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The authorization to serve Liberty-Monticello, N.Y., shall expire on October 26, 1967.¹ The authorization to serve segments 8 and 9 shall expire on June 23, 1969.²

IN WITNESS WHEREOF, the Civil Aeronautics Board has caused this certificate to be executed by the Secretary of the Board, and the seal of the Board to be affixed hereto, on the 29th day of December 1969.

¹ On Apr. 26, 1967, the holder filed an application in docket 18469 for renewal of this authorization.

² On Nov. 18, 1968, the holder filed an application in docket 20472 for renewal of this authorization.

DOCKET 21395, **DELTA AIR LINES, ROUTE 54 AMENDMENT**—order 70-1-17 adopted January 5, 1970.

By order 69-10-69 dated October 15, 1969, the Board set for further proceedings, pursuant to sections 302.1406-1410 of the Board's Procedural Regulations, the application of Delta Air Lines, Inc. (Delta), for nonstop authority between Birmingham, on the one hand, and Cincinnati and Detroit, on the other.¹

If its application is granted, Delta proposes to operate a daily nonstop round trip between Detroit and Birmingham, a daily round trip between Detroit and Birmingham via Cincinnati, and six nonstop round trips a week between Cincinnati and Birmingham. All flights would originate and terminate at New Orleans.

Answers in support of Delta's application have been filed by the city of Birmingham, the Birmingham Area Chamber of Commerce, the Alabama Department of Aeronautics, the Greater Cincinnati Chamber of Commerce, the Kenton County Airport Board, the Detroit Aviation Commission, the Board of County Road Commissioners of the County of Wayne, the Greater Detroit Chamber of Commerce, and the Chamber of Commerce of the New Orleans area.

No answers in opposition have been filed.²

Upon consideration of the pleadings and other relevant facts, we find that the public convenience and necessity require that amendment of Delta's certificate for route 54 to permit nonstop service between Birmingham, on the one hand, and Cincinnati and Detroit, on the other.

Award of the requested authority will permit Delta to provide first single-plane service in the Birmingham-Cincinnati, Birmingham-Detroit, and Cincinnati-New Orleans markets, which had a total of 31,890 local and connecting passengers in 1967. The routings proposed by Delta will enable passengers in these markets to avoid the necessity of making connections at the congested Atlanta airport.

We further find that no other carrier will experience any significant diversion by reason of the grant of Delta's application. Significantly, no other carrier has objected to Delta's application. Moreover, the greatest amount of diversion which may occur will probably be self-diversion, since Delta's share of the Birmingham-Detroit/Cincinnati markets exceeds 96 percent.

Accordingly, we find that the public convenience and necessity require the amendment of Delta's certificate of public convenience and necessity for route 54 as described above. We also find that, for the purpose of determining a license fee in accordance with the schedule set forth in section 389.25 of the regulations, the annual gross transport revenue increase for the first year of operations resulting from the new certificate authority granted herein is estimated to be between \$1 million and \$5 million.

Since we are granting the authority Delta seeks by this order, Delta's motion for an order to show cause is moot and should be dismissed. Accordingly,

IT IS ORDERED—

1. That an amended certificate of public convenience and necessity in the form attached hereto shall be issued to Delta Air Lines, Inc., for route 54;

2. That said certificate shall be signed on behalf of the Board by its Secretary, shall have affixed thereto the seal of the Board, and shall be effective on January 16, 1970:

¹ Delta also filed a motion requesting the Board to issue an order to show cause why the authority sought in its application should not be granted.

² Southern Airways, Inc., filed a motion for postponement of the date for filing answers, but subsequently withdrew it and did not file an answer.

Provided, however, That the effective date of said certificate shall be automatically postponed until further Board order if the appropriate license fee is not paid pursuant to subsection 389.21(b) of the regulations;

3. That this proceeding be and it hereby is terminated; and

4. That Delta Air Lines, Inc.'s, motion for order to show cause be and it hereby is dismissed.

CERTIFICATE FOR ROUTE 54

DELTA AIR LINES, INC.

is hereby authorized, subject to the provisions hereinafter set forth, the provisions of title IV of the Federal Aviation Act of 1958, and the orders, rules, and regulations issued thereunder, to engage in air transportation with respect to persons, property, and mail as follows:

1. Between the terminal point Chicago, Ill., the intermediate points Indianapolis, Ind., Cincinnati, Ohio, Louisville and Lexington, Ky., Knoxville, Tenn., and Asheville, N.C., and beyond Asheville, the intermediate points (a) Columbia and Charleston, S.C., and Savannah, Ga., or (b) Augusta and Savannah, Ga., and beyond Savannah, the intermediate points Brunswick, Ga., and Jacksonville, Orlando, Tampa-St. Petersburg-Clearwater, and West Palm Beach, Fla., and the coterminal points Fort Lauderdale and Miami, Fla.;

2. Between the terminal point Chicago, Ill., the intermediate points Indianapolis, Ind., Cincinnati, Ohio, Louisville and Lexington, Ky., Knoxville and Chattanooga, Tenn., and Atlanta, Ga., and beyond Atlanta, the intermediate points (a) Savannah, Ga., or (b) Augusta, Ga., and beyond Augusta, the intermediate points (i) Columbia and Charleston, S.C., and Savannah, Ga., or (ii) Savannah, Ga., and beyond Savannah, the intermediate points Brunswick, Ga., and Jacksonville, Orlando, Tampa-St. Petersburg-Clearwater, and West Palm Beach, Fla., and the coterminal points Fort Lauderdale and Miami, Fla.;

3. Between the terminal point Detroit, Mich., the intermediate points Toledo, Columbus, Dayton, and Cincinnati, Ohio, and beyond Cincinnati, as described in segments 1 and 2;

4. Between the terminal point Detroit, Mich., the intermediate point Cincinnati, Ohio, and the terminal point Birmingham, Ala.

The service herein authorized is subject to the following terms, conditions, and limitations:

1. The holder shall render service to and from each of the points named herein, except as temporary suspensions of service may be authorized by the Board, and may begin or terminate, or begin and terminate, trips at points short of terminal points.

2. The holder may continue to serve regularly any point named herein through the airport last regularly used by the holder to serve such point prior to the effective date of this certificate, and may continue to maintain regularly scheduled nonstop service between any two points not consecutively named herein if nonstop service was regularly scheduled by the holder between such points prior to the effective date of this certificate. Upon compliance with such procedure relating thereto as may be prescribed by the Board, the holder may, in addition to the service hereinabove expressly prescribed, regularly serve a point named herein through any airport convenient thereto, and render scheduled nonstop service between any two points not consecutively named herein between which service is authorized hereby.

3. The holder shall serve Miami, Fla., only on flights originating or terminating at points north of Jacksonville, Fla.

4. Flights serving two or more of the points in Ohio and Michigan named on segment 2 or 4 shall originate or terminate at Atlanta, Ga., Birmingham, Ala., or a point south of either.

5. Flights serving Orlando or West Palm Beach, Fla., shall originate or terminate at a point north of Atlanta, Ga.

6. The holder shall not engage in air transportation with respect to persons and prop-

erty between Fort Lauderdale and Miami, Fla.

7. The holder shall not engage in single-plane air transportation with respect to persons and property between Fort Lauderdale and West Palm Beach, Fla.

The exercise of the privileges granted by this certificate shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

This certificate shall be effective on January 16, 1970: *Provided, however*, That the effective date of said certificate shall be automatically postponed until further Board order if the appropriate license fee is not paid pursuant to subsection 389.21(b) of the regulations.

IN WITNESS WHEREOF, the Civil Aeronautics Board has caused this certificate to be executed by the Secretary of the Board, and the seal of the Board to be affixed hereto, on the 5th day of January 1970.

DOCKETS 21176, 18381, COMMUTER AIRLINES, SERVICE MAIL RATES—order 70-1-21 issued January 6, 1970.

All interested persons, particularly Commuter Airlines, Inc., the Postmaster General, and Eastern Air Lines, Inc., were directed by order 69-12-49 dated December 11, 1969, to show cause why the Board should not establish the service mail rates proposed therein.

The time designated for filing notice of objection has elapsed, and no notice of objection or answer to the order has been filed by any party. All parties have therefore waived the right to a hearing and all other procedural steps short of a decision by the Board fixing the service mail rates.

Upon consideration of the record, the findings and conclusions set forth in said order are hereby reaffirmed and adopted.

Accordingly, pursuant to the Federal Aviation Act of 1958, particularly sections 204(a) and 406 thereof, the Board's regulations, 14 CFR 302 and 14 CFR 298, and the authority duly delegated by the Board in its Organization Regulations, 14 CFR 385.14(g),

It Is ORDERED—

1. That the fair and reasonable final service mail rates to be paid on and after December 8, 1969, to Commuter Airlines, Inc., pursuant to section 406 of the Act, for the transportation of priority mail by aircraft, the facilities used and useful therefor, and the services connected therewith between Binghamton, N.Y., and Washington, D.C., shall be the rates established by the Board in order E-25610, August 28, 1967 (47 C.A.B. 310), as amended, and shall be subject to the other provisions of that order;

2. That the fair and reasonable temporary service mail rates to be paid on and after December 8, 1969, to Commuter Airlines, Inc., pursuant to section 406 of the Act for the transportation of nonpriority mail by aircraft, the facilities used and useful therefor, and the services connected therewith between Binghamton, N.Y., and Washington, D.C., shall be the rates established by the Board in order E-17255, July 31, 1961 (34 C.A.B. 143), as amended, subject to any retroactive adjustment made in docket 18381;

3. That the service mail rates here fixed and determined are to be paid entirely by the Postmaster General; and

4. That this order shall be served on Commuter Airlines, Inc., the Postmaster General, and Eastern Air Lines, Inc.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

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

DOCKETS 21280, 18381, EXECUTIVE AIRLINES, SERVICE MAIL RATES—order 70-1-31 issued January 7, 1970.

All interested persons, particularly Executive Airlines, Inc., the Postmaster General, and Northeast Airlines, Inc., were directed by order 69-12-109 dated December 24, 1969,

amended, it is in the public interest to establish certain air carriers who will be primarily engaged in short-haul air transportation as distinguished from the service rendered by trunkline air carriers. In accepting this certificate, the holder acknowledges and agrees that the primary purpose of this certificate is to authorize and require it to offer short-haul, local or feeder, air transportation service of the character described above.

This certificate shall be effective on January 12, 1970.

IN WITNESS WHEREOF, the Civil Aeronautics Board has caused this certificate to be executed by the Secretary of the Board, and the seal of the Board to be affixed hereto, on the 12th day of January 1970.

NORTH CENTRAL AIRLINES, CERTIFICATE CHANGE—order 70-1-57 issued January 12, 1970.

North Central Airlines, Inc., has informed the Board that on January 1, 1970, the cities of Port Arthur and Fort William, Canada, which are hyphenated on its route 86-F, have been consolidated into a single municipality under the name Thunder Bay, Canada. North Central has requested the reissuance of the certificate of public convenience and necessity for route 86-F to reflect this change in name.

Pursuant to authority delegated by the Board's regulations, 14 CFR 385, and finding that the circumstances warrant the action as requested and that its disposition is governed by prior Board precedent and policy,

IT IS ORDERED—

1. That the certificate of public convenience and necessity for route 86-F issued to North Central Airlines, Inc., pursuant to order E-24903 (46 C.A.B. 308), be reissued in the form attached hereto, so as to reflect the change in name of the hyphenated point Port Arthur-Fort William to Thunder Bay, Canada;

2. That the said reissued certificate shall be signed on behalf of the Board by its Secretary, shall have affixed thereto the seal of the Board, and shall be effective on January 12, 1970.

Persons entitled to petition the board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 5 days after the date of service of this order.

This order shall be effective immediately, and the filing of a petition for review shall not preclude such effectiveness.

CERTIFICATE FOR ROUTE 86-F

NORTH CENTRAL AIRLINES, INC.

is hereby authorized, subject to the provisions hereinafter set forth, the provisions of title IV of the Federal Aviation Act of 1958, and the orders, rules, and regulations issued thereunder, to engage in foreign air transportation with respect to persons, property, and mail as follows:

1. Between the terminal point Duluth, Minn.-Superior, Wis., and the terminal point Thunder Bay, Canada;
2. Between the terminal point Detroit, Mich., and the terminal point Toronto, Canada.

