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BEFORE THE
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

DEPT. OF TRANSPORTATION
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Application of

BOSTON-MAINE AIRWAYS CORP.

for issuance of an amended certificate of public
convenience and necessity pursuant to 49 U.S.C. § 41102
(Interstate Large-Aircraft Operations)

Docket OST-00-7668 -20

REPLY OF
BOSTON-MAINE AIRWAYS CORP.

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September 24, 2002

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REPLY OF
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Boston-Maine Airways Corp. (“BMAC”) hereby submits this Reply to the Answer of the Air Line Pilots Association (“ALPA”), filed on September 19, 2002 in the captioned proceeding.¹

On its face, ALPA’s Answer is motivated by a complaint arising out of a perceived potential future labor dispute between ALPA and BMAC’s sister carrier, Pan American Airways Corp. (Pan Am) (ALPA Answer, pp. 2-3, 6-7). As such, ALPA’s complaint is purely speculative, and is filed at the wrong time, in the wrong forum and

¹ BMAC notes that ALPA’s Answer is untimely, and that its minimal motion for leave to file fails to show good cause for its late filing, in violation of the Department’s Rules of Practice (14 CFR Section 302.6(c)).

against the wrong party. For all three reasons, BMAC will not respond to ALPA's potential complaint against Pan Am in this proceeding.

ALPA's argument that BMAC is unfit for upgraded authority to operate large aircraft, based on its operating losses in CY 2000 and 2001, is patently ludicrous. ALPA is surely aware that the past several years, and particularly the past year since the heinous terrorist attacks on September 11, 2001, have been the most economically difficult period in the history of the U.S. aviation industry. As a recently-launched start-up carrier, BMAC has been particularly vulnerable to the combined severe adverse impact of the terrorist attacks and the economic recession on traffic demand which have beset the entire airline industry.

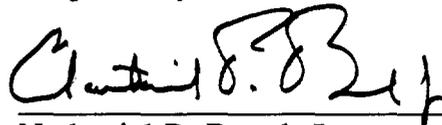
If ALPA's financial performance fitness standard were to be adopted by the Department, virtually every significant carrier in the U.S. aviation industry would be unfit for certification and each carrier's current certificates would be subject to revocation under the continuing fitness requirement of 49 U.S.C. Section 41110(e).

BMAC has provided substantial evidence of its fitness for upgraded certification to operate large aircraft in compliance with 14 CRF Section 204.5 and every fitness element of Section 204.3. BMAC will respond fully and promptly to any and all requests for additional information and documents pertaining to its fitness which may be directed to BMAC by the Department's Air Carrier Fitness Division.

In that latter regard, BMAC notes that it plans to file a separate application in the near future for authority to operate large aircraft in a number of foreign markets, distinct from those operated by Pan Am. That application will contain detailed and probative evidence of BMAC's fitness to operate the foreign air transportation which it will propose in that application. In compliance with 14 CFR Section 201.4, BMAC's application for foreign authority is required to be filed in a separate application from its pending application for upgraded interstate authority. BMAC's pending interstate application accurately reflects the entirety of BMAC's interstate large-aircraft service plans for the next year. BMAC strongly objects to ALPA's unfounded and offensive assertion that BMAC's pending interstate application is "disingenuous" (ALPA Answer, pp. 6-7).

WHEREFORE, BMAC renews its request to the Department to issue an amended Certificate of Public Convenience and Necessity authorizing BMAC to provide interstate air transportation of persons, property and mail, utilizing both small and large aircraft, as requested in its application in this proceeding.

Respectfully submitted,



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Attorneys for
BOSTON-MAINE AIRWAYS CORP.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing Answer of Boston-Maine Airways by messenger, telecopier transmission or United States mail, properly addressed and with postage prepaid, upon each of the persons listed in the Service List attached hereto.



Cara L. Graham

Washington, D.C.
September 24, 2002

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