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DEPT. OF TRANSPORTATION
DOCKETS

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July 15, 2000

U.S. Department of Transportation
Dockets 2000-7479 – 20
400 Seventh Street, S.W, Room Plaza 401
Washington, DC 20590

ORIGINAL

Dear Sir or Madam:

These comments will focus on proposed regulations concerning public charter operations. In 1996, Congress limited scheduled passenger service operations at uncertificated airports, such as Centennial Airport, to aircraft with 9 passenger seats or less. This change was intended to ensure that passenger flights were limited to airports equipped to handle passenger air crashes.

Congress recently, through legislation, extended the 9 passenger seat limit to public charter companies, which would operate under a regular schedule. Section 723 of Public Law 106-181 amends 49 U.S.C. § 41104 as follows:

**(b) SCHEDULED OPERATIONS**

**(1) IN GENERAL** – An air carrier, including an indirect air carrier, which operates aircraft designed for more than 9 passenger seats, may not provide regularly scheduled charter air transportation for which the general public is provided in advance a schedule containing the departure location, departure time, and arrival location of the flights to or from an airport that is not located in Alaska and that does not have an operating certificate issued under Part 139 of Title 14, Code of Federal Regulations (or any subsequent similar regulations).

**(2) DEFINITION** – In this paragraph, the term "regularly scheduled charter air transportation" does not include operations for which the departure time, departure location and arrival location are specifically negotiated with the customer or the customer's representative.

Section 723 was adopted to close a loophole for small commuter carriers claiming charter status to avoid the earlier limits on scheduled passenger service at uncertificated airports.

The draft rules published by the Federal Aviation Administration ("FAA") to implement these changes simply do not do the job. The draft rules completely exclude "small" scheduled air charter operations from the requirement that they operate only at certificated airports. The term "small" aircraft includes most commuter aircraft between 10-30 passengers.

The federal law applies to all charter operations, both large and small. The revised rules must be changed to acknowledge that all public charter operations using aircraft with more than 9 passenger seats that operate under a schedule cannot operate at an uncertificated airport. The FAA should not ignore Congress' direction, and should not compromise public safety. We ask that the rules be changed to conform to the law. Please include these comments as part of the Notice of Proposed Rulemaking for the above docket.

Thank you for the opportunity to make these comments.

Respectfully yours,

Joyce and Kevin Frasier

Frasier
26078 William Helene
Greenwood Village, CO
80121

July 15, 2000

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Washington, DC 20590

Safety First

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Respectfully yours,

Janiece D. Felsman

(Janiece D. Felsman)
5409 S. Olive St.
Greenwood Village, Co. 80111

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Respectfully yours,

Anna Julia Eberwein
3653 So. Fulton Way
Greenwood Village, Co. 80111

James E. or Janis M. Lewis
6056 South Chester Way
Englewood, Colorado
80111-5230

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James E. Lewis Janis Lewis

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P.S. The mid-night take off and landing is very annoying. The Lear Jets are very loud any time of day!

Thank you for the opportunity to make these comments.

Respectfully yours,

Janice M Tesone
5615 So. Berry Lane
Greenwood Village, Colo 80111

Janice Tesone
5615 S. Berry Ln.
Englewood, CO 80111-3533

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Steve Pearce
5306 S Fulton Court
Greenwood Village Co
80111

Bob & Lynn Butts
6025 S. Chester Way
Englewood, CO 80111

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Lynn Butts