The Honorable Jeb Bradley  
U.S. House of Representatives  
Washington, DC 20515

Dear Congressman Bradley:

Thank you for your letter of October 26, 2005, regarding the application of Boston-Maine Airways Corporation (BMAC) for authority to operate additional large aircraft and asking that the U.S. Department of Transportation complete its investigation of the air carrier in a timely manner.

The Department is required by its governing statute, 49 U.S.C. 41110(e), to ensure that all certificated air carriers continue to be fit, willing, and able to provide the air transportation authorized by their certificates. In fulfilling its responsibilities, the Department not only evaluates an air carrier’s compliance record, but it also examines the managerial competence of an applicant’s key personnel, reviews the applicant’s operating and financial plans, and establishes that an applicant is owned and controlled by U.S. citizens. I am sure you understand that the Department must carry out its responsibilities under the statute before it makes its final decision on BMAC’s continuing fitness, as well as its request for expanded operating authority.

The Department has requested that the Office of the Inspector General (IG) investigate the circumstances surrounding certain information filed by BMAC in proceedings before the Department. The IG’s investigation is still ongoing and, therefore, it has not yet provided the Department with its findings or conclusions in this matter. Moreover, you should note that the Department’s request to the IG is focused on learning the facts and circumstances surrounding specific prior events. As described above, the Department’s review of BMAC’s continuing fitness is much broader.

While the facts available at this time do not yet permit the Department to reach conclusions on these matters involving BMAC, I can assure you that the Department is working on these issues as expeditiously as possible. Although the IG’s investigation remains ongoing, the Department is pursuing its review of BMAC’s continuing fitness, as well as BMAC’s request for expanded operating authority.
As is the Department's normal practice, I am placing a copy of your letter and this response in Dockets OST-2000-7668, OST-2003-14985, and OST-2004-19919 as a contact outside the record of this case.

I appreciate your interest in this matter. If I can provide further information or assistance, please feel free to call me.

Sincerely yours,

[Signature]

Norman Y. Mineta
The Honorable Norman Mineta  
Secretary of Transportation  
United States Department of Transportation  
400 Seventh St, SW 20509

Dear Secretary Mineta:

The Department of Transportation is currently reviewing an application submitted by Boston-Maine Airways (BMAC), who is seeking the authority to operate up to four additional large aircraft. BMAC is a New Hampshire based carrier employing 270 individuals in several states. Unfortunately, delays in the approval process seem to be linked to an ongoing investigation by the Department Inspector General. By all accounts, a decision will not be rendered on BMAC's application until the investigation is complete. I am confident that the Department will fairly review the matter under investigation, but I respectfully ask that you complete this investigation in the timeliest manner possible to ensure BMAC's application for large aircraft operation can be addressed expeditiously.

BMAC began operations in 1999 with nineteen passenger J31 Jetstream and CASA 212 aircraft in commercial passenger and cargo service. As BMAC grew, this small airline elected to seek Department authority to operate additional aircraft in order to compete more effectively with the larger carriers. BMAC has fully cooperated to ensure the Department has the information needed to make an informed decision. Further delays will have the same affect on BMAC as a decision denying the application for additional operational authority.

I look forward to hearing from you on this matter.

Yours truly,

Jeb Bradley  
Member of Congress