



**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

Issued by the Department of Transportation  
on the 11<sup>th</sup> day of March, 2020

Application of

**WESTERN AIR CHARTER, INC.  
d/b/a JET EDGE**

**Docket DOT-OST-2019-0127**

for a certificate of public convenience and necessity  
under 49 U.S.C. § 41102 to engage in foreign charter air  
transportation of persons, property, and mail

**FINAL ORDER  
ISSUING FOREIGN CERTIFICATE**

By Order 2020-2-16, issued February 25, 2020, the U.S. Department of Transportation (the “Department”) directed all interested persons to show cause why we should not make final our tentative findings and conclusions stated in it and award certificates of public convenience and necessity to Western Air Charter, Inc. d/b/a Jet Edge (“Western”) to engage in interstate and foreign charter air transportation of persons, property, and mail.

Interested persons were given 14 days to file objections to the order. No objections to the Show Cause Order were received. Thus, by this Order, we find Western fit, willing, and able to engage in foreign charter air transportation of persons, property, and mail, and issue to it a certificate authorizing Western to engage in such operations.<sup>1</sup>

**ACCORDINGLY,**

1. We find that Western Air Charter, Inc. d/b/a Jet Edge is fit, willing, and able to engage in foreign charter air transportation of persons, property, and mail.
2. We issue a certificate of public convenience and necessity in the form attached to Western Air Charter, Inc. d/b/a Jet Edge to engage in foreign charter air transportation of persons, property, and mail.

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<sup>1</sup> By Order 2020-3-4, issued March 11, 2020, the Department found Western fit, willing, and able to engage in interstate charter air transportation of persons, property, and mail. Further, by that Order, the Department issued a 49 U.S.C. §41102 certificate authorizing Western to engage in interstate charter air transportation of persons, property, and mail.

3. Unless disapproved by the President of the United States under section 41307 of the Transportation Code, this Order shall become effective on the 61<sup>st</sup> day after its submission for section 41307 review or upon the date of receipt of advice from the President or his designee under Executive Order 12597 and implementing regulations that he or she does not intend to disapprove the Department's order under that section, whichever occurs earlier.<sup>2</sup>

4. We direct that should Western Air Charter, Inc. d/b/a Jet Edge propose to conduct operations with more than two large aircraft, it must first notify the Department in writing at least 45 days prior to the proposed change in operations and demonstrate its fitness to conduct such operations before their commencement.<sup>3</sup>

5. We direct Western Air Charter, Inc. d/b/a Jet Edge to submit to the Air Carrier Fitness Division a first-year progress report within 45 days following the end of its first year of certificated operations.<sup>4</sup>

6. We will serve a copy of this Order on the persons listed in Attachment A.

By:

David E. Short  
Deputy Assistant Secretary  
Aviation and International Affairs

*An electronic version of this document is available at  
<http://www.regulations.gov>*

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<sup>2</sup> This Order was submitted for 49 U.S.C. §41307 review on March 11, 2020. The 61<sup>st</sup> day was May 11, 2020.

<sup>3</sup> A “large” aircraft is any aircraft originally designed to have a maximum passenger capacity of more than 60 seats or a payload of more than 18,000 pounds. This limitation does not apply to the air carrier’s small aircraft operations, and as a result, Western remains free to conduct operations with as many small aircraft as it desires.

<sup>4</sup> The report shall include a description of air carrier’s current operations (number and type of aircraft, principal markets served, total number of full-time and part-time employees), a summary of how these operations have changed during the year, a discussion of any changes it anticipates from its current operations during its second year, current financial statements (including a balance sheet at the end of its first year of flight operations and a 12-month income statement ending that same date), and a listing of current senior management and key technical personnel.