The service herein authorized is subject to the following terms, conditions, and limitations:

1. Notwithstanding any other provision of this certificate, the holder shall at all times conduct its operations in accordance with all treaties and agreements between the United States and other countries, and the exercise of the privileges granted by this certificate shall be subject to compliance with such treaties and agreements and to any orders of the Board issued pursuant to, or for the purpose of requiring compliance with, such treaties and agreements.

2. The holder shall render service between the points named herein, except as temporary suspensions of service may be authorized by the Board.

3. The holder may continue to serve regularly any point named herein through the air-

port last regularly used by the holder to serve such point prior to the effective date of this certificate. Upon compliance with such procedure relating thereto as may be prescribed by the Board, the holder may, in addition to the service hereinabove expressly prescribed, regularly serve a point named herein through any airport convenient thereto.

4. The exercise of the authority granted herein shall be subject to there first being obtained from the Canadian Government such operating rights as may be necessary.

5. The holder's authority to engage in the transportation of mail between Detroit, Mich., and Toronto, Canada, is limited to the carriage of mail on a nonsubsidy basis, i.e., on a service mail rate to be paid entirely by the Postmaster General, and the holder shall not be entitled to any subsidy with respect to such operations.

The exercise of the privileges granted by this certificate shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

In accepting this certificate, the holder acknowledges and agrees that it is only entitled to receive service mail pay for the mail service rendered or to be rendered in connection with the operations specified in paragraph 5 above and that it is not authorized to request or receive any compensation for mail service rendered or to be rendered for such operations in excess of the amount payable by the Postmaster General.

This certificate shall be effective January 12, 1970.

IN WITNESS WHEREOF, the Civil Aeronautics Board has caused this certificate to be executed by the Secretary of the Board, and the seal of the Board to be affixed hereto, on the 12th day of January 1970.

DOCKET 16196 ET AL., CENTRAL ROUTE 81 CASE—order 70-1-64 adopted January 13, 1970.

By order 69-2-41, February 11, 1969 (50 C.A.B. 518), the Board issued Frontier Airlines an amended certificate of public convenience and necessity for route 73 (effective February 19, 1969). That certificate made effective new authority granted to Frontier on its former route 81 by order 68-8-96, August 22, 1968 (50 C.A.B. 518)¹ and, for administrative reasons, consolidated routes 73 and 81 into a single certificate.

Continental Air Lines has filed a petition asking that the consolidated certificate of Frontier be corrected so as to continue to preclude nonstop turnaround service by Frontier between Denver, Colo., and Kansas City, Mo., Frontier filed an answer opposing Continental's petition.

Prior to issuance of the consolidated certificate, Frontier held one-stop authority between Denver and Kansas City on route 81 and nonstop authority, subject to a restriction against turnaround service, on route 73. Neither the one-stop restriction nor the turnaround restriction was in issue in the Central Route 81 Case, and the consolidation of Frontier's two routes was done solely for administrative purposes with no intention of adding to Frontier's authority. As Continental correctly points out, therefore, granting Frontier unrestricted Denver-Kansas City authority was an inadvertent byproduct of the certificate consolidation.

While Frontier does not dispute any of these facts, it argues that the Board does not have the power to correct its error now and that, in any event, on the merits it should have the more liberal authority. The latter point, of course, is irrelevant because such authority was not in issue.

As to the Board's power to correct, without notice and hearing, errors in certificates it has issued, we find nothing in Frontier's argument to convince us that the Board's longstanding practice of making such corrections is unlawful.² In neither case cited by Frontier—*C.A.B. v. Delta Air Lines*, 367 U.S. 316 (1961), and *Pacific Northwest-Alaska Air Service Case*, order E-23217, February 10, 1966—was it held, or even implied, that the Board lacked such power. While in the *Delta* case the Supreme Court held that the Board

¹ A specimen certificate was attached to order 68-8-96, and only minor changes, not here relevant, were made in the final certificate issued to Frontier.

² E.g., *Southern Airways, Route Realignment*, 50 C.A.B. 840 (1969); *Continental Air Lines, Certificate Amendment*, 49 C.A.B. 737 (1968); *Airlift-Slick Route Transfer*, 48 C.A.B. 579 (1968); *Southwestern Area Local-Service Case*, 39 C.A.B. 173 (1963); *Pan Am. Airways, North Atlantic Route*, 7 C.A.B. 849 (1947).

In view of the foregoing, it is necessary to amend the lists of stations included in order 69-12-132.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14(c),

It Is ORDERED—

1. That order 69-12-132 be amended to delete Ponce from the lists of Z and A stations and add Ponce to the lists of Y and B stations in the appendixes thereto effective January 10, 1970;

2. That this order will be published in the Federal Register;

3. That this order be served upon all parties to these proceedings.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 7 days after the date of service of this order.

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

DOCKET 21384, WESTERN AIR LINES, CERTIFICATE AMENDMENT—orders 70-1-79 and 69-11-136.

ORDER 70-1-79 ADOPTED JANUARY 15, 1970

By order 69-11-136 dated November 26, 1969, *infra*, the Board directed all interested persons to show cause why the Board should not order the amendment of the certificate of public convenience and necessity for route 35 held by Western Air Lines, Inc. (Western), to modify condition 4,¹ insofar as it precludes single-plane service between San Francisco/San Jose or Oakland and Minneapolis/St. Paul via Denver. The order required that any interested persons having objections to the issuance of an order making final the proposed findings and conclusions set forth therein file such objections within 20 days after service. No objections have been received.

Accordingly, we conclude that the tentative findings and conclusions contained in order 69-11-136 should be made final and that the public convenience and necessity require the amendment of Western's certificate of public convenience and necessity for route 35 in the form and manner set forth in the attached certificate.

For purposes of determining a license fee in accordance with the schedule set forth in section 389.25 of the Board's Organization Regulations (14 CFR 389.25), the Board finds an annual gross transport revenue increase of between \$100,000 and \$1 million during the first full year of operations is estimated to result from operation of new authority granted herein. Accordingly,

It Is ORDERED—

1. That the tentative findings and conclusions contained in order 69-11-136 be and they are made final;

2. That an amended certificate of public convenience and necessity in the form attached hereto be issued to Western Air Lines, Inc., for route 35; and

3. That said certificate shall be signed on behalf of the Board by its Secretary, shall have affixed thereto the seal of the Board, and shall be effective on January 30, 1970: *Provided, however*, That the effective date of said certificate shall be automatically postponed until further Board order if the appropriate license fee is not paid pursuant to subsection 389.21(b) of the regulations.

¹ Condition 4 of Western's route 35 reads as follows: "The holder shall not operate through-plane service between Reno, Nev., and San Francisco-San Jose or Oakland, Calif., on the one hand, and points (other than Denver, Colo.) north or east of Salt Lake City, Utah, on its routes 19, 28, and 35, on the other hand."

CERTIFICATE FOR ROUTE 55

WESTERN AIR LINES, INC.

is hereby authorized, subject to the provisions hereinafter set forth, the provisions of title IV of the Federal Aviation Act of 1958, and the orders, rules, and regulations issued thereunder, to engage in air transportation with respect to persons, property, and mail as follows:

1. Between the terminal point Minneapolis-St. Paul, Minn., the intermediate points Sioux Falls, Pierre, and Rapid City, S. Dak., and (a) beyond Rapid City, the intermediate point Cheyenne, Wyo., and the terminal point Denver, Colo., (b) beyond Rapid City, the terminal point Sheridan, Wyo., and (c) beyond Rapid City, the intermediate point Casper, Wyo., and the terminal point Salt Lake City, Utah;

2. Between the terminal point Denver, Colo., the intermediate points Salt Lake City, Utah, and Reno, Nev., and the coterminal points San Francisco-San Jose and Oakland, Calif.;

3. Between the terminal point Minneapolis-St. Paul, Minn., the intermediate points Denver, Colo., and Phoenix, Ariz., and the terminal point San Diego, Calif.;

4. Between the terminal point Phoenix, Ariz., and the terminal point Los Angeles, Calif.;

5. Between the coterminal points Minneapolis-St. Paul, Minn., Denver, Colo., Phoenix, Ariz., and San Francisco-Oakland-San Jose, Los Angeles-Ontario-Long Beach, and San Diego, Calif., the intermediate point Hilo, Hawaii, and the terminal point Honolulu, Hawaii.

The service herein authorized is subject to the following terms, conditions, and limitations:

1. The holder shall render service to and from each of the points named herein, except as temporary suspensions of service may be authorized by the Board, and may begin or terminate, or begin and terminate, trips at points short of terminal points.

2. The holder may continue to serve regularly any point named herein through the airport last regularly used by the holder to serve such point prior to the effective date of this certificate, and may continue to maintain regularly scheduled nonstop service between any two points not consecutively named herein if nonstop service was regularly scheduled by the holder between such points prior to the effective date of this certificate. Upon compliance with such procedure relating thereto as may be prescribed by the Board, the holder may, in addition to the service hereinabove expressly prescribed, regularly serve a point named herein through any airport convenient thereto, and render scheduled nonstop service between any two points not consecutively named herein between which service is authorized hereby.

3. The holder shall render service to Sioux Falls, S. Dak., only on flights originating or terminating at Rapid City, S. Dak., or a point west thereof, or at Denver Colo.

4. The holder shall not operate through-plane service between Reno, Nev., and San Francisco-San Jose or Oakland, Calif., on the one hand, and points (other than Denver, Colo.) north or east of Salt Lake City, Utah, on its routes 19, 28, and 35, on the other hand: *Provided, however,* That the holder may operate single-plane service between San Francisco-San Jose or Oakland, Calif., and Minneapolis-St. Paul, Minn., via the intermediate point Denver, Colo.

5. The holder shall not serve Los Angeles or San Diego, Calif., Las Vegas, Nev., or any point north or east of Denver on flights which serve both Salt Lake City, Utah, and Denver, Colo.

6. Flights serving Denver, Colo., on the one hand, and San Diego, Calif., on the other hand, shall also serve Phoenix, Ariz.: *Provided,* That this condition shall not apply to flights over segment 5 serving Hilo or Honolulu, Hawaii.

7. The holder shall provide nonstop service between Phoenix, Ariz., on the one hand, and Los Angeles, Calif., on the other hand, only on flights originating or terminating at Portland, Oreg., Seattle, Wash., or Hilo or Honolulu, Hawaii.

8. On flights serving Los Angeles, Calif., on the one hand, and Phoenix, Ariz., on the other, on segment 4, the holder shall not schedule single-plane service to Denver, Colo.

9. The holder shall not schedule single-plane service through the San Jose airport between San Francisco-San Jose, Calif., and Reno, Nev.

10. Flights on segment 5 serving Los Angeles-Ontario-Long Beach, Calif., shall also serve a point east of California.

11. The authority granted in segment 5 is limited to the carriage of persons, property, and mail having a point of origin, destination, stopover, or transit in the State of Hawaii. Pursuant to such authority, the holder may grant stopover privileges at any coterminal on the U.S. mainland named in said segment to passengers moving to or from a point in the State of Hawaii.

12. On flights serving both Honolulu and Hilo, Hawaii, the holder shall not deplane at one of said points persons, property, or mail enplaned at the other.

13. The holder's authority to serve Hilo, Hawaii, shall be contingent upon its filing and keeping on file with the Board tariffs providing for common fares for persons and their accompanied baggage to and from all points in the State of Hawaii receiving service from a certificated air carrier, for all classes of service which the holder offers, and further providing for stopovers without charge or at nominal charge at the points of entry into and departure from the State of Hawaii and at intermediate points between such points of entry and departure and the ultimate point of origin or destination in the State of Hawaii, subject to such terms, conditions, and limitations as may be agreed upon by and between the holder and the certificated air carriers serving points in the State of Hawaii other than Honolulu and Hilo and are approved by the Board: *Provided, however*, That in the event of a disagreement between the holder and such carriers as to the terms, conditions, and limitations applicable to such common fares (including the divisions thereof), this condition shall be deemed to be satisfied if the holder offers to enter into an agreement concerning such common fares which the Board determines to be reasonable.

The exercise of the privileges granted by this certificate shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

This certificate shall be effective on January 30, 1970: *Provided, however*, That the effective date of said certificate shall be automatically postponed until further Board order if the appropriate license fee is not paid pursuant to subsection 389.21(b) of the regulations.

