



FROM

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DATE

10 March 2003

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OUR REFERENCE

EAA M03001373

YOUR REFERENCE

Docket No. FAA-2002-14081

Docket Management System
U.S. Department of Transportation
Room Plaza 401
400 Seventh Street SW.
Washington, DC 20590-0001
U.S.A.

DOCKET No. FAA-2002-14081; NPRM No. 03-02, TRANSPONDER CONTINUOUS OPERATION

Dear Madam/Sir,

Airbus thanks the FAA for the opportunity to comment on NPRM No. 03-02.

The FAA proposes a compliance date of March 29, 2005. In selecting this date, the FAA assumed that the final rule would be issued by December 31, 2002, thus allowing 27 months for development of approved design data, modification planning and implementation.

Now, a final rule is unlikely before late 2003, reducing the useful time to prepare for compliance to probably less than 18 months if the FAA maintained the date of March 29, 2005. Such a period would result in kit procurement difficulties, and in increased downtime costs, since it would not be possible to combine the modification work with a heavy maintenance visit (C-check) for a significant number of aircraft.

In addition, other new rules related to transponders are foreseen. In particular, for aircraft flying in the European airspace (regardless of their registration), Eurocontrol is considering mandatory carriage of Mode S transponders capable of Enhanced Surveillance, from March 2005 for new aircraft, and from March 2007 for in-service aircraft. It would be much more cost-effective to combine both modifications in a single work package, which means that the implementation dates should be coordinated.

In summary, if the FAA adopts a rule requiring continuous transponder operation, we recommend that the compliance date be at least 27 months after the effective date of the final rule, and be coordinated with other transponder-related rules, not only within the FAA, but also with other air traffic organizations, such as Eurocontrol.

Yours sincerely,

A handwritten signature in black ink, appearing to read "P. de Gouttes".

Philippe de Gouttes
Manager Aviation Regulations
Product Integrity Division