

Served: February 20, 2007



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

**NOTICE ANNOUNCING AN EXTENSION OF TIME
TO FILE ANSWERS TO OBJECTIONS
TO ORDER 2006-12-23**

Docket OST-2005-23307

On February 14, 2007, Virgin America, Inc. ("Virgin America") filed Motions requesting confidential treatment of certain additional evidentiary material and for leave to file this material out of time,¹ supporting its request for a certificate of public convenience and necessity under 49 U.S.C. § 41102 to engage in interstate scheduled air transportation.² We will grant Virgin America's request to file out of time and we will address its request for confidential treatment by separate action.

Given the circumstances in this case, and in an effort to have a complete record for decision, we find it in the public interest to provide interested parties an additional seven business days from the service date of this Notice to file answers, addressing this new material.

We will serve this notice by email or facsimile on all interested parties.

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

This notice is effective immediately and the filing of a petition for reconsideration shall not alter its effectiveness.

Dated at Washington, D.C., February 20, 2007.

By:

TODD M. HOMAN
Director
Office of Aviation Analysis

*An electronic version of this document is available on the World Wide Web at:
<http://dms.dot.gov>*

¹ See Docket No. OST-2005-23307-13143 and OST-2005-23307-13144, respectively.

² See Order 2006-12-23, issued December 27, 2006, in which the Department tentatively concluded that Virgin America is not a U.S. citizen as defined in 49 U.S.C. § 40102(a)(15) and proposed to deny its application for interstate scheduled air transportation of persons, property, and mail under 49 U.S.C. § 41102. Virgin America filed its Objections to our tentative decision on January 18, 2007, and filed supplementary material on January 30. Answers to Objections have been filed.