IN WITNESS WHEREOF, the Civil Aeronautics Board has caused this certificate to be executed by the Secretary of the Board and the seal of the Board to be affixed hereto, on the 15th day of January 1970.

ORDER 69-11-136 ADOPTED NOVEMBER 26, 1969

On September 4, 1969, Western Air Lines, Inc. (Western), filed an application, docket 21384, for an amendment of its certificate of public convenience and necessity for route 35 so as to modify condition 4,¹ insofar as it precludes single-plane service between San Francisco/San Jose or Oakland and Minneapolis/St. Paul on a "less than nonstop basis," through the issuance of an order to show cause why Western's certificate should not be amended as requested or, in the alternative, that the Board issue an order pursuant to section 416 of the act permanently exempting Western from the operation of condition 4 insofar as it would prevent single-plane service between San Francisco/San Jose or Oakland and Minneapolis/St. Paul on a "less than nonstop basis."

In conjunction with the setting down of the Twin Cities-California Service Investigation, order E-24071 dated August 12, 1966 (45 C.A.B. 855), the Board granted Western an exemption from the terms and limitations of its certificate of public convenience and necessity for route 35 insofar as they would otherwise prevent Western from providing nonstop or through-plane service between Minneapolis/St. Paul, Minn., and San Francisco/San Jose or Oakland, Calif. This exemption authority was subject to automatic termination 90 days after final board action in the Twin Cities-California Service Investi-

¹ Condition 4 of Western's route 35 reads as follows: "The holder shall not operate through-plane service between Reno, Nev., and San Francisco-San Jose or Oakland, Calif., on the one hand, and points (other than Denver, Colo.) north or east of Salt Lake City, Utah, on its routes 19, 28, and 35, on the other hand."

gation.² By order 69-8-14 dated August 5, 1969 (52 C.A.B. 1), the Board issued its decision in the Twin Cities-California Service Investigation. Accordingly, under the terms of order E-24071, single-plane authority on route 35 expired automatically on November 3.³

Pursuant to exemption authority granted by order E-24071, Western presently provides one daily passenger round trip between San Francisco and Twin Cities via Denver. In addition, Western has recently inaugurated all-cargo service between these points. Western alleges that the present Twin Cities-San Francisco cargo market is in a developmental stage and is insufficient alone to support nonstop all-cargo service. Therefore, support from the intermediate point Denver is necessary to continue the full development of its new service.

No answers have been filed.

Upon consideration of the pleadings and all the relevant facts, we have decided to grant Western's request for an order to show cause, and we tentatively find and conclude that the public convenience and necessity require the modification of condition 4 of the certificate of Western Air Lines, Inc., for route 35 in such a manner as to authorize single-plane service between San Francisco/San Jose or Oakland, Calif., and Minneapolis/St. Paul, Minn., via the intermediate point Denver, Colo. We further find that Western has recently been granted San Francisco-Twin Cities nonstop authority and in fact has provided such nonstop service pursuant to exemption authority granted August 12, 1966.

In support of our ultimate findings, we tentatively find and conclude as follows: that Western presently operates a limited service pattern between San Francisco and Twin Cities via the intermediate point, Denver; that the continuation of Western's San Francisco flights via Denver should provide appreciable benefits for the traveling public; that the modification of condition 4 of Western's route 35 should enable Western to further develop its present all-cargo services; and that grant of the authority in question will not adversely affect any air carrier.

Interested persons will be given 20 days following service of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to support their objections with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedents or detailed economic analysis. If an evidentiary hearing is requested the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he would expect to establish through such a hearing. General, vague, or unsupported objections will not be entertained. Accordingly,

IT IS ORDERED—

1. That all interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and amending Western Air Lines' certificate of public convenience and necessity for route 35 by modifying condition 4 to read as follows:

4. The holder shall not operate single-plane service between Reno, Nev., and San Francisco-San Jose or Oakland, Calif., on the one hand, and points (other than Denver, Colo.) north or east of Salt Lake City, Utah, on its routes 19, 28, and 35 on the other hand: *Provided, however*, That the holder may operate single-plane service between San Francisco-San Jose or Oakland, Calif., and Minneapolis-St. Paul, Minn., via the intermediate point Denver, Colo.

2. That any interested person having objections to the issuance of an order making final the proposed findings, conclusions, and certificate amendments set forth herein, shall, within 20 days after service of this order, file with the Board and serve upon all persons upon whom this order is served a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections;

3. That all motions and/or petitions for reconsideration shall be filed within the period

² Multistop authority was not an issue in this investigation.

³ On Nov. 3, 1969, an order was issued in docket 16866 (order 69-11-1) granting Western a temporary extension of its exemption authority for a period of 60 days or until final Board decision on Western's application in this docket.

for filing objections, and no further such motions, requests or petitions for reconsideration of this order will be entertained. If timely and properly supported objections are filed, full consideration will be accorded the matters or issues raised by the objections before further action is taken by the Board;

4. That in the event no objections are filed, all further procedural steps will be deemed to have been waived, and the case will be submitted to the Board for final action;

5. That except to the extent otherwise granted herein, Western's application in docket 21384 be and it hereby is denied; and

6. That a copy of this order shall be served upon the cities of San Francisco, Oakland, and San Jose, Calif., Denver, Colo., and Minneapolis and St. Paul, Minn., and upon Air West, American Airlines, Braniff Airways, Continental Air Lines, Delta Air Lines, Eastern Air Lines, The Flying Tiger Line, Frontier Airlines, Northwest Airlines, Ozark Air Lines, Pan American World Airways, Texas International Airlines, Trans World Airlines, United Air Lines, and Western Air Lines.

This order shall be published in the Federal Register.

WIEN CONSOLIDATED AIRLINES, CERTIFICATE—order 70-1-85 issued January 16, 1970.

The city of St. Mary's, Alaska, has requested that the point "Andreafski (St. Mary's)" on Wien Consolidated Airlines' certificate of public convenience and necessity for route 126 be changed to "St. Mary's," Alaska. Wien Consolidated supports this request. The city states that the name of the airport served by Wien Consolidated within the city of St. Mary's has been changed from Andreafski airport to St. Mary's airport; and that the continued use of the name Andreafski in Wien Consolidated's schedules is confusing to the traveling public. Based on the foregoing, Wien Consolidated's certificate for route 126 will be reissued to reflect this change in name.

Pursuant to authority delegated by the Board's regulations, 14 CFR 385, and finding that the circumstances warrant the action as requested and that its disposition is governed by prior Board precedent and policy,

It Is ORDERED—

1. That the certificate of public convenience and necessity for route 126 issued to Wien Consolidated Airlines, Inc., pursuant to order 68-7-122 (48 C.A.B 858), be reissued in the form attached hereto, so as to reflect the change in name of the point Andreafski (St. Mary's) to St. Mary's, Alaska; and

2. That the said reissued certificate shall be signed on behalf of the Board by its Secretary, shall have affixed thereto the seal of the Board, and shall be effective on January 16, 1970.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 5 days after the date of service of this order.

This order shall be effective immediately, and the filing of a petition for review shall not preclude such effectiveness.

CERTIFICATE FOR ROUTE 126

WIEN CONSOLIDATED AIRLINES, INC.

is hereby authorized, subject to the provisions hereinafter set forth, the provisions of title IV of the Federal Aviation Act of 1958, and the orders, rules, and regulations issued thereunder applicable to air transportation in Alaska, to engage in air transportation with respect to persons, property, and mail within Alaska:

1. Between the terminal point Anchorage, the intermediate points, Skwentna, Farewell, and McGrath, and (a) beyond McGrath, the intermediate points Tatalina, Takotna, Ganes Creek, Ophir, and Folger, and the terminal point Cripple Landing, and (b) beyond McGrath, the intermediate points Stony River, Sleetmute, Red Devil Flat, Crooked Creek, Napamute, and Aniak, and (i) beyond Aniak, the intermediate point Holy Cross, and (1) beyond Holy Cross, the intermediate points Anvik and Shageluk, and the terminal point Holikachuk, and (2) beyond

Holy Cross, the intermediate points Paimiut and Russian Mission, and the terminal point Fortuna Ledge (Marshall), and (ii) beyond Aniak, the intermediate points Kalskag, Nyac, Tuluksak, Akiak, Akiachak, Kwethluk, and Bethel, and (1) beyond Bethel, the intermediate points Dillingham, King Salmon, and Iliamna, and the terminal point Anchorage, and (2) beyond Bethel, the intermediate points Kwinhagak, Goodnews Bay, and Platinum and the terminal point Cape Newenham, and (c) beyond McGrath, the intermediate points Medfra and Lake Minchumina, and the terminal point Fairbanks;

2. Between the terminal point Fairbanks, the intermediate points Tanana, Galena, McGrath, Medfra, and Lake Minchumina, and the terminal point Fairbanks;

3. Between the terminal point Bethel, the intermediate points Napakiak, Eek, Kwigillingok, Kipnuk, Tununak, Mekoryuk, Hooper Bay, Cape Romanzof, Scammon Bay, Chevak, and Nunapitchuk, and the terminal point Bethel;

4. Between the terminal point Unalakleet, the intermediate points St. Michael, Hamilton, Kwiguk, Alakanuk, Sheldon Point, Mountain Village, St. Mary's, Pilot Station, and Fortuna Ledge, and the terminal point Bethel;

5. Between the terminal point Fairbanks, the intermediate points Woodchopper and Eagle, and the terminal point Chicken;

6. Between the terminal point Fairbanks, the intermediate points Livengood, Stevens Village, Beaver, Venetie, and Fort Yukon, and the intermediate point Chalkyitsik;

7. Between the terminal point Fairbanks, the intermediate point Bettles, and beyond Bettles, the intermediate points (a) Anaktuvuk Pass, Umiat, Meade River, Barrow, Barter Island, (Kaktovik), Arctic Village, Fort Yukon, Circle, Central, and Circle Hot Springs, and the terminal point Fairbanks, or (b) Wiseman and Big Lake, and the terminal point Chandalar, or (c) Beetles Village, Allakaket, Utopia, Hughes, and Hogatza, and the terminal point Hualia;

8. Between the terminal point Fairbanks, the intermediate points Minto, Tolovana, Rampart, Manley Hot Springs, and Tanana, and (a) beyond Tanana, the intermediate points Hughes, Hogatza, and Kotzebue, or (b) beyond Tanana, the intermediate points, Kokrines, Ruby, Poorman, Galena, Koyukuk, Nulato, Kaltag, and Kotzebue, and (i) beyond Kotzebue, the intermediate points Noorvik, Kiana, Selawik, and Shungnak, and the terminal point Kobuk; (ii) beyond Kotzebue, the intermediate points Noatak, Kivalina, Point Hope, Cape Lisburne, Point Lay, and Wainwright, and the terminal point Barrow; and (iii) beyond Kotzebue, the intermediate points Buckland, Candle, and Deering, and the terminal point Nome;

9. Between the terminal point Unalakleet, the intermediate points Shaktoolik, Koyuk, Haycock, Elim, Moses Point, Golovin, White Mountain, Council Solomon, and Nome, and (a) beyond Nome, the intermediate point Northeast Cape, and the terminal point Gambell, and (b) beyond Nome, the intermediate points Teller, Tin City, and Wales, and the terminal point Shishmaref; and

10. Between the terminal point Fairbanks and the terminal point Juneau.

The service herein authorized is subject to the following terms, conditions, and limitations:

1. The holder shall render service as authorized herein, except as temporary suspensions of service may be authorized by the Board, and may begin or terminate, or begin and terminate, trips at points short of terminal points.

2. The holder may, with respect to each segment over which it is authorized to carry mail (except segment 10), include in schedules which it files under section 405(b) of the Federal Aviation Act of 1958, any point not named in any route of any other carrier: *Provided*, That any such point shall be included in such schedules only as an intermediate point and shall be not more than 25 miles off the airline course over the holder's route on which it is named; *And provided further*, That the Board may require the holder, without advance notice and without hearing, to defer inauguration of service to any such point, or to suspend indefinitely, or for some other period, further operation of any such service which may have been inaugurated.

3. The holder may overfly the junction point Fairbanks on flights between points on

segment 6, on the one hand, and Tanana or Rampart on segment 8, on the other hand.

