



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

Issued by the Department of Transportation  
on the 21<sup>st</sup> day of February, 2003

Essential Air Service at

**STAUNTON, VIRGINIA**

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

DOCKET OST-2002-11378

**ORDER EXTENDING SERVICE OBLIGATION**

**Summary**

By this order, the Department is extending Air Midwest's service obligation at Staunton, Virginia, for an additional 30 days, through [March 24, 2003](#).<sup>1</sup>

**Background**

On January 23, 2002, Air Midwest, Inc., d/b/a US Airways Express (Air Midwest), filed a 90-day notice of its intent to suspend its subsidy-free service at Staunton, effective April 23, 2002.<sup>2</sup> By Order 2002-3-19, March 20, 2002, the Department prohibited Air Midwest from suspending service at Staunton for an initial 30-day period, through May 23, 2002, and stated that we would issue subsequent 30-day hold-in orders until we could secure replacement service. As required by 49 U.S.C 41734, we have extended Air Midwest's service obligation for additional 30-day periods, the latest through [February 21, 2003](#), by Order [2003-1-22](#).

The Department recently issued Order 2003-1-14, January 17, 2003, selecting Colgan Air to provide replacement service at Staunton. Colgan expects to inaugurate its service in the very near future. Therefore, since this case will not be completed before the end of the current hold-in period, and, as required by 49 U.S.C. 41734, we must continue to hold Air Midwest in at Staunton for an additional 30-day period, or whenever Colgan begins replacement service, whichever occurs first.

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

**ACCORDINGLY,**

1. The Department requires Air Midwest, Inc., d/b/a US Airways Express, to maintain essential air service at Staunton, Virginia, consisting of at least three nonstop round trips a day between Staunton and Greater

<sup>1</sup> Since March 23<sup>rd</sup> is a Sunday, this hold-in period will end on Monday, March 24<sup>th</sup>. (See 14 CFR 302.08.)

<sup>2</sup> While Air Midwest's notice was dated January 7<sup>th</sup>, we did not receive it until January 23<sup>rd</sup>.

Pittsburgh International Airport, for an additional 30-day period, through [March 24, 2003](#), or until Colgan's replacement service actually begins, whichever occurs first;<sup>3</sup>

2. The Department directs Air Midwest to retain all books, records, and other source and summary documents 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. 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-2002-11378 will remain open until further order of the Department; and
4. The Department will serve a copy of this order on the Mayor and Airport Manager of Staunton, Virginia, the State of Virginia and Air Midwest, Inc., d/b/a US Airways Express.

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 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>*

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<sup>3</sup> In accordance with 49 U.S.C. 41734(c), we will extend Air Midwest's service obligation for successive 30-day periods as necessary until replacement service actually begins.