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Order 2003-12-11



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

Issued by the Department of Transportation  
on the December 9, 2003

Served December 12, 2003

Essential Air Service at  
  
**SCOTTSSLUFF, NEBRASKA**  
  
under 49 U.S.C. 41731 *et seq.*

Docket OST-2003-14535 - 17

**ORDER EXTENDING SERVICE OBLIGATION**

**Summary**

By this order, the Department of Transportation extends the service obligation of Great Lakes Aviation, Ltd. (Great Lakes), at Scottsbluff, Nebraska, for an additional 30 days, through January 20, 2004.<sup>1</sup>

**Background**

On February 19, 2003, Great Lakes filed a 90-day notice of its intent to suspend its unsubsidized service at Scottsbluff, effective May 20, 2003.<sup>2</sup> By Order 2003-5-3, May 1, 2003, the Department prohibited Great Lakes from suspending service beyond the end of its 90-day notice period, through June 20, 2003, 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 Great Lakes' service obligation for additional 30-day periods, the latest through December 19, 2003, by Order 2003-11-14.

By Order 2003-12-2, we reissued a Request for Proposals for six communities in Nebraska, including Scottsbluff. Proposals are due January 5, 2004. Therefore, in accordance with 49 U.S.C. 41734(c), we will extend Great Lakes' service obligation at Scottsbluff for an additional 30 days, or until suitable replacement service actually begins, whichever occurs first.

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

**ACCORDINGLY,**

1. We require Great Lakes Aviation, Ltd., to maintain essential air service at Scottsbluff, Nebraska, as specified in ordering paragraph two (2) of Order 2003-5-3, for an additional 30-

<sup>1</sup> Since January 18<sup>th</sup> is a Sunday and Monday is a holiday, this hold-in period will end on Tuesday, January 20<sup>th</sup>. (See 14 CFR 302.08.)

<sup>2</sup> While Great Lakes' notice was dated February 17<sup>th</sup>, we did not receive it until February 19<sup>th</sup>.

day period through January 20, 2004, or until suitable replacement service actually begins, whichever occurs first;<sup>3</sup>

2. We direct Great Lakes 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-2003-14535, will remain open until further order of the Department; and

4. We will serve a copy of this order on the Mayor and Airport Manager of Scottsbluff, and Great Lakes Aviation.

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>*

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