4. The holder's authority to engage in the transportation of mail on flights between Anchorage, Alaska, and Fairbanks, Alaska, is limited to the carriage of mail on a nonsubsidy basis, i.e., on a service mail rate to be paid entirely by the Postmaster General, and the holder shall not be entitled to any subsidy with respect to such operations.

The exercise of the privileges granted by this certificate shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

The holder acknowledges and agrees that it is entitled to receive only service mail pay for the mail service rendered or to be rendered solely in connection with operations specified in paragraph 4 and that it is not authorized to request or receive any compensation for mail service rendered or to be rendered for such operations in excess of the amount payable by the Postmaster General.

This certificate shall be effective on January 16, 1970.

IN WITNESS WHEREOF, the Civil Aeronautics Board has caused this certificate to be executed by the Secretary of the Board and the seal of the Board to be affixed hereto, on the 16th day of January 1970.

DOCKETS 21709, 21710, 21711, FONTANA AVIATION, SERVICE MAIL RATES—order 70-1-113 issued January 23, 1970.

Order 70-1-25 dated January 6, 1970, directed all interested persons, particularly Fontana Aviation, Inc., the Postmaster General, Eastern Air Lines, Inc., North Central Airlines, Inc., Northwest Airlines, Inc., Ozark Air Lines, Inc., and United Air Lines, Inc., to show cause why the Board should not establish the service mail rates proposed therein.

The time designated for filing notice of objection has elapsed, and no notice of objection or answer to the order has been filed by any party. All parties have therefore waived the right to a hearing and all other procedural steps short of a decision by the Board fixing the service mail rates.

Upon consideration of the record, the findings and conclusions set forth in said order are hereby reaffirmed and adopted.

Accordingly, pursuant to the Federal Aviation Act of 1958, particularly sections 204(a) and 406 thereof, the Board's Procedural Regulations, 14 CFR 302, and the authority duly delegated by the Board in its Organization Regulations, 14 CFR 385.14(g),

IT IS ORDERED—

1. That the fair and reasonable final service mail rates per great-circle aircraft mile to be paid to Fontana Aviation, Inc., entirely by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the service connected therewith shall be as follows: docket 21709, between Ironwood and Iron Mountain via Houghton, Mich.—49.91 cents; docket 21710, between Iron Mountain, Mich., and Chicago, Ill., via Green Bay and Milwaukee, Wis.—49.91 cents; and docket 21711, between Iron Mountain and Detroit via Lansing, Mich.—49.91 cents;

2. That this order shall be served upon Fontana Aviation Inc., the Postmaster General, Eastern Air Lines, Inc., North Central Airlines, Inc., Northwest Airlines, Inc., Ozark Air Lines, Inc., and United Air Lines, Inc.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed or the board gives notice that it will review this order on its own motion.

DOCKET 21888, ATLANTIS, FOREIGN PERMIT—order 70-2-16 issued February 5, 1970.

On February 4, 1970, Luftverkehrsunternehmen Atlantic GmbH filed an application stating that it has changed its name to Luftverkehrsunternehmen Atlantis A.G. by appropriate corporate action and in conformity with applicable law, and requesting the

4. That this order shall be served on Continental Air Lines, Inc., and the Postmaster General.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

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

DOCKET 18610, SOUTHERN AIRWAYS, ROUTE REALIGNMENT—order 70-3-15 issued March 3, 1970.

In order 69-9-132, September 24, 1969 (52 C.A.B. 654), the Board found that Piedmont Aviation should be certificated to serve a new segment between Charleston, S.C., Columbia, S.C., and Charlotte, N.C., on a subsidy-ineligible basis and subject to a condition. However, the Board withheld issuance of an amended certificate to the carrier pending completion of any ancillary rate proceeding that might be found necessary. By order 70-2-70, February 17, 1970, (53 C.A.B. 707), the Board amended class rate IV-B to delete the ad hoc provisions, and no ancillary rate proceeding is therefore necessary.

Pursuant to authority delegated by the Board in the Board's regulations, 14 CFR 385, and finding that an amended certificate for route 87 should now be issued to Piedmont Aviation effective March 4 and that such action is governed by prior Board precedent and policy,

IT IS ORDERED—

1. That an amended certificate of public convenience and necessity in the form attached hereto be issued to Piedmont Aviation, Inc., for route 87;¹

2. That said certificate shall be signed on behalf of the Board by its Secretary, shall have affixed thereto the seal of the Board, and shall be effective on March 4, 1970.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petition within 5 days after the date of service of this order.

This order shall be effective immediately, and the filing of a petition for review shall not preclude such effectiveness.

CERTIFICATE FOR ROUTE 87

PIEDMONT AVIATION, INC.

is hereby authorized, subject to the provisions hereinafter set forth, the provisions of title IV of the Federal Aviation Act of 1958, and the orders, rules, and regulations issued thereunder, to engage in air transportation with respect to persons, property, and mail as follows:

1. Between the terminal point Cincinnati, Ohio, the intermediate point Louisville, Ky., the alternate intermediate points Lexington-Frankfort, Ky., and Ashland, Ky.-Huntington, W. Va., the intermediate points London-Corbin, Ky., Bristol, Va.-Tenn.-Kingsport-Johnson City, Tenn., and Hickory, N.C., and (a) beyond Hickory, the intermediate points Winston-Salem, Greensboro-High Point, Raleigh-Durham, Goldsboro, Kinston, New Bern, and Morehead City-Beaufort, N.C., and the terminal point Wilmington, N.C., and (b) beyond Hickory, the intermediate points Asheville, N.C., Greenville-Spartanburg, S.C., Charlotte, Southern Pines-Pinehurst-Aberdeen, and Fayetteville, N.C., Florence and Myrtle Beach, S.C., and Wilmington and Jacksonville-Camp Lejeune, N.C., and the terminal point New Bern, N.C.

2. Between the terminal point Norfolk, Va., the intermediate points Newport

¹ The amended certificate being issued to Piedmont incorporates the change in Piedmont's authority directed by order 69-9-134, effective Sept. 24, 1969 (52 C.A.B. 851) (hyphenation of Newport News-Hampton-Williamsburg-Yorktown, Va.).

News-Hampton-Williamsburg-Yorktown, Richmond, Charlottesville, Lynchburg, Roanoke, and Blacksburg-Radford-Pulaski, Va., Princeton-Bluefield and Beckley, W. Va., and (a) beyond Beckley, the intermediate point Lexington-Frankfort, Ky., and the terminal point Louisville, Ky., and (b) beyond Beckley, the intermediate point Charleston, W. Va., and (i) beyond Charleston, the intermediate point Parkersburg, W. Va.-Marietta, Ohio, and the terminal point Columbus, Ohio, and (ii) beyond Charleston, the intermediate point Ashland, Ky.-Huntington, W. Va., and the terminal point Cincinnati, Ohio;

3. Between the terminal point Wilmington, N.C., the intermediate points Myrtle Beach, S.C., Fayetteville, New Bern, Kinston, Rocky Mount, Raleigh-Durham, Greensboro-High Point, and Winston-Salem, N.C., Danville, Roanoke, Lynchburg, Hot Springs, and Staunton, Va., and the terminal point Charlottesville, Va.;

4. Between the terminal point Knoxville, Tenn., the intermediate points Bristol, Va.-Tenn.-Kingsport-Johnson City, Tenn., Princeton-Bluefield, W. Va., Blacksburg-Radford-Pulaski, Roanoke, and Lynchburg, Va., and (a) beyond Lynchburg, the intermediate point Charlottesville, Va., and the terminal point Washington, D.C., and (b) beyond Lynchburg, the terminal point Richmond, Va.;

5. Between the terminal point Richmond, Va., the intermediate points Norfolk, Va., Elizabeth City, Rocky Mount, and Raleigh-Durham, N.C., and (a) beyond Raleigh-Durham, the intermediate points Greensboro-High Point, Winston-Salem, and Charlotte, N.C., and (b) beyond Raleigh-Durham, the intermediate points Southern Pines-Pinehurst-Aberdeen and Charlotte, N.C., Greenville-Spartanburg, S.C., Hickory and Asheville, N.C., and (i) beyond Asheville, the intermediate points Knoxville, Tenn., and London-Corbin, Ky., and the terminal point Louisville, Ky., and (ii) beyond Asheville, the intermediate point Nashville, Tenn., and the terminal point Memphis, Tenn.;

6. Between the terminal point Baltimore, Md., the intermediate points Washington, D.C., Charlottesville, Staunton, Hot Springs, and Lynchburg, Va., and (a) beyond Lynchburg, the intermediate points Roanoke and Blacksburg-Radford-Pulaski, Va., Bristol, Va.-Tenn.-Kingsport-Johnson City, Tenn., Asheville, N.C., and the terminal point Atlanta, Ga., and (b) beyond Lynchburg, the intermediate points Danville, Va., Greensboro-High Point, Winston-Salem, Hickory, and Asheville, N.C., and the terminal point Atlanta, Ga.;

7. Between the terminal point Charleston, W. Va., the intermediate points Bristol, Va.-Tenn.-Kingsport-Johnson City, Tenn., and Asheville, N.C., and the terminal point Atlanta, Ga.;

8. Between the terminal point Atlanta, Ga., the intermediate points Augusta, Ga., Columbia, Florence, and Myrtle Beach, S.C., Wilmington-Fayetteville, Jacksonville-Camp Lejeune, New Bern, Kinston, Goldsboro, Raleigh-Durham, Rocky Mount, and Elizabeth City, N.C., and Norfolk, Newport News-Hampton-Williamsburg-Yorktown, and Richmond, Va., and the terminal point Washington, D.C.;

9. Between the terminal point Roanoke, Va., the intermediate points Lynchburg, Hot Springs, Staunton, and Charlottesville, Va., and Washington, D.C. (to be served through Dulles International Airport), and the terminal point New York, N.Y.-Newark, N.J.;

10. Between the terminal point Memphis, Tenn., the intermediate points Nashville, Tenn., Roanoke and Lynchburg, Va., and (a) beyond Lynchburg, the intermediate point Charlottesville, Va., and the terminal point Washington, D.C., and (b) beyond Lynchburg, the terminal point Richmond, Va.;

11. Between the terminal point Chicago, Ill., the intermediate point Ashland, Ky.-Huntington, W. Va., and (a) beyond Ashland-Huntington, the intermediate points Charleston, W. Va., Roanoke and Richmond, Va., and the terminal point Norfolk, Va., and (b) beyond Ashland-Huntington, the terminal point Bristol, Va.-Tenn.-Kingsport-Johnson City, Tenn.;

12. Between the terminal point Charleston, S.C., the intermediate point Columbia, S.C., and the terminal point Charlotte, N.C.

The service herein authorized is subject to the following terms, conditions, and limitations:

1. The holder shall render service to and from each of the points named herein, except as temporary suspensions of service may be authorized by the Board, and may begin or terminate, or begin and terminate, trips at points short of terminal points.

2. The holder may continue to serve regularly any point named herein through the airport last regularly used by the holder to serve such point prior to the effective date of this certificate. Upon compliance with such procedure relating thereto as may be prescribed by the Board, the holder may, in addition to the service hereinabove expressly prescribed, regularly serve a point named herein, other than a point required to be served through an airport named herein, through any airport convenient thereto.

3. On each trip operated by the holder over all or part of one of the 12 numbered route segments in this certificate, the holder shall stop at each point named between the point of origin and point of termination of such trip on such segment, except a point or points with respect to which (a) the Board, pursuant to such procedure as the Board may from time to time prescribe, may by order relieve the holder from the requirements of such condition, (b) the holder is authorized by the Board to suspend service, (c) the holder is unable to render service on such trip because of adverse weather conditions or other conditions which the holder could not reasonably have been expected to foresee or control, or (d) the holder has scheduled at least two daily round trips, in which case the holder may omit such point or points on any additional trip scheduled over all or part of such segment, subject to the conditions in paragraphs 4 through 9 below.

4. The holder shall schedule service to a minimum of three intermediate points between Chicago, Ill., on the one hand, and Atlanta, Ga., or New York, N.Y.-Newark, N.J., on the other.

