

## **Information for Consumers Regarding the Cessation of Service by Pro Air**

On September 19, 2000, Pro Air ceased flight operations and filed for protection under Chapter 11 of the bankruptcy code. Set forth below are certain alternatives available to Pro Air customers who have paid for future transportation or who have other claims against the carrier. At the time this fact sheet was issued, Pro Air was also providing taped information at 1-800-477-6247.

### **1. Transportation options**

If you purchased transportation from Pro Air or from a travel agency where Pro Air was the "issuing carrier," you should attempt to make arrangements on other airlines if you still wish to travel. However, consumers should realize that other airlines are not obligated to honor Pro Air tickets. Under certain circumstances, some carriers may waive fare restrictions to allow you to purchase a lower priced replacement ticket than would otherwise be available. Since the level of assistance may vary among airlines, you should contact your travel agent or the airlines for specifics.

If you bought a ticket from another airline and that ticket includes a segment on Pro Air, you may be able to use that ticket for transportation on another carrier, or you can get a refund from the issuing airline. If you bought a ticket from a travel agency for Pro Air transportation and the ticket shows another airline as issuing carrier, this ticket can also be refunded or can probably be used for travel on another airline. In both of the above cases, if the new airline's fare is higher than the Pro Air fare, you may have to pay the difference. You should contact your travel agency or the airline that issued the ticket to arrange substitute transportation.

If you purchased your ticket from Pro Air or from a travel agency that showed Pro Air as the issuing carrier and the ticket includes a segment on another U.S. airline, that other carrier will accept the ticket for its own segment as shown on the ticket. Airlines may or may not honor any Pro Air segments or segments of other carriers on such tickets.

### **2. Refunds**

Pro Air is making no refunds at this time, even if a refund had been requested prior to the cessation of operations. The carrier is currently under the protection of the bankruptcy court.

As described at the beginning of section 1 above, if you have a ticket which includes Pro Air transportation but it was purchased from another airline or from a travel agency which showed another airline as the issuing carrier, you can get a refund from the airline or travel agency that issued the ticket if you choose not to use it for substitute transportation. If that airline attempts to assess a cancellation penalty or service charge, point out that Pro Air canceled your flight; you did not cancel your reservation. The airlines' contracts of carriage generally require that they make such refunds on an "involuntary" basis, i.e. without assessing any cancellation fees.

If you charged your Pro Air transportation with a credit card (whether or not you received the ticket) and you have difficulty using the transportation or refund options described above, you may be able to have the cost of the ticket credited to your credit card account as described below.

Write to the credit card issuer, being sure to state your account number. Enclose a photocopy of the ticket, itinerary or receipt if possible, or indicate the price of the transportation and the date it was purchased. If the transportation was partially used, identify the used and unused segments. State that Pro Air is in bankruptcy and has ceased operations, that you will not receive the services that you charged to your account and that you are requesting a credit pursuant to the Fair Credit Billing Act.

The credit card issuer must receive this notice no later than 60 days after the date that you received the first **monthly statement** that listed the charge for the Pro Air transportation, although credit card companies sometimes waive this deadline for future transportation. Some credit card issuers may ask for the original unused tickets. If these are requested, keep photocopies and send the originals certified mail. Do not send the originals unless they are requested.

If you cannot take advantage of any of the transportation or refund options described above, you can file a claim in the bankruptcy proceeding. Get a bankruptcy "Proof of Claim" form from any U.S. Courthouse. Fill it out, keep a photocopy if possible, and send the original to:

U.S. Bankruptcy Court  
Western District of Washington  
315 Park Place Building  
1200 Sixth Avenue  
Seattle, WA 98101

Make reference to Case #00-09271. If possible, send a photocopy of your ticket or receipt. Do not send the original, unless it is requested. Such a filing does not guarantee a refund. If a refund is made, it may not be for the full amount of the claim. The process will probably take several months at a minimum.

### **3. Baggage**

As with refunds, Pro Air is not making payments at this time for baggage or cargo claims (e.g., loss/damage/pilferage). You should send a copy of such claims with a completed Proof of Claim form to the bankruptcy court.

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