

# NOTICE OF PROPOSED RULEMAKING COMMENT FORM

**1. DOCKET NUMBER: FAA- 2002- 12261**

**Reduced Vertical Separation Minimum in Domestic United States Airspace**

**2. EMBRAER POSITION/COMMENTS:**

Embraer agrees DRVSM will bring benefit to Air Traffic. However we have two different cases that affects the products of our company..

For the EMB-145 model aircraft, we have approximately 440 aircraft that has been operating in USA performing domestic flight, which, can operate until 37000 feet and have already certified for RVSM operation in Europe.

For the EMB-120 model aircraft, we have approximately 230 aircraft that has been operating in USA performing domestic flight, which, can operate until 32000 feet.

With the proposed NPRM the model EMB-120 aircraft need to be modified to comply with the new operation rule, and related to that we have the following:

- This airplane was designed in 1980 and it does not have Air Data Computer, uses pneumatic Altimeters and TCAS II Change 7 is not installed.
- The modifications that need to be introduced in the fleet actually in operation is estimated in US\$ 100,000.00 / aircraft.
- Considering that with this numbers the modification is not cost effective, there are a great probability that the operators will prefer to be limited to 29000 feet, instead to modified the fleet.

This situation we understand is not only particular to our aircraft. We understand that there are many others aircraft models in the same situation

According to this NPRM, Air Traffic at FAA air route traffic control centers is projected to increase over the next ten years at an average annual rate 1.5 percent. By 2012, FAA air route traffic control centers are projected 9 millions more instrument flight rule (IFR) flights than they did in 2000 (55.0 million versus 46 million). That is 20 percent more in 2012, with this new rule more new 6 flight level will be introduced what is 100 percent more.

**Embraer proposes an incremental approach starting from 330 to 410 flight level until 2012, what represents 66,6 percent more flight level available, comparing with 20 percent of projected traffic increasing, what seems to be reasonable. After 2012 extend the RVSM rule to levels above 290.**

**Beyond of that keeping the present proposal probably it will create traffic congestion in the levels below 29000 feet.**

**4. ORGANISATION :** Embraer Empresa Brasileira de Aeronáutica

**Address :** Av. Brig. Faria Lima, 2170 12227-901 - S. José dos Campos - SP

**Phone :** 00-55-12-3927-2322

**Fax :** Fax: 00- 55-12-3927-3320 / 3927-1184

**5. SIGNATURE ..... Date: AUGUST,02,2002**

**Name :** Paulo C. Olenski – Embraer Certification Manager