5. The holder shall schedule service to a minimum of two intermediate points between the following pairs of points: Atlanta, Ga., and Cincinnati or Columbus, Ohio, Louisville, Ky., or Raleigh-Durham, N.C.; Atlanta, Ga., and Washington, D.C. (exclusive of Greensboro-High Point, N.C., Columbia, S.C., and Norfolk, Va.); Baltimore, Md., and Charlotte, N.C., Chicago, Ill., or Raleigh-Durham, N.C.; Chicago, Ill., and Charlotte or Greensboro-High Point, N.C., Knoxville, Tenn., Raleigh-Durham, N.C., Washington, D.C., or Winston-Salem, N.C.; New York, N.Y.-Newark, N.J., and Asheville or Greensboro-High Point, N.C., Knoxville, Tenn., Raleigh-Durham, N.C., or Richmond, Va.; Washington, D.C., and Charleston, W. Va., Charlotte, N.C., Cincinnati or Columbus, Ohio, or Louisville, Ky.

6. The holder shall schedule service to a minimum of two intermediate points (exclusive of Washington, D.C.) between the following pairs of points: Baltimore, Md., and Atlanta, Ga. (exclusive of Greensboro-High Point, N.C.); Baltimore, Md., and Charleston, W. Va., or Louisville, Ky.; New York, N.Y.-Newark, N.J., and Atlanta, Ga.

7. The holder shall schedule service to a minimum of one intermediate point between the following pairs of points: Atlanta, Ga., and Charleston, W. Va., Greensboro-High Point, N.C., Norfolk or Richmond, Va.; Washington, D.C., and Columbia, S.C., Greensboro-High Point, N.C., Knoxville, Tenn., or Raleigh-Durham, N.C.

8. Flights scheduled to serve Atlanta, Ga., on the one hand, and Augusta, Ga., or Columbia, S.C., on the other hand, shall originate or terminate at Rocky Mount or Elizabeth City, N.C., or a point north thereof and shall serve a minimum of two intermediate points north of Columbia.

9. Flights scheduled to serve Baltimore, Md., and Norfolk, Va., shall serve Newport News-Hampton-Williamsburg-Yorktown, Va., in addition to Washington, D.C.: *Provided*, That the holder may omit service to Newport News-Hampton-Williamsburg-Yorktown on such flights if the holder has scheduled one daily round trip to such point serving Washington.

10. The holder shall not schedule turnaround service (a) between Washington, D.C., on the one hand, and New York, N.Y.-Newark, N.J., or Richmond, Newport News-Hampton-Williamsburg-Yorktown, or Norfolk, Va., on the other hand; or (b) between Memphis, Tenn., on the one hand, and Nashville, Tenn., Greenville-Spartanburg, S.C., or Charlotte, N.C., on the other hand.

11. The holder shall not schedule single-plane service between the following pairs of points: Ashland, Ky.-Huntington, W. Va., and Louisville, Ky., on segment 1; Atlanta, Ga., and Charlotte, N.C., or Knoxville, Tenn.; Baltimore, Md., and Cincinnati or Columbus, Ohio; Charleston, S.C., or Washington, D.C., on the one hand, and Memphis or

Nashville, Tenn., on the other hand; New York, N.Y.-Newark, N.J., and Ashland, Ky.-Huntington, W. Va., Memphis or Nashville, Tenn., Newport News-Hampton-Williamsburg-Yorktown or Norfolk, Va., or Parkersburg, W. Va.-Marietta, Ohio.

12. The holder shall serve (a) Morehead City-Beaufort, N.C., only during the period between May 1 and September 30, inclusive, of each year and (b) Southern Pines-Pinehurst-Aberdeen, N.C., only during the period between October 1 and April 30, inclusive of each year.

13. The holder may schedule nonstop service between Charleston, W. Va., and Columbus, Ohio.

14. The holder's authority to engage in the transportation of mail with respect to those operations set forth in appendix A to order 69-9-132 (52 C.A.B. 654) is limited to the carriage of mail on a nonsubsidy basis, i.e., on a service mail rate to be paid entirely by the Postmaster General, and the holder shall not be entitled to any subsidy with respect to such operations.

The exercise of the privileges granted by this certificate shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

The holder acknowledges and agrees that it is entitled to receive only service mail pay for the mail service rendered or to be rendered solely in connection with the operations specified in paragraph 14 and that it is not authorized to request or receive any compensation for mail service rendered or to be rendered for such operations in excess of the amount payable by the Postmaster General.

The services authorized by this certificate were originally established pursuant to a determination of policy by the Civil Aeronautics Board that in the discharge of its obligation to encourage and develop air transportation under the Civil Aeronautics Act, as amended, it is in the public interest to establish certain air carriers who will be primarily engaged in short-haul air transportation as distinguished from the service rendered by trunkline air carriers. In accepting this certificate, the holder acknowledges and agrees that the primary purpose of this certificate is to authorize and require it to offer short-haul, local or feeder, air transportation service of the character described above.

This certificate shall become effective on March 4, 1970.

IN WITNESS WHEREOF, the Civil Aeronautics Board has caused this certificate to be executed by the Secretary of the Board, and the seal of the Board to be affixed hereto, on the 3d day of March 1970.

DOCKETS 21727, 18381, PUERTO RICO INTERNATIONAL AIRLINES, SERVICE MAIL RATES—order 70-3-27 issued March 6, 1970.

All interested persons, particularly Puerto Rico International Airlines, Inc., the Postmaster General, and Caribbean Atlantic Airlines, Inc., were directed to show cause by order 70-2-64 dated February 16, 1970, why the Board should not establish the service mail rates proposed therein.

The time designated for filing notice of objection has elapsed, and no notice of objection or answer to the order has been filed by any party. All parties have therefore waived the right to a hearing and all other procedural steps short of a decision by the Board fixing the service mail rates.

Upon consideration of the record, the findings and conclusions set forth in said order are hereby reaffirmed and adopted.

Accordingly, pursuant to the Federal Aviation Act of 1958, particularly sections 204(a) and 406 thereof, the Board's regulations, 14 CFR 302 and 14 CFR 298, and the authority duly delegated by the Board in its Organization Regulations, 14 CFR 385.14(g),

IT IS ORDERED—

1. That on and after February 16, 1970, the fair and reasonable final service mail rates to be paid Puerto Rico International Airlines, Inc., pursuant to section 406 of the Act, for the transportation of priority mail by aircraft, the facilities used and useful thereof, and the services connected therewith between San Juan, P.R., and both Mayaguez and Ponce, P.R., shall be the multielement rates established by the Board in order E-25610,

regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

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

DOCKETS 20381, 20379, COMBS AIRWAYS, SERVICE MAIL RATES—order 70-3-32 issued March 6, 1970.

All interested persons, particularly Combs Airways, Inc., the Postmaster General, Air West, Inc., Northwest Airlines, Inc., and Western Air Lines, Inc., were directed to show cause by order 70-2-66 dated February 16, 1970, why the Board should not establish the service mail rates proposed therein.

The time designated for filing notice of objection has elapsed, and no notice of objection or answer to the order has been filed by any party. All parties have therefore waived the right to a hearing and all other procedural steps short of a decision by the Board fixing the service mail rates.

Upon consideration of the record, the findings and conclusions set forth in said order are hereby reaffirmed and adopted.

Accordingly, pursuant to the Federal Aviation Act of 1958, particularly sections 204(a) and 406 thereof, the Board's regulations, 14 CFR 302 and 298, and the authority delegated by the Board in 14 CFR 385.14(g),

IT IS ORDERED—

1. That the fair and reasonable final service mail rates to be paid to Combs Airways, Inc., pursuant to section 406 of the Act, for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith shall be as follows: Docket 20381, between Idaho Falls and Boise, Idaho, via Pocatello and Twin Falls, Idaho—33.18 cents per mile; and docket 20379, between Kalispell and Billings, Mont., via Helena, Mont.—31.36 cents per mile;

2. That the final service mail rates here fixed and determined are to be paid in their entirety by the Postmaster General; and

3. That this order shall be served on Combs Airways, Inc. the Postmaster General, Air West, Inc., Northwest Airlines, Inc., and Western Air Lines, Inc.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

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

DOCKET 21141, EASTERN AIR LINES, CERTIFICATE AMENDMENT—order 70-3-37 adopted March 9, 1970.

By order 69-8-19 dated August 4, 1969, the Board set for further proceedings, pursuant to sections 302.1406-1410 of the Board's Procedural Regulations, the application of Eastern Air Lines, Inc. (Eastern), for amendment of its certificates of public convenience and necessity for routes 5, 6, and 71 so as to authorize it to conduct nonstop service between Syracuse, N.Y., on the one hand, and Atlanta, Ga., Tampa, Fla., and Miami, Fla., on the other.¹

Eastern, in its application, proposes to provide, on a year-round basis, two daily nonstop round trips between Syracuse and Atlanta. One of these flights will continue on to Tampa; the other will proceed nonstop to Miami. In addition, during the winter season, Eastern proposes to provide a third round trip, operating nonstop between Syracuse and Miami and continuing on to Nassau. Eastern is presently the only carrier holding

¹ Eastern's service in these three markets is now subject to the requirement of a mandatory intermediate stop at the route junction points Washington, D.C., or Philadelphia, Pa., since Syracuse is on Eastern's route 71, Atlanta is on routes 5 and 10, and Tampa and Miami are on routes 6 and 10.

single-carrier authority in these markets.

Answers in support of Eastern's application have been filed by the Greater Miami Traffic Association and the City of Atlanta and the Atlanta Chamber of Commerce (Atlanta Parties).

No answers in opposition to Eastern's application have been filed. However, Mohawk Airlines, Inc. (Mohawk), filed an application for a certificate amendment, docket 21373, which seeks a new segment between the terminal point Syracuse, the intermediate point Tampa, and the terminal point Miami. Contemporaneously, Mohawk filed a motion to consolidate its application for hearing and decision with Eastern's application. In support of its motion, Mohawk contends that its proposed nonstop service in the Syracuse-Tampa/Miami markets is identical with authority that Eastern requests. However, Mohawk proposes to provide only seasonal service. Mohawk further states that, although Mohawk's service might not be mutually exclusive with the services proposed by Eastern in those markets, consolidation of applications of any other carriers would create mutual exclusivity with Mohawk's application, and a substantial increase in the service presently proposed by Eastern in the markets could have the same effect.

The New York State Department of Transportation and the City of Albany and the County of Albany, N.Y., filed answers in support of Mohawk's motion. Answers in opposition to Mohawk's motion were filed by the Atlanta Parties and by Eastern. The City of Syracuse and Greater Syracuse Chamber of Commerce filed answers which conditionally support Mohawk's motion;² National Airlines, Inc., filed a pleading requesting permission to intervene in any hearing on Mohawk's applications.

Upon consideration of the pleadings and all the relevant facts, we find that the public convenience and necessity require the amendment of Eastern's certificate of public convenience and necessity for route 71 to permit Eastern to provide nonstop service in the Syracuse-Atlanta/Miami markets.

We find that grant of Eastern's application will yield substantial service benefits to the public and, in addition, will enhance the carrier's operating flexibility. Although Eastern is the only carrier holding single-carrier authority in these markets, its services are subject to a mandatory-stop requirement at Washington, D.C., or Philadelphia, route junction points for routes 5, 6, and 71. Elimination of the mandatory stop should result in substantial time savings for passengers traveling in these markets and provide cost savings to Eastern. Moreover, since a large percentage of the passengers who use these services will be diverted from its existing system, Eastern plans to cancel a total of four daily round trips into the Washington airports, thus reducing its frequencies into the congested Washington National Airport.

We further find that no other carrier will experience any substantial diversion by reason of the grant of Eastern's application. Significantly, no other carrier has objected to Eastern's application. Moreover, as noted above, any diversion which may occur will probably be self-diversion since Eastern, as the only carrier with single-carrier authority in these markets, now carries the vast majority of the traffic.

The fact that Mohawk has filed an application for some of the same authority sought by Eastern does not affect our findings herein.

First, Mohawk does not claim that its application would, as a matter of economic fact, be excluded if we granted Eastern's application. In fact, Mohawk's application is plainly for authority as a second unrestricted carrier, in addition to Eastern, in the Syracuse-Florida markets; and its exhibits in support of its own application are all constructed on the assumption that Eastern will be granted the nonstop authority it requests and will operate the schedules it proposes in these markets. Thus Mohawk's pleadings not only do not expressly oppose the grant of Eastern's application, but can only be construed as conceding that it should be granted.

