Air Transport Association

March 11, 2003

Docket Management System
U.S. Department of Transportation
Room Plaza 401
400 Seventh St., SW
Washington, DC 20590-0001

Re: Docket No. FAA 2002-14081
Transponder Continuous Operation; Proposed Rule 68 Fed. Reg. 1941 (January 14, 2003), and

Proposed Policy Statement No. ANM-03-111-12
ATC Transponder Operation; Proposed Policy 68 Fed. Reg. 10574 (March 5, 2003)

Dear Sir or Madam:

On January 14, 2003, the Federal Aviation Administration (FAA) issued a Notice of Proposed Rulemaking, which if adopted, would require modification of the transponder systems in airplanes operated in domestic, flag, and supplemental operations (the "NPRM" or "Proposal"). The proposed modifications would provide for immediate activation of the Air Traffic Control (ATC) hijack alert code, and continuous transmissions of the transponder for security purposes. FAA requested comments by March 17, 2003.

The Air Transport Association of America (ATA) is the principal trade and service organization of the U.S. scheduled airline industry. ATA's members[1] account for 95% of the passenger and cargo traffic carried annually by U.S. scheduled airlines. ATA's member airlines, which currently operate a fleet of 4,652 aircraft, collectively is the air carrier group that possesses in-depth knowledge as to transponder system operations and, of course, will be most affected by the NPRM if promulgated as a final rule. For this reason, ATA has a unique interest in the outcome of this rulemaking proceeding.

[1] Airborne Express, Alaska Airlines, Aloha Airlines, America West Airlines, American Airlines, American Trans Air, Atlas Air, Continental Airlines, Delta Air Lines, DHL Airways, Emery Worldwide, Evergreen International Airlines, Federal Express, Hawaiian Airlines, JetBlue Airways, Midwest Airlines, Northwest Airlines, Polar Air Cargo, Southwest Airlines, United Airlines, United Parcel Service, and US Airways. Associate members are: Aerovias de Mexico, Air Canada, Air Jamaica, KLM-Royal Dutch Airlines, and Mexicana de Aviacion.

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After the publication of the NPRM, the FAA issued a Notice of Proposed Policy regarding Proposed Policy Statement No. ANM-03-111-12 (the "Policy"). The Policy proposes technical guidance material for compliance with the technical requirements of the NPRM. The Policy was published in the Federal Register on March 5, 2003 (68 Fed. Reg. 10574). FAA requested comments by April 4, 2003.

ATA, on behalf of its member airlines, petitions the Administrator for a thirty (30) day extension of the comment period in Docket Number FAA 2002-14081. This extension is requested to ensure that ATA's comments to the NPRM take into consideration the complex technical and compliance issues raised in the guidance material, and the related requirements of the NPRM. The Policy was published only 12 days before the date by which FAA requested comments to the NPRM. This amount of time does not facilitate adequate evaluations of, and comments on, the effects that the detailed technical guidance would have on the implementation of the proposed transponder system modifications. To make ATA's comments meaningful, our members need sufficient time to study and evaluate the guidance as it relates to assessments of the cost, schedule, feasibility, alternatives, and other aspects of the NPRM.

For these reasons, the ATA requests a thirty (30) day extension of the comment period in Docket No. FAA 2002-14081, making comments due by April 18, 2003. Consistent with this request, we also request a fourteen (14) day extension of the comment period of Proposed Policy Statement No. ANM-03-111-12, making comments due by April 18, 2003.

Thank you for your consideration of these requests. If any further information is required, or if you have any questions, please call me at (202) 626-4036/4038.

Respectfully submitted,

Air Transport Association of America, Inc.

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