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Date: 1 0/2/989:52 AM
Sender: CHURCHJA@corphq.utc.com
To: 9-NPRM-CMTS
Priority: Normal
Subject: Docket No. FAA 98-4390 -45

UTFlight
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September 27, 1998

U.S. Department of Transportation Dockets
Docket No. FAA-98-4390
400 Seventh Street, S W
Room Plaza 401
Washington, DC 20590

Re: Docket No. FAA 98-4390
Comment in Support of Proposed Rulemaking: "Flight Plan Requirements for Helicopter Operations Under Instrument Flight Rules," Notice No. 98-12; 63 Fed. Reg. 46834 (Sept. 2, 1998)

Dear Madam Administrator:

As chair of the ARAC working group I submit my comments in support of the proposed rule entitled "Flight Plan Requirements for Helicopter Operations Under Instrument Flight Rules," Notice No.98-12, published in the Federal Register on September 2, 1998, at 63 Fed. Reg. 4634 (Sept. 2, 1998) (hereinafter the NPRM).

The working group coordinated this effort with the FAA for 8 years and is proud of the success of its efforts and the support it received for this proposed legislation. The efforts of the group and the FAA were centered on the premise that helicopters are indeed unique and possess certain abilities that should separate them from fixed wing rules. This is especially true when it came to examining Instrument Flight Rules.

The recommendations put forth in the NPRM reflect the objectives of the ARAC working group. The most important objective was to lower the alternate airport weather minimum for helicopters. Where airplanes would require 600/2 for precision approaches, helicopters could use 400/1. With non-precision approaches, airplanes would require 800/2, helicopters could use 600/1. What seemed like a straight forward approach supported by the FAA and the working group in this NPRM when inserted into the "old" FAR language it has unfortunately, become confusing.

The language in FAR 91.169 (c) (2) reads: "If an instrument approach procedure has been published in part 97 of this chapter for that airport, but that procedure contains no alternate airport weather minimum, the following apply." This language is very vague, not clearly understood and does not reflect the way a pilot files for an alternate airport, even under the present rule. With the inclusion of the new NPRM for helicopters it becomes even more confusing. The procedures "always" includes alternate airport weather minimum (i.e. it is never left blank). When the procedure was the same for both airplanes and helicopters it didn't matter, but now with this NPRM there are two classes of alternate minimum. Unfortunately it appears that helicopters under the new rule would still have to defer to the "published alternate

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minimums". In an effort of the FAA and the Working Group to make as few changes to the old FAR's and keep things simple, we unfortunately may not have achieved our objectives. This certainly was not intentional nor does it alter the recommendations that the rule needs to be changed.

It is the recommendation of this individual and as the ARAC Working Group chair, that a few minor word changes to the proposed rule be made to achieve our objective. I support the Helicopter Association International's comments concerning the NPRM and their recommended changes. It is not our intention to require another comment period and we stand behind the basis for the recommendations and the objective of this rule change.

Respectfully yours

James A. Church

James A. Church
Chairman ARAC Working Group
Helicopter IFR Issues