

§ 325.5

questionnaire will be sent to the governor of that State.

(b) Within 60 days after receipt of the questionnaire, five copies of the response shall be filed in the Documentary Services Division, unless the Department specifies another date. If no response is received within the period, essential air service for that eligible point may temporarily be set at the minimum level prescribed in section 419(f) of the Act.

(c) Any other interested person may, during the 60-day response period, submit information relevant to the essential air service level of that eligible point by filing in the Documentary Services Division, five copies of a document titled with the name of the point involved.

(d) As necessary, the DOT may request additional information to supplement the questionnaire.

(Approved by the Office of Management and Budget under control number 3024-0037)

§ 325.5 Determinations and designations.

(a) Not later than October 24, 1979, after reviewing all information submitted, CAB issued determinations of the essential level of air service for eligible points that, on October 24, 1978, were served by not more than one direct air carrier holding a certificate under section 401 of the Act for scheduled service to the point.

(b) DOT will issue a determination of the essential level of air service for a point within 6 months after each of the following events:

(1) A notice is received that service to an eligible point will be reduced to only one carrier that holds a section 401 certificate;

(2) A point is designated as an eligible point under section 419(b) of the Act and either paragraph (c) of this section, paragraph (d) of this section, or § 325.7(e); or

(3) A review was conducted of essential air service of that point under § 325.6.

(c) Not later than January 1, 1982, CAB designated the communities described in § 270.2(a) and (b) as eligible points or as ineligible.

(d) After January 1, 1982, DOT may designate communities in Alaska or

14 CFR Ch. II (1-1-08 Edition)

Hawaii as eligible points if they apply for such designation.

§ 325.6 Periodic reviews.

(a) The Department will start a periodic review of essential air service within 1 year of the date of the previous determination of essential air service for eligible points receiving subsidized service, within 2 years of the date of the previous determination for eligible points in Alaska, and within 3 years of the date of the previous determination for eligible points without subsidized air service.

(b) The review shall be conducted in accordance with the procedures in §§ 325.4, 325.5 and 325.7.

(c) The Department may review the designation under section 419(b) of a community as an eligible point to determine whether that point continues to meet the criteria in part 270 of this chapter.

§§ 325.7-325.9 [Reserved]

§ 325.10 Modification of the designated level of essential air service.

(a) Any person may file with DOT a petition titled "Petition for Modification of Essential Air Service Level," asking to modify the essential air service level at a point.

(b) The petition shall identify the point affected, and specifically state the reasons why the petitioner believes the designated essential level is inadequate. It should contain any facts and arguments that support its requests, and describe the level of essential air service that should be substituted.

(c) Any person may, within 30 days after the filing of a petition for modification, file an answer to that petition titled "Answer to Petition for Modification."

(d) After review, the Department may seek more information and the procedures of §§ 325.5 and 325.7 will be followed.

(Approved by the Office of Management and Budget under control number 3024-0037)

§ 325.11 Form of documents.

All documents filed under this part shall be filed in the Documentary Services Division, U.S. Department of Transportation, 400 Seventh Street,

Office of the Secretary, DOT

§ 330.1

S.W., Washington, D.C. 20590, and on their front page state:

- (a) The title of the document;
- (b) The name of the affected community;
- (c) The name, address, and telephone number of a person who can be contacted for further information concerning the subject of the document; and
- (d) In the case of a responsive document, the docket number of the document to which it responds.

§ 325.12 Service of documents.

Any person, except one filing individually as a consumer, who files a document under this part, including responses to the questionnaire, shall serve that document upon those listed in §325.4(a) of this part and upon the following:

- (a) The governor of the State in which the eligible point is located;
- (b) Each air carrier providing scheduled service to the affected eligible point;
- (c) In the case of a responsive document, the one who filed the document to which it responds; and
- (d) The U.S. Postal Service, Assistant General Counsel, Transportation Division, Law Department, Washington, D.C. 20260.

§ 325.13 Environmental evaluations and energy information not required.

Notwithstanding any provision of part 312 or part 313 of this chapter, a person filing a petition or appeal under this part is not required to file an environmental evaluation or energy information with the application.

§ 325.14 Conformity with subpart A of part 302.

Except where they are inconsistent, the provisions of subpart A of part 302 of this chapter shall apply to proceedings under this part.

PART 330—PROCEDURES FOR COMPENSATION OF AIR CARRIERS

Subpart A—General Provisions

- Sec.
- 330.1 What is the purpose of this part?

- 330.3 What do the terms used in this part mean?
- 330.5 What funds will the Department distribute under this part?
- 330.7 [Reserved]
- 330.9 What are the limits on compensation to air carriers?
- 330.11 Which carriers are eligible to apply for compensation under this part?
- 330.13 If an air carrier received compensation under the Act previously, does it have to submit a third-round application?
- 330.15–330.17 [Reserved]

Subpart B—Application Procedures

- 330.21 [Reserved]
- 330.23 To what address must air carriers send their applications?
- 330.25 What are the components of an air carrier's application for compensation?
- 330.27 What information must certificated and commuter air carriers submit?
- 330.29 What information must air taxi operators submit on Form 330 (Final) and Form 330-C?
- 330.31 What data must air carriers submit concerning ASMs or RTMs?
- 330.33 Must carriers certify the truth and accuracy of data they submit?
- 330.35 What records must carriers retain?
- 330.37 Are carriers which participate in this program subject to audit?
- 330.39 What are examples of types of losses that the Department does not allow?

Subpart C—Set-Aside for Certain Carriers

- 3330.41 What funds is the Department setting aside for eligible classes of air carriers?
- 330.43 What classes of air carriers are eligible under the set-aside?
- 330.45 What is the basis on which air carriers will be compensated under the set-aside?

APPENDIX A TO PART 330—FORMS FOR ALL CARRIERS

APPENDIX B TO PART 330 [RESERVED]

APPENDIX C TO PART 330—FORMS FOR AIR TAXI OPERATORS

AUTHORITY: Pub. L. 107-42, 115 Stat. 230 (49 U.S.C. 40101 note); sec. 124(d), Pub. L. 107-71, 115 Stat. 631 (49 U.S.C. 40101 note).

SOURCE: Docket No. OST-2001-10885, 67 FR 54066, Aug. 20, 2002, unless otherwise noted.

Subpart A—General Provisions

§ 330.1 What is the purpose of this part?

The purpose of this part is to establish procedures to implement section 101(a)(2) of the Air Transportation