Secondly, even if Mohawk's application were construed to be seeking Syracuse-Florida rights in lieu of Eastern, we would not be required as a matter of law to consolidate its application. Mohawk has no authority to serve either of the Florida points at issue and is

² The Syracuse Chamber of Commerce believes that the best interests of the traveling public would not be served if consolidation of Mohawk's application will delay an expedited decision on Eastern's application. The City of Syracuse supports an award to Mohawk if it would be economically justified and if it will not impede the development of the markets on a year-round basis.

therefore an "outsider" to the markets in question. Eastern, on the other hand, is the only carrier with single-carrier authority in these markets and carries the vast bulk of the traffic. No showing has been made on the pleadings before us which could conceivably lead us, consistent with our past decisions, to grant new authority in these markets to a newcomer while retaining the existing restraint on Eastern's operations. The future grant or denial of new applications in these markets will not be influenced in any material way by whether or not we improve Eastern's existing authority, but will depend entirely upon whether these markets can be shown to require the services of a second nonstop carrier (and, if so, which carrier).

Although we find that the applications of Eastern and Mohawk are not mutually exclusive as a matter of law or economic fact, we could of course consolidate them as a matter of our discretion if we determined that policy considerations warranted hearing on both at this time. However, since none of the facts presently before us indicates a pressing need to consider the issue of second-carrier service at this time, we have decided not to grant Mohawk's motion for consolidation. To do so would result in unwarranted delay in granting Eastern's unopposed application and in the institution of the valuable service it proposes. Moreover, we would reach a similar conclusion even if we believed that an evidentiary hearing of Eastern's application were required or desirable, since the consolidation of Mohawk's application would still serve to complicate and lengthen the proceeding unwarrantedly.

We note, however, that, although Eastern requests amendment of one or more of its existing certificates so as to add three new nonstop segments—Syracuse-Atlanta, Syracuse-Tampa, and Syracuse-Miami/Fort Lauderdale—Eastern has not presented any evidence that it intends to provide nonstop service between Syracuse and Tampa. In fact, the only Syracuse-Tampa service proposed by Eastern is a one-stop flight via Atlanta. Eastern is now certificated to provide Atlanta-Tampa service over segment 2 of its certificate for route 10. Accordingly, we find that the public convenience and necessity require the amendment of Eastern's certificate of public convenience and necessity for route 71 so as to add the following new segment: "Between the terminal point Syracuse, N.Y., the intermediate point Atlanta, Ga., and the terminal point Miami-Fort Lauderdale, Fla." We also find that, for the purpose of determining a license fee in accordance with the schedule set forth in section 389.25 of the regulations, the annual gross transport revenue increase for the first year of operations resulting from the new certificate granted herein is estimated to be between \$100,000 and \$1 million. Accordingly,

It Is ORDERED—

1. That the motion to consolidate the application of Mohawk Airlines, Inc., in docket 21373 be and it hereby is denied;
2. That an amended certificate of public convenience and necessity for route 71 in the form attached hereto shall be issued to Eastern Air Lines, Inc.;
3. That said certificate shall be signed on behalf of the Board by its Secretary, shall have affixed thereto the seal of the Board, and shall be effective on March 20, 1970:³ *Provided, however,* That the effective date of said certificate shall be automatically postponed until further Board order if the appropriate license fee is not paid pursuant to subsection 389.21(b) of the regulations; and
4. That the proceeding be and it hereby is terminated.

CERTIFICATE FOR ROUTE 71

EASTERN AIR LINES, INC.

is hereby authorized, subject to the provisions hereinafter set forth, the provisions of title IV of the Federal Aviation Act of 1958, and the orders, rules, and regulations issued thereunder, to engage in air transportation with respect to persons, property, and mail as follows:

1. Between the intermediate points Syracuse and Binghamton, N.Y., Scranton-Wilkes-Barre and Allentown-Bethlehem-Easton, Pa., and (a) beyond Allentown—

³ Order 70-4-36 issued Apr. 8, 1970, makes the effective date Apr. 8, 1970.

Bethlehem-Easton, Pa., the terminal point Philadelphia, Pa.-Camden, N.J., and (b) beyond Allentown-Bethlehem-Easton, Pa., the intermediate points Reading, Pa., and Baltimore, Md., and the terminal point Washington, D.C.;

2. Between the terminal point Syracuse, N.Y., the intermediate point Atlanta, Ga., and the terminal point Miami-Fort Lauderdale, Fla.

The service herein authorized is subject to the following terms, conditions, and limitations:

1. The holder shall render service to and from each of the points named herein, except as temporary suspensions of service may be authorized by the Board, and may begin or terminate, or begin and terminate, trips at points short of terminal points.

2. The holder may continue to serve regularly any point named herein through the airport last regularly used by the holder to serve such point prior to the effective date of this certificate, and may continue to maintain regularly scheduled nonstop service between any two points not consecutively named herein if nonstop service was regularly scheduled by the holder between such point prior to the effective date of this certificate. Upon compliance with such procedure relating thereto as may be prescribed by the Board, the holder may, in addition to the service hereinabove expressly prescribed, regularly serve a point named herein through any airport convenient thereto, and render scheduled nonstop service between any two points not consecutively named herein between which service is authorized hereby.

The exercise of the privileges granted by this certificate shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

This certificate shall be effective on March 20, 1970: *Provided, however,* That the effective date of said certificate shall be automatically postponed until further Board order if the appropriate license fee is not paid pursuant to subsection 389.21(b) of the regulations.

IN WITNESS WHEREOF, the Civil Aeronautics Board has caused this certificate to be executed by the Secretary of the Board, and the seal of the Board to be affixed hereto, on the 9th day of March 1970.

DOCKETS 19825, 20216, 20217, 20218, 20219, 20226, 20227, 20228, 20229, 20594, SEDALIA, MARSHALL, BOONVILLE STAGE LINE, SERVICE MAIL RATES—order 70-3-50 issued March 10, 1970.

All interested persons, particularly Sedalia, Marshall, Boonville Stage Line, Inc., the Postmaster General, Braniff Airways, Inc., Delta Air Lines, Inc., Frontier Airlines, Inc., North Central Airlines, Inc., Ozark Air Lines, Inc., and United Air Lines, Inc., were directed to show cause by order 70-2-84 dated February 19, 1970, why the Board should not establish the service mail rates proposed therein.

The time designated for filing notice of objection has elapsed, and no notice of objection or answer to the order has been filed by any party. All parties have therefore waived the right to a hearing and all other procedural steps short of a decision by the Board fixing the service mail rates.

Upon consideration of the record, the findings and conclusions set forth in said order are hereby reaffirmed and adopted.

Accordingly, pursuant to the Federal Aviation Act of 1958, particularly sections 204(a) and 406 thereof, the Board's regulations, 14 CFR 302 and 298, and the authority delegated by the Board in 14 CFR 385.14(g),

IT IS ORDERED—

1. That on and after November 28, 1969,¹ and until February 2, 1970, the fair and reasonable final service mail rates per great-circle aircraft mile to be paid Sedalia, Marshall, Boonville Stage Line, Inc., by the Postmaster General for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith shall be as shown in the table on the following page.

¹ The show-cause order had a technical error in the effective date. The correction is here made from 1970 to the correct date 1969.

Docket	Between	Cents
19825	Kansas City, Springfield, and Joplin, Mo	39.96
20216	Sioux City, Carroll, and Des Moines, Iowa	41.60
20217	Des Moines, Iowa, and Grand Islands, Nebr	40.43
20218	Dubuque, Waterloo, and Des Moines, Iowa	41.93
20219	Des Moines, Iowa, and Kansas City, Mo	40.39
20226	Decorah, Mason City, and Des Moines, Iowa	41.69
20227	Sheldon, Spencer, Fort Dodge, and Des Moines, Iowa	40.74
20228	Shenandoah, Iowa, Omaha, Nebr., and Des Moines, Iowa	40.86
20229	Burlington, Ottumwa, and Des Moines, Iowa	40.92
20594	Minneapolis/St. Paul (AMF Twin Cities), Minn., and Oshkosh, Wis., via Wausau and Green Bay, Wis.	55.07

2. That on and after February 2, 1970, the fair and reasonable final service mail rates per great-circle aircraft mile to be paid Sedalia, Marshall, Boonville Stage Line, Inc., by the Postmaster General for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith shall be as follows:

Docket	Between	Cents
19825	Kansas City, Springfield, and Joplin, Mo	39.96
20216	Sioux City, Carroll, and Des Moines, Iowa	42.10
20217	Des Moines, Iowa, and Grand Island, Nebr	41.06
20218	Dubuque, Waterloo, and Des Moines, Iowa	42.35
20219	Des Moines, Iowa, and Kansas City, Mo	41.27
20226	Decorah, Mason City, and Des Moines, Iowa	42.08
20227	Sheldon, Spencer, Fort Dodge, and Des Moines, Iowa	41.16
20228	Shenandoah, Iowa, Omaha, Nebr., and Des Moines, Iowa	41.13
20229	Burlington, Ottumwa, and Des Moines, Iowa	41.46
20594	Minneapolis/St. Paul (AMF Twin Cities), Minn., and Oshkosh, Wis., via Wausau and Green Bay, Wis.	56.15

3. That this order shall be served on Sedalia, Marshall, Boonville Stage Line, Inc., the Postmaster General, Braniff Airways, Inc., Delta Air Lines, Inc., Frontier Airlines, Inc., North Central Airlines, Inc., Ozark Air Lines, Inc., and United Air Lines, Inc.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

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

DOCKET 20294 ET AL., BOSTON-HARTFORD-CLEVELAND SUBPART M CASE—order 70-3-57 adopted March 12, 1970.

A petition for reconsideration of the Board's order 70-1-80, January 15, 1970 (53 C.A.B. 136), has been filed by Allegheny Airlines, and answers opposing the petition have been filed by Mohawk Airlines and the Bureau of Operating Rights.

Upon consideration of the matters presented, the Board has determined to deny the petition for reconsideration. Allegheny has not demonstrated any legal deficiency in the Board's decision or presented any new matter not previously considered by the Board in making its determination.

We will take this occasion to incorporate in Mohawk's certificate the authority awarded in the Mohawk Chicago Entry Case, order 69-11-109, November 24, 1969 (52 C.A.B. 763). This authority was withheld pending completion of any necessary ancillary rate proceedings. As a result of order 70-2-70, February 17, 1970 (53 C.A.B. 707), which amended the local service class subsidy rate to abolish ad hoc adjustments, no such ancillary rate proceedings are necessary, and it is accordingly appropriate to incorporate the new authority in Mohawk's certificate effective March 20, 1970. Accordingly,

IT IS ORDERED—

1. That Allegheny's petition for reconsideration be and it hereby is denied;
2. That an amended certificate of public convenience and necessity in the form at-

tached hereto be issued to Mohawk Airlines, Inc., for route 94;

3. That said certificate shall be signed on behalf of the Board by its Secretary, shall have affixed thereto the seal of the Board, and shall be effective on March 20, 1970.