***Certificate of Public Convenience and Necessity  
for  
Foreign Charter Air Transportation***

***This Certifies That***

**Western Air Charter, Inc.  
d/b/a Jet Edge**

***is authorized, subject to the provisions of Subtitle VII of Title 49 of the United States Code, the orders, rules, and regulations issued thereunder, and the attached Terms, Conditions, and Limitations, to engage in foreign charter air transportation of persons, property, and mail.***

***This Certificate is not transferable without the approval of the Department of Transportation.***

***By Direction of the Secretary***

***Issued by Order 2020-5-3  
On March 11, 2020  
Effective on (See Attached)***

***David E. Short  
Deputy Assistant Secretary  
Aviation and International Affairs***



## *Terms, Conditions, and Limitations*

### **WESTERN AIR CHARTER, INC.**

*is authorized to engage in foreign charter air transportation of persons, property, and mail.*

*Between any place in the United States and any place outside thereof.*

*This authority is subject to the following provisions:*

*(1) The authority to operate under this certificate will not become effective until six (business) days after the Department has received the following documents; provided, however, that the Department may stay the effectiveness of this authority at any time prior to that date:*

*(a) A copy of the holder's Air Carrier Certificate and Operations Specifications authorizing such operations from the Federal Aviation Administration (FAA).*

*(b) A certificate of insurance on OST Form 6410 evidencing liability insurance coverage meeting the requirements of 14 CFR 205.5(b) for all of its aircraft.*

*(c) A statement of any changes the holder has undergone in its ownership, key personnel, operating plans, financial posture, or compliance history, since the date of the Show Cause Order in this case.*

*(d) A revised list of pre-operating expenses already paid and those remaining to be paid, as well as independent verification that the holder has available to it funds sufficient to cover any remaining pre-operating expenses and to provide a working capital reserve equal to the operating costs that would be incurred in three months of operations.*

*(2) Pending receipt of effective authority, the holder may not accept payment of any kind (i.e., cash, check, or credit card), issue tickets for the operations proposed under this certificate, or enter into contracts with charter operators, and any advertisement by the holder must prominently state: "This service is subject to receipt of government operating authority."*

*(3) The holder shall at all times conduct its operations in accordance with the regulations prescribed by the Department of Transportation for the services authorized by this certificate, and with such other reasonable terms, conditions, and limitations as the Department of Transportation may prescribe in the public interest.*

*(4) 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 is subject to compliance with such treaties and agreements and with*

*any orders of the Department of Transportation issued under them or for the purpose of requiring compliance with them.*

*(5) The exercise of the authority granted here is subject to the holder's first obtaining from the appropriate foreign governments such operating rights as may be necessary.*

*(6) The holder's authority under this certificate is effective only to the extent that such operations are also authorized by the Federal Aviation Administration (FAA), and comply with all U.S. Government requirements concerning security, including, but not limited to 49 CFR Part 1544.\**

*(7) The holder shall at all times remain a "Citizen of the United States" as required by 49 U.S.C. 40102(a)(15).*

*(8) The holder shall maintain in effect liability insurance coverage as required under 14 CFR Part 205. Failure to maintain such insurance coverage will render a certificate ineffective, and this or other failure to comply with the provisions of Subtitle VII of Title 49 of the United States Code or the Department's regulations shall be sufficient grounds to revoke this certificate.*

*(9) Should the holder propose any substantial change in its ownership, management, or operations (as defined in 14 CFR 204.2(l)), it must first comply with the requirements of 14 CFR 204.5.*

*(10) In the event that the holder does not commence actual flying operations under this certificate within one year of the date of the Department's determination of its fitness, its authority shall be revoked for dormancy, unless the holder is conducting operations under another type of certificate authority. Further, in the event that the holder commences operations for which it was found "fit, willing, and able" and subsequently ceases all such operations, its authority under all certificates held shall be suspended under the terms of 14 CFR 204.7 and the holder may neither recommence nor advertise such operations unless its fitness to do so has been redetermined by the Department. Moreover, if the holder does not resume operations within one year of its cessation, its authority shall be revoked for dormancy.*

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*\* To assure compliance with all applicable U.S. Government requirements concerning security, the holder shall, before commencing any new service (including charter flights) to or from a foreign airport, contact its Principal Security Inspector (PSI) to advise the PSI of its plans and to find out whether the Transportation Security Administration has determined that security is adequate to allow such airport(s) to be served.*

**SERVICE LIST FOR  
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