



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

Issued by the Department of Transportation  
on the 25<sup>th</sup> of October, 2007

**Served: October 30, 2007**

Essential Air Service at

**DuBOIS, PENNSYLVANIA  
FRANKLIN/OIL CITY, PENNSYLVANIA  
GREENBRIER/WHITE SULPHUR SPRINGS/  
LEWISBURG, WEST VIRGINIA  
ATHENS, GEORGIA**

**DOCKET OST-2004-17617  
DOCKET OST-1997-2523  
DOCKET OST-2003-15553  
  
DOCKET OST-2002-11348**

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

**ORDER EXTENDING SERVICE OBLIGATION**

**Summary**

By this order, the Department of Transportation extends the service obligation of Air Midwest, Inc., at the four above-captioned communities, for an additional 30 days, through November 30, 2007.

**Background**

On May 3, 2007, Air Midwest filed 90-day notices of its intent to suspend its subsidized service at the four communities captioned above, effective August 1. By Order 2007-5-14, May 21, 2007, the Department prohibited the carrier from suspending service through August 31 at the communities, 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 Air Midwest's service obligation for additional 30-day periods, the latest through October 31, 2007, by Order 2007-9-26.

By Order 2007-7-21, July 26, 2007, the Department selected Gulfstream International Airlines, Inc. (Gulfstream), to provide replacement service at the above-mentioned communities but the carrier transition has not yet taken place. Therefore, in accordance with 49 U.S.C. 41734(c), we will extend Air Midwest's service obligation for an additional 30 days, or until Gulfstream actually begins service, 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 its current level of essential air service at DuBois, and Franklin/Oil City, PA, Greenbrier/White Sulphur Springs/Lewisburg, WV, and Athens,

GA, as described in Appendix D of Order 2007-5-14, May 21, 2007, for an additional 30 days, through November 30, 2007, or until Gulfstream actually begins service, whichever occurs first.<sup>1</sup>

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 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. These dockets will remain open until further order of the Department; and

4. We will serve copies of this order on the mayors and airport managers of DuBois, Franklin/Oil City, PA, Greenbrier/White Sulphur Springs/Lewisburg, WV, Athens, GA, and on 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:

**TODD M. HOMAN**  
Director  
Office of Aviation Analysis

(SEAL)

*An electronic version of this document is available on the World Wide Web at  
[www.regulations.gov](http://www.regulations.gov)*

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<sup>1</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 Gulfstream actually begins service.