CERTIFICATE FOR ROUTE 94

MOHAWK AIRLINES, INC.

is hereby authorized, subject to the provisions hereinafter set forth, the provisions of title IV of the Federal Aviation Act of 1958, and the orders, rules, and regulations issued thereunder, to engage in air transportation with respect to persons, property, and mail as follows:

1. Between the terminal point New York, N.Y.-Newark, N.J., the intermediate points White Plains, Liberty-Monticello, Binghamton-Endicott-Johnson City, Elmira-Corning, Ithaca-Cortland, Utica-Rome, Syracuse, Rochester, and Buffalo-Niagara Falls, N.Y., and Erie, Pa., and the terminal point Detroit, Mich.;

2. Between the terminal point New York, N.Y.-Newark, N.J., the intermediate points White Plains, Liberty-Monticello, Utica-Rome, Syracuse, Watertown, and Ogdensburg, N.Y., and the terminal point Massena, N.Y.;

3. Between the terminal point Boston, Mass., the intermediate points Worcester, Mass., Providence, R.I., Hartford, Conn.-Springfield-Westfield, Mass., Keene, N.H., Albany, Utica-Rome, Binghamton-Endicott-Johnson City, Elmira-Corning, Ithaca-Cortland, Syracuse, Rochester, and Buffalo-Niagara Falls, N.Y., and Erie, Pa., and the terminal point Detroit, Mich.;

4. Between the terminal point Boston, Mass., the intermediate points Providence, R.I., and White Plains, N.Y., and (a) beyond White Plains, the terminal point New York, N.Y.-Newark, N.J., and (b) beyond White Plains, the intermediate point Poughkeepsie, N.Y., and the terminal point Binghamton-Endicott-Johnson City, N.Y.;

5. Between the terminal point Boston, Mass., the intermediate points Providence, R.I., Hartford, Conn.-Springfield-Westfield, Mass., Albany, Utica-Rome, Syracuse, Ithaca-Cortland, Binghamton-Endicott-Johnson City, Elmira-Corning, Olean, and Jamestown, N.Y., and the terminal point Cleveland, Ohio;

6. Between the coterminal points Watertown and Ogdensburg-Massena, N.Y., the intermediate points Utica-Rome, Syracuse, Ithaca-Cortland, and Elmira-Corning, N.Y., and the terminal point Pittsburgh, Pa.;

7. Between the terminal point Pittsburgh, Pa., the intermediate points Elmira-Corning, Binghamton-Endicott-Johnson City, and Albany, N.Y., and Hartford, Conn.-Springfield-Westfield, Mass., and the terminal point Boston, Mass.;

8. Between the terminal point Elmira-Corning, N.Y., and the terminal point Washington, D.C.;

9. Between the terminal point Elmira-Corning, N.Y., and the terminal point Philadelphia, Pa.;

10. Between the terminal point Albany, N.Y., the intermediate point New Haven-Bridgeport, Conn., and the terminal point Islip, N.Y.;

11. Between the terminal point Albany, N.Y., the intermediate point White Plains, N.Y., and the terminal point Washington, D.C.;

12. Between the terminal point Buffalo-Niagara Falls, N.Y., and the terminal point Minneapolis-St. Paul, Minn.

13. Between the terminal point Utica-Rome, N.Y., the intermediate points Binghamton-Endicott-Johnson City, Ithaca-Cortland, and Elmira-Corning, N.Y., and Erie, Pa., and the terminal point Chicago, Ill.

The service herein authorized is subject to the following terms, conditions, and limitations:

1. The holder shall render service to and from each of the points named herein, except as temporary suspensions of service may be authorized by the Board, and may begin or terminate, or begin and terminate, trips at points short of terminal points.

2. The holder may continue to serve regularly any point named herein through the airport last regularly used by the holder to serve such point prior to the effective date of this certificate. Upon compliance with such procedure relating thereto as may be prescribed by the Board, the holder may, in addition to the service hereinabove expressly prescribed, regularly serve a point named herein through any airport convenient thereto.

3. On each trip operated by the holder over all or part of any one of the 13 numbered route segments in this certificate, other than segment 8, 9, 12, or 13, the holder shall stop at each point named between the point of origin and point of termination of such trip on such segment, except a point or points with respect to which (a) the Board, pursuant to such procedure as the Board may from time to time prescribe, may by order relieve the holder from the requirements of such condition, (b) the holder is authorized by the Board to suspend service, (c) the holder is unable to render service on such trip because of adverse weather conditions or other conditions which the holder could not reasonably have been expected to foresee or control, or (d) paragraph 4, 5, or 6 below is applicable.

4. If the holder has scheduled two daily round trips to a given point on a segment other than 8, 9, 11, 12, or 13, the holder may omit such point on any additional trip scheduled over all or part of such segment, subject to the following limitations:

(a) The holder shall schedule service to a minimum of two intermediate points between the following pairs of points: Boston, Mass., and Cleveland, Ohio, or Detroit, Mich.; Cleveland, Ohio, Detroit, Mich., Erie, Pa., or Minneapolis-St. Paul, Minn., on the one hand, and New York, N.Y.-Newark, N.J., on the other; *Provided*, That (i) on flights between Boston and Cleveland, either Hartford, Conn.-Springfield-Westfield, Mass., or Syracuse, N.Y., may be served as the sole intermediate point, and (ii) on flights between Boston and Detroit, either Hartford, Conn.-Springfield-Westfield, Mass., or Rochester, N.Y., may be served as the sole intermediate point.

(b) The holder shall schedule service to a minimum of one intermediate point between the following pairs of points: Boston, Mass., and Buffalo-Niagara Falls, N.Y., Erie, Pa., New York, N.Y.-Newark, N.J., or Pittsburgh, Pa.; Cleveland, Ohio, or Detroit, Mich., and Providence, R.I.; Erie, Pa., and Hartford, Conn.-Springfield-Westfield, Mass., or Providence, R.I.; Hartford, Conn.-Springfield-Westfield, Mass., and Pittsburgh, Pa.; New York, N.Y.-Newark, N.J., and Providence, R.I.

5. If the holder has scheduled (a) one daily round trip to Jamestown, Liberty-Monticello, or Olean, N.Y., or (b) in the case of Poughkeepsie, N.Y., two daily round trips to Binghamton-Endicott-Johnson City, N.Y., and one daily round trip to Providence, R.I., and Boston, Mass., the holder may omit service to such point on any additional trips scheduled over all or part of the segment on which such point is named, subject to the limitations specified in paragraph 4 above.

6. The holder may schedule nonstop service between the following pairs of points: Binghamton-Endicott-Johnson City, N.Y., and New York, N.Y.-Newark, N.J.; Buffalo-Niagara Falls, N.Y., and Elmira-Corning, N.Y.; Elmira-Corning, N.Y., and New York, N.Y.-Newark, N.J.; Islip, N.Y., and Syracuse, N.Y.; Ithaca-Cortland, N.Y., and New York, N.Y.-Newark, N.J.; New York, N.Y.-Newark, N.J., and Utica-Rome, N.Y.; Rochester, N.Y., and Washington, D.C.; Syracuse, N.Y., and Washington, D.C., or White Plains, N.Y.; Utica-Rome, N.Y., and Saranac Lake-Lake Placid, N.Y., on route 72.

7. Flights serving (a) both Boston, Mass., and Providence, R.I., shall originate or terminate at a point south or west of Providence or (b) both New York, N.Y.-Newark, N.J., and White Plains, N.Y., shall originate or terminate at a point north or west of White Plains.

8. The holder shall not serve the following pairs of points on the same flight: Erie, Pa., and Philadelphia, Pa., or Washington, D.C.; Jamestown, N.Y., and New York, N.Y.-Newark, N.J., Philadelphia, Pa., or Washington, D.C.

9. The holder shall not schedule single-plane service (a) between Washington, D.C., and Boston, Mass., or Providence, R.I., or (b) between Burlington, Vt., and Chicago, Ill.

10. The holder is authorized to render flag-stop service by omitting the physical landing of its aircraft at any intermediate point scheduled to be served on a particular flight: *Provided*, That there are no persons, property, or mail on the aircraft destined for such point and no such traffic available at such point for the flight at the scheduled time of departure.

11. The holder's authority to engage in the transportation of mail with respect to those

operations set forth in appendix B to order 68-9-73 (50 C.A.B. 94), as amended by orders 68-11-103 (49 C.A.B. 781), 69-2-85 (50 C.A.B. 791), 69-4-34 (50 C.A.B. 453), 69-4-144 (50 C.A.B. 505), and 69-8-171 (52 C.A.B. 131), 69-11-93 (52 C.A.B. 633), 69-11-109, and 70-1-80 (53 C.A.B. 136) is limited to the carriage of mail on a nonsubsidy basis, i.e., on a service mail rate to be paid entirely by the Postmaster General, and the holder shall not be entitled to any subsidy with respect to such operations.

The exercise of the privileges granted by this certificate shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

The services authorized by this certificate were originally established pursuant to a determination of policy by the Civil Aeronautics Board that in the discharge of its obligation to encourage and develop air transportation under the Civil Aeronautics Act, as amended, it is in the public interest to establish certain air carriers who will be primarily engaged in short-haul air transportation as distinguished from the service rendered by trunkline air carriers. In accepting this certificate, the holder acknowledges and agrees that the primary purpose of this certificate is to authorize and require it to offer short-haul, local or feeder, air transportation service of the character described above.

The holder acknowledges and agrees that it is entitled to receive only service mail pay for the mail service rendered or to be rendered solely in connection with the operations specified in paragraph 11 and that it is not authorized to request or receive any compensation for mail service rendered or to be rendered for such operations in excess of the amount payable by the Postmaster General.

This certificate shall be effective on March 20, 1970.

The authorization to serve Liberty-Monticello, N.Y., shall expire on October 26, 1967.¹ The authorization to serve segments 8 and 9 shall expire on June 23, 1969.²

IN WITNESS WHEREOF, the Civil Aeronautics Board has caused this certificate to be executed by the Secretary of the Board, and the seal of the Board to be affixed hereto, on the 12th day of March 1970.

¹ On Apr. 26, 1967, the holder filed an application in docket 18469 for renewal of this authorization.

² On Nov. 18, 1968, the holder filed an application in docket 20472 for renewal of this authorization.

DOCKET 21344, PAN AMERICAN, FAIRBANKS EXEMPTION—orders 70-3-85 and 70-1-146.

ORDER 70-3-85 ADOPTED MARCH 17, 1970

By order 70-1-146, adopted by the Board on January 29, 1970, *infra*, the Board directed all interested persons to show cause why the Board should not order the amendment of the certificate of public convenience and necessity for route 150 held by Pan American World Airways, Inc. (Pan American), by adding a new segment between the terminal point New York, N.Y.-Newark, N.J., and the terminal point Fairbanks, Alaska, such new authority to be subject to a condition requiring any flights operated pursuant to that authority also to serve a point west of Fairbanks on Pan American's route 130. The order required Pan American to file a supplemental application within 10 days of the date of that order, in compliance with the provisions of rules 1404 and 1407(a) of the Board's Rules of Practice. On February 9, 1970, Pan American filed the required supplemental application.

The order further required that any interested persons having objection to the issuance of an order making final any of the proposed findings, conclusions, or certificate amendments as set forth therein file such objections within 25 days after the filing by Pan American of its supplemental application. No objections have been received.¹

Accordingly, we conclude that the tentative findings and conclusions contained in order 70-1-146 should be made final and that the public convenience and necessity require the amendment of Pan American's certificate of public convenience and necessity for route

¹ The Port of New York Authority filed an answer in support of Pan American's application stating that improved transportation to Alaska's North Slope from New York/Newark is imperative.

2. That the fair and reasonable temporary service mail rates to be paid on and after February 24, 1970, to Imperial Airways, Inc., pursuant to section 406 of the Act for the transportation of nonpriority mail by aircraft, the facilities used and useful therefor, and the services connected therewith between Minneapolis/St. Paul, Minn., on the one hand, and both Mankato (docket 21945) and St. Cloud, Minn. (docket 21946), on the other hand, shall be the rates established by the Board in order E-17255, July 31, 1961 (34 C.A.B. 143), as amended, subject to any retroactive adjustment made in docket 18381;

3. That the service mail rates here fixed and determined are to be paid entirely by the Postmaster General; and

4. That this order shall be served on Imperial Airways, Inc., the Postmaster General, and North Central Airlines, Inc.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

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

DOCKETS 21127, 21128, **OZARK AIR LINES, CERTIFICATE AMENDMENT**—orders 70-4-2 and 70-2-96.

ORDER 70-4-2 ADOPTED APRIL 1, 1970

By order 70-2-96, dated February 24, 1970, *infra*, the Board directed all interested persons to show cause why the Board should not order the amendment of the certificate of public convenience and necessity for route 107 held by Ozark Air Lines, Inc. (Ozark), so as to redesignate the points Cedar Rapids and Iowa City as Cedar Rapids-Iowa City. The order requires that any interested persons having objection to the issuance of the order making final the proposed findings and conclusions as set forth therein file such objections within 20 days after service. No objections have been received.

Accordingly, we conclude that the tentative findings and conclusions contained in order 70-2-96 dated February 24, 1970, should be made final and that the public convenience and necessity require the amendment of Ozark's certificate of public convenience and necessity for route 107 in the form and manner set forth in the attached certificate.

