

**BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.**

Application of

**ACCESSAIR HOLDINGS, INC.,**

for a certificate of public convenience and necessity under 49  
U.S.C. §41102 to engage in interstate and overseas scheduled  
air transportation of persons, property, and mail

DOCKET OST-96-1926

**MOTION OF ACCESSAIR HOLDINGS, INC., FOR FURTHER EXTENSION OF TIME**

Communications with respect to this document should be sent to:

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**NOTICE:** Any person who wishes to support or oppose this motion must file an answer by January 13, 1999, and serve that answer on above-named counsel and all persons served with this application.

**DATED: January 4, 1999**

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By Order 97-7-1, issued in the instant docket on July 1, 1997 and served July 8, 1997, the Department awarded AccessAir Holdings, Inc. ("AccessAir") a conditional certificate of public convenience and necessity authorizing it to engage in interstate scheduled air transportation of persons, property, and mail.

On July 2, 1998, AccessAir filed a motion for a ninety-day extension of the one-year deadline by which it was required to commence operations.<sup>1/</sup> AccessAir maintained that there was good cause for such a waiver given the diligence with which it had addressed the start-up process, the advanced state of its preparation, and the relative certainty that it would soon be in a position to demonstrate compliance with all of the Department's fitness requirements, including the provision of evidence of FAA certification and the availability of sufficient funds.

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<sup>1/</sup>

See 14 C.F.R. § 204.7.

By letter dated August 11, 1998, from Mr. John V. Coleman, Director, Office of Aviation Analysis, the Department announced its decision to grant AccessAir an extension of the one-year start-up deadline. Rather than granting the requested extension for a single period of 90 days, however, the Department indicated its willingness to issue a further extension of the deadline to January 8, 1998, if AccessAir filed, by October 8, evidence that it had made substantial progress towards completion of the FAA certification process, including a statement from the FAA to that effect.

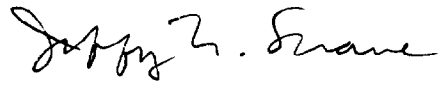
On October 8, 1998, AccessAir filed the information called for by Mr. Coleman's August 11 letter. AccessAir was able to report that it had made substantial progress towards completion of the FAA certification process and enclosed a letter from Mr. Timothy J. Griffith, Manager of the FAA's Flight Standards District Office in Des Moines, Iowa, confirming that progress.

Although AccessAir had every reason to believe last October that it would complete the FAA certification process well within the additional three-month period, that process has been more time-consuming than AccessAir expected. Although AccessAir has continued to make steady progress toward certification, proving flights have been postponed to January 11, and the certification process is expected to be completed by the end of this month. (See attached letter from Mr. Timothy Griffith, Manager, FAA Flight Standards District Office, Des Moines, Iowa, dated December 29, 1998.)

Accordingly, AccessAir respectfully requests an additional extension of 30 days, until February 7, 1999, of the period within which it must commence commercial operations. AccessAir will file updated financial and other information within the next two weeks to facilitate the

Department's issuance to AccessAir of a final certificate of public convenience and necessity to engage in the interstate transportation of persons, property, and mail.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey N. Shane". The signature is written in a cursive, somewhat stylized font.

Jeffrey N. Shane  
Counsel to  
AccessAir Holdings, Inc.

DATED: January 4, 1999