

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

September 30, 2005

ADMINISTRATIVE PROCEEDING
File No. 3-12061

In the Matter of

AirCharter Express, Inc.

Respondent.

ORDER INSTITUTING ADMINISTRATIVE
PROCEEDING AND NOTICE OF HEARING
PURSUANT TO SECTION 12(j) OF THE
SECURITIES EXCHANGE ACT OF 1934

I.

The Securities and Exchange Commission (“Commission”) deems it necessary and appropriate for the protection of investors that a public administrative proceeding be, and hereby is, instituted pursuant to Section 12(j) of the Securities Exchange Act of 1934 (“Exchange Act”).

II.

After an investigation, the Division of Enforcement alleges that:

A. RESPONDENT

1. **AirCharter Express, Inc.** (CIK No. 1268897),¹ formerly New Wave Windmills, Inc., was a Nevada corporation based in Ft. Lauderdale, Florida. Its incorporation with the Secretary of State of Nevada was revoked in November 2004. The company has a class of equity securities that was registered with the Commission on November 3, 2003, pursuant to Exchange Act Section 12(g). Its common stock (symbol “ACHT”) is quoted on the Pink Sheets on an unsolicited basis. It is required to file reports pursuant to Section 13(a) of the Exchange Act.

¹ “CIK” stands for “Central Index Key,” which is the unique number the Commission assigns to each entity that submits filings to it, and which allows the Commission to differentiate between filing entities with similar names.

B. DELINQUENT PERIODIC FILINGS

2. Section 13(a) of the Exchange Act and the rules promulgated thereunder require issuers of securities registered pursuant to Exchange Act Section 12 to file with the Commission current and accurate information in periodic reports, even if the registration is voluntary under Section 12(g). Specifically, Rule 13a-1 requires issuers to file annual reports (Forms 10-K or 10-KSB), and Rule 13a-13 requires issuers to file quarterly reports (Forms 10-Q or 10-QSB).

3. AirCharter Express is delinquent in its periodic filings with the Commission, and has not filed a periodic report since it filed a Form 10-KSB for the period ending December 31, 2003 (see Chart of Delinquent Filings, attached hereto as Appendix 1). This last filing reported a cash balance of \$7,748. The company filed a Form 15-12G on August 2, 2004 to terminate its registration status under the Exchange Act, and was informed by the Division of Corporation Finance on February 8, 2005 that the termination was ineffective because it had not certified that it had less than 500 holders of record as required by Rule 12g-4(a)(1).

4. As a result of the foregoing, the Respondent failed to comply with Exchange Act Section 13(a) and Rules 13a-1 and 13a-13 thereunder.

III.

In view of the allegations made by the Division of Enforcement, the Commission deems it necessary and appropriate for the protection of investors that a public administrative proceeding be instituted to determine:

A. Whether the allegations contained in Section II of this Order are true, and to afford the Respondent an opportunity to establish any defenses to such allegations; and

B. Whether it is necessary and appropriate for the protection of investors to suspend for a period not exceeding twelve months, or revoke the registration of each class of securities of AirCharter Express, Inc. registered pursuant to Section 12 of the Exchange Act.

IV.

IT IS HEREBY ORDERED that a public hearing for the purpose of taking evidence on the questions set forth in Section III hereof shall be convened at a time and place to be fixed, and before an Administrative Law Judge to be designated by further order as provided by Rule 110 of the Commission's Rules of Practice [17 C.F.R. § 201.110].

IT IS HEREBY FURTHER ORDERED that the Respondent shall file an Answer to the allegations contained in this Order within ten (10) days after service of this Order,

as provided by Rule 220(b) of the Commission's Rules of Practice [17 C.F.R. § 201.220(b)].

If the Respondent fails to file the directed Answer, or fails to appear at a hearing after being duly notified, the Respondent may be deemed in default and the proceeding may be determined against it upon consideration of this Order, the allegations of which may be deemed to be true as provided by Rules 155(a), 220(f), 221(f), and 310 of the Commission's Rules of Practice [17 C.F.R. §§ 201.155(a), 201.220(f), 201.221(f), and 201.310].

This Order shall be served forthwith upon the Respondent personally or by certified mail.

IT IS FURTHER ORDERED that the Administrative Law Judge shall issue an initial decision no later than 120 days from the date of service of this Order, pursuant to Rule 360(a)(2) of the Commission's Rules of Practice [17 C.F.R. § 201.360(a)(2)].

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision of this matter, except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not “rule making” within the meaning of Section 551 of the Administrative Procedure Act, it is not deemed subject to the provisions of Section 553 delaying the effective date of any final Commission action.

By the Commission.

Jonathan G. Katz
Secretary

Attachment

Appendix 1

Chart of Delinquent Filings

Company Name	Form Type	Period Ended	Due Date	Date Received	Months Delinquent (rounded up)
AirCharter Express, Inc.					
	<i>10-QSB</i>	03/31/04	05/24/04*	Not filed	16
	<i>10-QSB</i>	06/30/04	08/16/04	Not filed	13
	<i>10-QSB</i>	09/30/04	11/15/04	Not filed	9
	<i>10-KSB</i>	12/31/04	03/31/05	Not filed	5
	<i>10-QSB</i>	03/31/05	05/16/05	Not filed	4
	<i>10-QSB</i>	06/30/05	08/16/05	Not filed	1
Total Filings Delinquent	6				

* Filing originally due 05/17/04, but the company filed a Form 12b-25, granting it a five business day extension.