

Served: January 15, 2004



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

Issued by the Department of Transportation
on the 15th day of January, 2004

In the matter of the revocation of the interstate
certificate issued to

ATLANTIC COAST JET, LLC
d/b/a DELTA CONNECTION

pursuant to the provisions of 14 CFR 204.7

Docket OST-1999-6249

ORDER REVOKING CERTIFICATE

Summary

By this order, we revoke the interstate scheduled certificate issued to Atlantic Coast Jet, LLC d/b/a Delta Connection (ACJ) for reason of dormancy.

Background

ACJ holds a certificate authorizing it to engage in interstate scheduled passenger air transportation.¹ ACJ operated under its certificate authority until July 1, 2001, when all of its operations and aircraft were transferred to a related company, Atlantic Coast Airlines, Inc., itself a certificated air carrier. As a result of this suspension of operations, under section 204.7 of our rules (14 CFR 204.7), ACJ's authority to operate under its certificate was automatically suspended on July 1, 2001.

Under section 204.7, ACJ had one year (in this case, until July 1, 2002) to have its fitness redetermined and resume operations. If it did not, its authority was subject to revocation for reason of dormancy at that time. Subsequently, ACJ filed, and has been granted, three requests for a waiver of the revocation-for-dormancy provisions of section 204.7.² In our most recent approval of an extension of the carrier's revocation-for-dormancy date, we advised ACJ that, if it did not provide the Department with notice of its intent to resume operations along with required updated fitness information on or before December 31, 2003, we intended to revoke its certificate authority at that time. By letter dated December 31, 2003, ACJ advised the

¹ See Order 2000-8-9, dated August 7, 2000, wherein we issued a certificate to Atlantic Coast Jet, Inc. By Order 2002-7-23, dated July 12, 2002, we disclaimed jurisdiction over the transfer of the dormant Atlantic Coast Jet, Inc.'s certificate to Atlantic Coast Jet, LLC, as a result of a corporate reorganization and for tax-related reasons.

² See Order 2002-7-23 and letters dated December 23, 2002, and April 9, 2003.

Department that it did not intend to resume operations and did not object to revocation of its dormant certificate authority. Under the circumstances, by this order, we will revoke the carrier's certificate authority.

ACCORDINGLY, Pursuant to authority assigned by the Department in its regulations, 14 CFR 385.12:

1. We revoke for reason of dormancy the certificate of public convenience and necessity issued to Atlantic Coast Jet, LLC d/b/a Delta Connection by Order 2002-7-23.
2. We will serve a copy of this order on the persons listed in Attachment A.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.30, may file their petitions within 10 days of the service date of this order.

This order shall become effective and become the final action of the Department of Transportation upon expiration of the above period unless within such period a petition for review is filed or the Department gives notice that it will review this order on its own motion.

By:

RANDALL D. BENNETT
Director
Office of Aviation Analysis

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

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