002

Essential Air Service at

ATHENS, GEORGIA

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

Docket OST-2002-11348

ORDER TERMINATING PROCEEDING

By this order, the Department is terminating the carrier selection proceedings at Athens, Georgia.

On January 17, 2002, CCAIR, Inc., d/b/a US Airways Express (CCAIR), a wholly-owned subsidiary of Mesa Air Group, filed a 90-day notice of its intent to suspend its subsidy-free service at Athens, Georgia, effective April 14, 2002. Because CCAIR was the only carrier serving Athens, the Department issued Order 2002-2-14, February 15, 2002, prohibiting the carrier from suspending service at the community and requested proposals, with subsidy if necessary, from carriers interested in providing replacement service. As required by 49 U.S.C. 41734, we have extended CCAIR's service obligation for additional 30-day periods, the latest through [June 17, 2002](#), by Order [2002-5-2](#).

Corporate Airlines and Air Midwest both filed proposals for service at Athens. However, on May 13, 2002, Mesa, acting for CCAIR, formally withdrew its notice of intent to terminate service, stating that another wholly-owned subsidiary of Mesa, Air Midwest, would continue to operate three round trips a day using 19-seat Beech 1900 aircraft, under the same US Airways code-share agreement under which CCAIR operated. We accept the assignment to Air Midwest of CCAIR's obligation to provide the service, and terminate the selection case.

Carrier Fitness

According to 49 U.S.C. 41737(b), the Department must find an air carrier fit, willing and able to provide essential air service. We last reviewed Air Midwest's fitness by Order 2002-3-29, March 29, 2002, in connection with its subsidized air service at five Western Kansas communities. Since then, the Department has routinely monitored the carrier's continuing fitness, and no information has come to our attention that would lead us to question its ability to operate in a reliable manner. We find that Air Midwest continues to have available adequate

financial and managerial resources to maintain reliable service at Athens, and that it continues to possess a favorable compliance disposition. The Federal Aviation Administration has advised us that the carrier is conducting its operations in accordance with 14 CFR Part 121, and knows of no reason why we should not find that Air Midwest remains fit.

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

ACCORDINGLY,

1. The Department terminates the carrier selection proceedings at Athens, Georgia;
2. The Department will rely on Air Midwest's unsubsidized service to meet the essential air service needs at Athens, Georgia;
3. We find that Air Midwest, Inc., d/b/a US Airways Express, remains fit, willing and able to operate as a commuter air carrier and capable of providing essential air service at Athens, Georgia;
4. The Department closes Docket OST-2002-11348; and
5. The Department will serve a copy of this order on the Mayor and Airport Manager of Athens-Clarke County, Corporate Airlines, Air Midwest, and CCAIR, Inc.

By:

READ C. VAN de WATER
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>*