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December 20, 2002

Docket Management System  
U.S. Department of Transportation  
Room Plaza 401  
400 Seventh Street, S.W.  
Washington, D.C.  
20590-0001

Re: Docket No. FAA-2002-13918

Dear Sir or Madam:

This letter is a formal request to the Department of Transportation, Federal Aviation Administration, for an extension of time in which to file comments to the Notice of Proposed Rulemaking in Docket FAA-2002-13918, Revisions to Passenger Facility Charge Rule for Compensation to Air Carriers. The Airports Council International - North America (ACI-NA) and the American Association of Airport Executives (AAAE) request extension of the filing deadline for 120 days, until May 9, 2003.

ACI-NA represents the state, regional and local government bodies that own and operate the principal airports served by scheduled air carriers in the United States. ACI-NA members handle approximately 97 percent of the domestic, and virtually all of the international passenger traffic in the United States.

AAAE is the largest professional organization in the world for airport management personnel. AAAE represents thousands of men and women at primary, air carrier, commercial service, reliever, and general aviation airports which together enplane 99% of the passengers in the United States.

The notice at issue, published November 27, 2002, gives interested parties until January 13, 2003, to file comments. The notice was published after an advance notice of proposed rulemaking (ANPRM), published by the Federal Aviation Administration (FAA) requested comments in April, 1996, as to whether the handling fee for passenger facility charges should be increased. The FAA notice was published response to a petition submitted by the Air Transport Association in May, 1994.

As indicated in the November 27<sup>th</sup> NPRM, Carrier responses to the 1996 ANPRM fell short of the minimum response that FAA required in order to take further action on the ATA petition. Language in House Report 106-513, which accompanied AIR-21, noted that FAA should give carriers the opportunity to prove their claim that the PFC handling fee was too low. The report encouraged FAA to make its final decision within 189 days from the time that the carriers presented evidence necessary to evaluate their claims.



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FAA published the NPRM at issue on November 27, 2002, indicating that by of January, 2001, a sufficient number of carriers had presented their supporting data to the FAA. Interested parties were given until January 13, 2003 to comment.

ACI-NA and AAAE strongly urge the FAA to extend the deadline for comments until at least May 9, 2003. The carriers have had at least six years to collect data supporting their request for a handling fee increase. ACI-NA and other interested parties now have less than two months (including the Christmas/New Year's Holiday period) to consult with members and others concerning the substantial amount of airline financial data presented in the notice, as well as the individual carrier data submissions

ACI-NA and AAAE appreciate the concern expressed by Congress that the carriers' petition receive attention in the near term from FAA. However, given the length of time it has taken the carriers to submit their data to FAA, and for the FAA to issue its NPRM, it would be extremely inequitable for ACI-NA, AAAE and other interested parties to have only 45 days to analyze and evaluate the NPRM and the information submitted by the carriers in support of a handling fee increase, and to prepare comments. ACI-NA and AAAE therefore respectfully request extension of the January 13 deadline for at least 120 days, until May 9, 2003.

ACI-NA attempted to contact ATA earlier today concerning this request, but has not yet received a response.

Yours truly,

Patricia A. Hahn  
General Counsel and Senior Vice President  
Airports Council International - North America

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Vice President,  
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