

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Application of :
:
:
ATLANTIC COAST AIRLINES : Docket OST-99-5583
:
For an exemption from Subparts K :
and S of 14 CFR Part 93 as to :
provide nonstop service between :
Charleston International Airport, :
South Carolina and Chicago O'Hare :
Airport, Illinois :
:

AMENDED APPLICATION OF ATLANTIC COAST AIRLINES

Communications with respect to this document should be sent to:

Kerry B. Skeen
President, Chief Executive

Officer
ATLANTIC COAST AIRLINES
515A Shaw Road
Dulles, VA 20166
(703) 925-6000

Robert P. Silverberg, Esq.
Silverberg, Goldman & Bikoff
1101 30th Street, N.W.
Suite 120
Washington, D.C. 20007
(202) 944-3300

Attorneys for
ATLANTIC COAST AIRLINES

Dated: August 6, 1999

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Application of :
:
:
ATLANTIC COAST AIRLINES : Docket OST-99-5583
:
For an exemption from Subparts K :
and S of 14 CFR Part 93 as to :
provide nonstop service between :
Charleston International Airport, :
South Carolina and Chicago O'Hare :
Airport, Illinois :
:

AMENDED APPLICATION OF ATLANTIC COAST AIRLINES

Atlantic Coast Airlines, operating as United Express, hereby amends its application in this Docket for an exemption from the provisions of Subparts K and S of Part 93 of the Federal Aviation Regulations 14 C.F.R. Part 93, Subparts K and S) (the "High Density Airport Rule") to permit ACA to conduct daily nonstop service between Charleston, South Carolina and Chicago's O'Hare International Airport with three so-called "exemption slots".^{1/} ACA is filing this amended application to conform to the terms of Order 99-7-17 which reserved three O'Hare slots with which to serve Charleston and invited interested carriers to submit appropriate applications. In addition, the DOT indicated its intent to award O'Hare exemption slots to an air carrier and, therefore, this

^{1/} ACA will acquire additional slots by means of self-help.

amended application is being submitted solely in the name of ACA.^{2/} Having found "exceptional circumstances" exist and that Charleston warrants nonstop jet service to O'Hare, ACA submits that its application for three exemption slots should be promptly approved so to permit as much advanced marketing of the service as possible in anticipation of a November, 1999 startup. In further support of this amended application, ACA states as follows:

1. As correctly observed by the DOT, the Charleston-O'Hare market is the largest O'Hare market (in terms of local passenger enplanements) which does not currently enjoy nonstop service. Order 99-7-17, p.9; Exhibit 1. ACA is uniquely positioned to respond to this demand for nonstop air service. ACA will do so by linking Charleston to United's premier mid-continent airline hub, from which it serves 126 domestic and 23 international destinations from O'Hare. By linking Charleston to United's hub, Charleston will gain online access to 28 new domestic and 5 new international points compared to those destinations available from Atlanta or Charlotte, to which the majority of Charleston's traffic currently flows. Exhibit 2. Further, 12 domestic and international cities will experience an increase in Charleston connecting opportunities of from 100% to 300%. Exhibit 3. These demonstrable public benefits support the prompt award of the relief requested herein by ACA.

^{2/} In its original application ACA filed jointly with the Charleston County Aviation Authority.

2. Not only will ACA service permit Charleston to enjoy more regional jet connecting service to these new nonstop and single plane destinations, Charleston will have the benefit of ACA's experience in linking communities like Charleston to O'Hare. For a year ACA has been building a second base of operations at O'Hare and as of October, 1999 will be providing O'Hare service to eight small non-hub, small hub and medium hub airports consisting of 42 daily operations.^{3/} ACA has more experience than any regional jet operator at O'Hare in serving communities of these size. Charleston will greatly benefit from this O'Hare regional jet operating experience.

3. ACA currently serves the Charleston-Washington Dulles market with four times daily turboprop J-41 service. In conjunction with ACA's Charleston-O'Hare service and in consideration of aircraft routing patterns, ACA plans to upgrade the Charleston-Washington Dulles market with three times daily regional jet service. The Charleston community will twice benefit by an award of exemption slots to ACA.

4. ACA will be able to profitably serve the Charleston-O'Hare market. To date, ACA has profitably provided regional jet service to O'Hare from seven communities, most of which are smaller

^{3/} ACA will offer 21 daily roundtrip regional jet flights between O'Hare and the communities of Charleston, West Virginia, Fargo, North Dakota, Wilkes Barre-Scranton, Pennsylvania, Peoria, Illinois, Springfield-Branson, Missouri, Savannah, Georgia-Hilton Head, South Carolina, Sioux Falls, South Dakota and Mobile, Alabama.

than the Charleston-O'Hare market. ACA can, therefore, assure the Department that its Charleston-O'Hare operation will be operationally and financially sustainable.

5. Finally, and perhaps most important of all, ACA has the support of the community. ACA, along with the Charleston County Aviation Authority jointly filed for O'Hare slots in this Docket on April 22, 1999. In addition, after American Eagle filed its request for O'Hare-Charleston slots, the Authority went on record with the DOT that it supported the application of ACA. See Exhibit 4. ACA and the Authority first saw the inherent value in nonstop Charleston-O'Hare regional jet service and progressed the issued to the point where the DOT has now found that the public interest mandates the reservation of three O'Hare exemption slots for Charleston. ACA, as the community-preferred carrier, should be awarded the three exemption reserved slots.

WHEREFORE, for the reasons set forth above, Atlantic Coast Airlines hereby respectfully requests the award of three exemption slots in order to provide nonstop regional jet service between Charleston and O'Hare.

Respectfully submitted,

SILVERBERG, GOLDMAN & BIKOFF, L.L.P.

Attorneys for
ATLANTIC COAST AIRLINES

By: _____

Robert P. Silverberg

Dated: August 6, 1999