



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

Issued by the Department of Transportation
on the 13th day of August, 2004

Essential Air Service at

DuBOIS, PENNSYLVANIA

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

Served: August 13, 2004

DOCKET OST-2004-17617

ORDER EXTENDING SERVICE OBLIGATION

Summary

By this order, the Department of Transportation extends the service obligation of Air Midwest, Inc., d/b/a US Airways Express (Air Midwest), at DuBois, Pennsylvania, for an additional 30 days, through [September 22, 2004](#).

Background

On April 23, 2004, Air Midwest filed a 90-day notice of its intent to suspend its unsubsidized service at DuBois, effective July 22, 2004. By Order 2004-5-14, May 17, 2004, the Department prohibited Air Midwest from suspending service beyond the end of its 90-day notice period, through August 23, 2004, and requested proposals, with subsidy if necessary, from carriers interested in providing replacement service.

This case will not be completed by the end of the current hold-in period. Therefore, in accordance with 49 U.S.C. 41734(c), we will extend Air Midwest's service obligation at DuBois, for an additional 30 days, or until reliable 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 Air Midwest, Inc., to maintain essential air service at DuBois, Pennsylvania, consisting of three nonstop or one-stop round trips a day to Pittsburgh, for an additional 30-day period, through [September 22, 2004](#), or until reliable replacement service actually begins, whichever occurs first;¹
2. We direct Air Midwest to retain all books, records, and other source and summary documentation to support subsidy claims for payment, and to preserve and maintain such

¹ 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.

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-2004-17617, 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 DuBois, and Air Midwest, Inc.

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)

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<http://dms.dot.gov>*