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OUR REFERENCE

EA 418.00409/03

YOUR REFERENCE

Docket Management Facility
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Attention: NPRM Extended Operations of
Multi-engine Airplanes (ETOPS) Docket No.
FAA-2002-6717; Notice No. 03-11

Subject: NPRM Extended Operations of Multi-engine Airplanes (ETOPS)
Docket No. FAA-2002-6717; Notice No. 03-11 and Corrections

Dear Sir

Airbus hereby respectfully request the FAA to extend the period allowed for public comments on NPRM Extended Operations of Multi-engine Airplanes (ETOPS) Notice 03-11, until a detailed Economic Impact Assessment of the rule applicability has been published as well as the guidance material in the draft Advisory Circulars.

The proposal would impose immediate compliance with all flight operations, maintenance, training and type design rules to all operators of existing ETOPS aircraft serving routes with more than 90-minute diversion time. The proposal would also impose the same immediate compliance to all operators of three and four-engine long-range aircraft serving routes with more than 180-minute diversion time or entering the Polar areas. The Economic Impact Assessment attached to the NPRM does not consider the consequences of such measures.

The aviation manufacturing and air transport industries are unable to comply with such immediate application.

The Working Group that prepared the ARAC recommendations never considered massive immediate retroactivity. On the contrary, clauses were proposed to ensure the undisrupted operation of aircraft of an existing design. The affected manufacturers and operators will need time to assess all the implications.

Other regulatory organizations such as the JAA in Europe and the ICAO have been working on the subject of ETOPS and other long-range operations in close coordination with the FAA and none of them currently proposes such a radical program of retroactivity of the new rules.

A preliminary evaluation indicates that the disruption of ETOPS and long-range flights would last from one to two years for US operators, causing serious threat to their business. The US Air Transport industry may suffer considerable economic damage and it may be the only one affected.

We respectfully request the FAA to present an Economic Impact Assessment that takes into account the real effect of the proposed immediate application considering the cost and feasibility of such compliance for each rule element. The period of comments should not be closed until the public has benefited from such essential information.

Furthermore, our review of the NPRM evidenced several difficulties of interpretation of the proposed provisions that may only be resolved when the draft Advisory Circulars have been released to the public. We therefore respectfully request the FAA to consider an extension of the public commenting period that also encompasses the time necessary to release the draft ACs.

Yours faithfully



Andre Quet
VP Office of Airworthiness