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U.S. Department of Transportation
Docket Management System
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CONFIDENTIAL DOCUMENT
SENSITIVE SECURITY INFORMATION

Subject: Petition for Exemption – FAR 121.313
Trans States Airlines, Inc. - Model BAE J-4100 Aircraft

Ladies/Gentlemen:

Pursuant to 14 CFR § 11.25, Trans States Airlines, petitions the Administrator for an exemption until November 9, 2003, from certain requirements of 14 CFR, Chapter 1, Part 121.313 Paragraph j (1) and the requirements set forth in Docket Number FAA-2001-11032, Amendment 121-288 (Flight Deck Door Standards).

14 CFR Chapter 1, Part 121.313 Paragraph j (1) states, "After April 9, 2003, for airplanes required by paragraph (f) of this section to have a door between the passenger and pilot or crew rest compartments, and for transport category, all-cargo airplanes that have a door installed between the pilot compartment and any other occupied compartment on January 15, 2002." Subparagraph j, 1 states, "Each such door must meet the requirements of §§ 25.795 (a)(1) and (2) in effect on January 15, 2002."

Regrettably, due to the repeated delay of the required Service Bulletin and parts for our BAE J-4100 aircraft, Trans States Airlines has been forced into a position where we have no choice but to file a petition for relief from the deadline of April 9, 2003. This petition for exemption seeks relief from the April 9, 2003 requirement until no later than November 9, 2003. This will allow Trans States Airlines the additional time needed to perform the required Flight Deck Door Modifications on our BAE J-4100 fleet.

To date, Trans States Airlines maintenance timelines show that all our other in-service fleets are on schedule to meet the April 9, 2003 requirement. Manufacturer support for our other fleet types has proven to be sufficient to accommodate our maintenance needs and engineering support and material deliveries are predicted to be adequate to meet the required date. Unfortunately, with BAE, the manufacturer support has not been adequate for us to meet the required date for our BAE J-4100 fleet.

Trans States Airlines requests that to accommodate this exemption, an extension of SFAR 92 until November 9, 2003 be granted. SFAR 92 allows temporary variances from existing design standards for the doors and establishes a period during which non-

compliance with design requirements will be allowed while improvements to flight crew compartment security are made.

Under the provisions of SFAR 92, Trans States has installed a Flight Deck Door Interlocking Device (Katy-Bar) on our in-service fleets. An extension of this SFAR would allow Trans States to continue operating our BAE J-4100 aircraft with the Katy Bars installed until the door modifications can be accomplished.

Under the provisions of 14 CFR, Chapter 1, Part 1187 (c) Trans States Airlines requests that this petition be pursued as an "Expedited Review" due to the fact that any delaying action in this process will have severe adverse affects on Trans States Airlines and its operations. It is critical that Trans States receive an answer quickly so as to accommodate the advance schedule requirements and ensure our BAE J-4100 aircraft will be available to our customers. Should Trans States be denied this petition, we will need to accommodate our advance schedule to put our aircraft out of service and cancel the numerous flights that have already been booked in advance.

It is also requested, under the provisions of 14 CFR, Chapter 1, Part 11.35 (a, b), that this petition be exempt from the public docket due to the security nature of the subject matter at hand and the proprietary nature of current Trans States Airlines maintenance processes.

The reason for this petition is that all current data clearly indicates that Trans States Airlines will not be able to meet the current "deadline" restrictions set forth in CFR 121.313 on our BAE J-4100 fleet.

Trans States Airlines has received less than adequate support from the aircraft manufacturer. BAE has consistently demonstrated their inability to deliver timely engineering support and required kits. Specifically, BAE advised Trans States that as of January 13, 2003 the Service Bulletin for the installation of the new cockpit door was only 80% complete. After the Service Bulletin is complete Trans States must have the doors manufactured, installed, and have all flight crew personnel properly trained. The fact that BAE is only 80% done with the design paperwork speaks clearly to the situation. Trans States, as part of this petition, plans to modify as many of the BAE J-4100 aircraft as possible, as BAE J-4100 kit deliveries permit.

It is these unforeseen delays in manufacturer support that will cause Trans States not be able to complete the installation of the new cockpit door on all of our BAE J-4100 fleet by the required date of April 9, 2003.

The requested exemption should be granted, while maintaining a level of safety equivalent to Phase 1 of the SFAR compliance (installation of the Katy bars), because it is limited in applicability, scope, and duration such that it would not impair the overall level of safety.

The exemption would only apply to the Trans States Airlines BAE J-4100 aircraft.

Accordingly, the requested exemption would be in the best interest of the public, as Trans States will continue to operate the BAE J-4100 fleet during the completion of this modification. Denial of this petition will have detrimental effects on Trans States Airlines due to the fact that we will have to take the BAE J-4100 aircraft out of service thus incurring severe revenue loss. More importantly, denial of this petition will have a severe impact on the thousands of customers who have already booked passage on these future scheduled flights. Trans States operates the BAE J-4100 aircraft in many smaller community markets where alternative air transportation is not available or where alternative transportation is severely limited.

We request that a finding of good cause be made for granting the requested exemption. Trans States has diligently requested that BAE complete their engineering and CAA/FAA certification, and provide kits since late 2001.

A summary of this petition is required by 14 CFR §11.25 is attached. If any further information is required, please contact Alfred Blossie, Vice-President of Maintenance, at 314-222-4700.

Sincerely,

David J. A. Hayes III
Chief Legal Officer

Attachment

SUMMARY OF PETITION

Pursuant to 14 CFR §11.25, Trans States Airlines, petitions the Administrator for an exemption until November 9, 2003, from certain requirements of 14 CFR, Chapter 1, Part 121.313 Paragraph j (1) and the requirements set forth in Docket Number FAA-2001-11032 (Flight Deck Door Standards).

BAE has consistently slipped and rescheduled delivery dates of required service bulletins and kits for the Flight Deck Door Modification. Original projected accomplishment time were not met. These combined factors have left Trans States Airlines with an insufficient time frame to complete the required door modifications on all of the BAE J-4100 fleet.

Trans States requires an exemption that will allow an extension to the November 9, 2003 requirement in order to have adequate time to complete the required Door Modifications. Trans States will complete the required Door Modifications no later than November 9, 2003.

The requested exemption should be granted that, while maintaining a level of safety equivalent to Phase 1 of the SFAR compliance (Installation of the Katy bars), The requested exemption is limited in applicability, scope, and duration. This exemption applies only to Trans States Airlines BAE J-4100 fleet.

This exemption would prevent the impact to customers who have already booked passage on future flights that would consequently be canceled if this request were denied. Additionally, this exemption would avoid the impact to Trans States Airlines due to revenue loss as a result of the aforementioned canceled flights.