For purposes of determining a license fee in accordance with the schedule set forth in subsection 389.25(a)(2)(ii) of the Board's Organization Regulations, annual growth transport revenues are not estimated to increase from the consolidation of the points Cedar Rapids and Iowa City, Iowa, as Cedar Rapids-Iowa City, Iowa; hence the fee set forth in the above-cited section for deletion of a single point will be applicable. Accordingly,

IT IS ORDERED—

1. That the tentative findings and conclusions set forth in order 70-2-96 be and they hereby are made final;

2. That an amended certificate of public convenience and necessity for route 107 in the form attached hereto be issued to Ozark Air Lines, Inc.; and

3. That said certificate shall be signed on behalf of the Board by its Secretary, shall have affixed thereto the seal of the Board, and shall be effective on April 15, 1970: *Provided, however*, That the effective date of said certificate shall be automatically postponed until further Board order if the appropriate license fee is not paid pursuant to subsection 389.21(b) of the regulations.

CERTIFICATE FOR ROUTE 107

OZARK AIR LINES, INC.

is hereby authorized, subject to the provisions hereinafter set forth, the provisions of title IV of the Federal Aviation Act of 1958, and the orders, rules, and regulations issued

thereunder, to engage in air transportation with respect to persons, property, and mail as follows:

1. Between the terminal point Minneapolis-St. Paul, Minn., the intermediate points Rochester, Minn., Mason City, Iowa, Sioux Falls, S. Dak., Sioux City, Iowa, Omaha, Nebr., Fort Dodge, Waterloo, Des Moines, Ottumwa, Cedar Rapids-Iowa City, and Dubuque, Iowa, Madison and Milwaukee, Wis., Rockford, Chicago, and Sterling-Rock Falls, Ill., Clinton, Iowa, Davenport, Iowa-Moline, Ill., Galesburg, Ill., Burlington, Iowa, Kirksville, Mo., Quincy, Ill.-Hannibal, Mo., Peoria, Bloomington, Champaign-Urbana, Decatur, Springfield, and Mattoon-Charleston, Ill., Indianapolis, Ind., Louisville and Owensboro, Ky., Nashville, Tenn., Clarksville, Tenn., Fort Campbell-Hopkinsville, Ky., Paducah, Ky., Cape Girardeau-Sikeston, Mo., Marion-Herrin and Mt. Vernon, Ill., St. Louis, Columbia-Jefferson City (to be served through a single airport) Sedalia, Fort Leonard Wood, and Springfield, Mo., and (a) beyond Springfield, the terminal point Kansas City, Mo., and (b) beyond Springfield, the intermediate point Joplin, Mo., and the terminal point Tulsa, Okla.;
2. Between the terminal point Sioux City, Iowa, and the terminal point Denver, Colo.;
3. Between the terminal point Waterloo, Iowa, the intermediate points Peoria, Springfield, and Champaign-Urbana, Ill., and Washington, D.C. (to be served through Dulles International Airport), and the terminal point New York, N.Y.;
4. Between the terminal point Tulsa, Okla., and the terminal point Dallas-Fort Worth, Tex.;
5. Between the terminal point St. Louis, Mo., and the terminal point Dallas-Fort Worth, Tex.

The service authorized herein is subject to the following terms, conditions, and limitations:

1. The holder shall render service to and from each of the points named herein, except as temporary suspensions of service may be authorized by the Board, and may begin or terminate, or begin and terminate, trips at points short of terminal points.

2. The holder may continue to serve regularly any point named herein through the airport last regularly used by the holder to serve such point prior to the effective date of this certificate. Upon compliance with such procedure relating thereto as may be prescribed by the Board, the holder may, in addition to the service hereinabove expressly prescribed, regularly serve a point named herein, other than a point required to be served through a single airport or an airport named herein, through any airport convenient thereto.

3. On each trip operated by the holder over all or part of segment 1 of the five numbered route segments in this certificate, the holder shall stop at each point named between the point of origin and point of termination of such trip on such segment, except a point or points with respect to which (a) the Board, pursuant to such procedure as the Board may from time to time prescribe, may by order relieve the holder from the requirements of such condition, (b) the holder is authorized by the Board to suspend service, (c) the holder is unable to render service on such trip because of adverse weather conditions or other conditions which the holder could not reasonably have been expected to foresee or control, or (d) the holder has scheduled at least two daily round trips over such segment or any other segment if such point or points are on more than one segment, in which case it may omit such point or points on any additional trip scheduled over all or part of such segment, subject to the conditions set forth in paragraphs 4 and 5 below.

4. The holder shall schedule service to a minimum of one intermediate point on flights scheduled to operate between the following pairs of cities: Chicago, Ill., Des Moines, Iowa, Indianapolis, Ind., Kansas City, Mo., Louisville, Ky., Madison or Milwaukee, Wis., Minneapolis-St. Paul, Minn., Nashville, Tenn., Omaha, Nebr., Rochester, Minn., or Tulsa, Okla.; Des Moines, Iowa, and Minneapolis-St. Paul, Minn., Omaha, Nebr., St. Louis, Mo., or Tulsa, Okla.; Indianapolis, Ind., and Kansas City, Mo., Minneapolis-St. Paul, Minn., Nashville, Tenn., St. Louis, Mo., or Tulsa, Okla.; Kansas City, Mo., and Louisville, Ky., Minneapolis-St. Paul, Minn., St. Louis, Mo., or Tulsa, Okla.; Madison, Wis., and Minneapolis-St. Paul or Rochester, Minn.; Milwaukee, Wis., and Minneapolis-St. Paul, Minn., Nashville, Tenn., or Rochester, Minn.; Minneapolis-St. Paul, Minn., and

Nashville, Tenn., Omaha, Nebr., St. Louis, Mo., Sioux City, Iowa, Sioux Falls, S. Dak., or Tulsa, Okla.; Nashville, Tenn., and St. Louis, Mo., or Tulsa, Okla.; Omaha, Nebr., and St. Louis, Mo., Sioux City, Iowa, Sioux Falls, S. Dak., or Tulsa, Okla.; Rochester, Minn., and Sioux Falls, S. Dak.; St. Louis, Mo., and Tulsa, Okla.

5. If the holder has scheduled one daily round trip to Fort Leonard Wood, Mo., serving St. Louis, Mo., on the one hand, and Kansas City, Springfield, or Joplin, Mo., or Tulsa, Okla., on the other hand, it may omit service to Fort Leonard Wood on any additional flights scheduled over all or part of segment 1.

6. The holder, in operating over segment 1, may omit service to Galesburg, Ill., on flights serving Peoria, Ill., or may omit service to Peoria on flights serving Galesburg.

7. On nonstop flights between Des Moines, Iowa, and Kansas City, Mo., the holder shall schedule service to at least one other point on its system beyond these points.

8. The holder shall not schedule single-plane service between Louisville, Ky., and Nashville, Tenn.

9. Flights over segment 3 shall serve both (a) Washington, D.C., or New York, N.Y., and (b) Peoria, Springfield, or Champaign-Urbana, Ill., or Waterloo, Iowa.

10. The holder shall not schedule single-plane service between Washington, D.C., or New York, N.Y., on the one hand, and Chicago, Ill., St. Louis, Mo., Tulsa, Okla., Kansas City, Mo., Omaha, Nebr., or Minneapolis-St. Paul, Minn., on the other.

11. The holder is authorized to render flag-stop service by omitting the physical landing of its aircraft at any intermediate point scheduled to be served on a particular flight: *Provided*, That there are no persons, property, or mail on the aircraft destined for such point and no such traffic available at such point for the flight at the scheduled time of departure.

12. The holder's authority to engage in the transportation of mail with respect to those operations set forth in appendix A to order 69-2-97 (50 C.A.B. 217), as amended by orders 69-2-145 (50 C.A.B. 305), 69-5-25 (52 C.A.B. 188), 69-5-30 (50 C.A.B. 518), and 69-10-57 (52 C.A.B. 531), is limited to the carriage of mail on a nonsubsidy basis, i.e., on a service mail rate to be paid entirely by the Postmaster General, and the holder shall not be entitled to any subsidy with respect to such operations.

The exercise of the privileges granted by this certificate shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

The services authorized by this certificate were originally established pursuant to a determination of policy by the Civil Aeronautics Board that in the discharge of its obligation to encourage and develop air transportation under the Civil Aeronautics Act, as amended, it is in the public interest to establish certain air carriers who will be primarily engaged in short-haul air transportation as distinguished from the service rendered by trunkline air carriers. In accepting this certificate, the holder acknowledges and agrees that the primary purpose of this certificate is to authorize and require it to offer short-haul, local or feeder, air transportation service of the character described above.

The holder acknowledges and agrees that it is entitled to receive only service mail pay for the mail service rendered or to be rendered solely in connection with operations specified in paragraph 12, and that it is not authorized to request or receive any compensation for mail service rendered or to be rendered for such operations in excess of the amount payable by the Postmaster General.

This certificate shall be effective on April 15, 1970: *Provided, however*, That the effective date of said certificate shall be automatically postponed until further Board order if the appropriate license fee is not paid pursuant to subsection 389.21(b) of the regulations.

IN WITNESS WHEREOF, the Civil Aeronautics Board has caused this certificate to be executed by the Secretary of the Board, and the seal of the Board to be affixed hereto, on the 1st day of April 1970.

ORDER 70-2-96 ADOPTED FEBRUARY 24, 1970

On June 26, 1969, Ozark Air Lines, Inc. (Ozark), filed an application requesting the Board to issue an order to show cause why its petition in docket 21127 should not be granted. That petition asked that the certificate of public convenience and necessity for route 107 be amended to consolidate service at Cedar Rapids and Iowa City by desig-

nating Cedar Rapids and Iowa City as a hyphenated point to be served through the Cedar Rapids airport. On December 23, 1969, Ozark amended its application to provide the most recent traffic data and to show a greater increase in subsidy-need reduction than indicated in the initial application.

The City of Cedar Rapids and the Cedar Rapids Airport Commission have filed answers in support of Ozark's application. No answers in opposition to the application have been filed.

Upon consideration of the pleadings and all the relevant facts, we have decided to issue an order to show cause proposing to amend Ozark's certificate as requested. We tentatively find and conclude that the public convenience and necessity require amendment of Ozark's certificate for route 107 so as to redesignate Cedar Rapids and Iowa City as Cedar Rapids-Iowa City.

In support of our ultimate finding, we tentatively find and conclude as follows: that the cities of Cedar Rapids and Iowa City are today served by the Cedar Rapids and Iowa City airports, respectively; that the two cities are approximately 25 miles apart; that an interstate highway from Iowa City to within 1½ miles of the Cedar Rapids airport has been approved by the Bureau of Public Roads; that the payload restrictions at the Iowa City airport make Ozark's use of FH-227B aircraft uneconomic; that there are no plans to make the improvements required for unrestricted operation of FH-227B aircraft at Iowa City airport; that the grant of Ozark's application will result in a substantial subsidy-need reduction; that hyphenation of Cedar Rapids and Iowa City ultimately will result in a more efficient and economic operation for Ozark.

Interested persons will be given 20 days following service of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to direct their objections, if any, to specific markets and to support such objections with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis. If an evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he would expect to establish through such a hearing. General, vague, or unsupported objections will not be entertained. Accordingly,

IT IS ORDERED—

1. That all interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and amending Ozark's certificate of public convenience and necessity for route 107 so as to redesignate the points Cedar Rapids and Iowa City as Cedar Rapids-Iowa City;

2. That any interested person having objection to the issuance of an order making final any of the proposed findings, conclusions, or certificate amendments set forth herein shall, within 20 days after service of a copy of this order, file with the Board and serve upon all persons made parties to this proceeding a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections;

3. That if timely and properly supported objections are filed, full consideration will be accorded the matters and issues raised by the objections before further action is taken by the Board;

4. That in the event no objections are filed, all further procedural steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein; and

5. That a copy of this order shall be served upon Ozark Air Lines, Inc., the City of Cedar Rapids, Iowa, Cedar Rapids Airport Commission, and the City of Iowa City, who are hereby made parties to this proceeding.

This order will be published in the Federal Register.

DOCKET 20665, HUGHES TOOL COMPANY, ACQUISITION OF AIR WEST—order 70-4-15 adopted April 3, 1970.

By orders 69-12-66 and 69-12-67 dated November 26, 1969 (53 C.A.B. 32), the latter of

53 C.A.B.—742