

This comment is submitted with regard to the applicability of the proposed rule to aircraft operated under 14 CFR Part 91 (General Aviation)

In reviewing the proposed rule - I found the fundamental assumption to be flawed (that the 9/11 flight crews had access to their transponders once the hijacking was underway - many reports indicate otherwise)- more to the point on Part 91 aircraft:

The economic costs to the general aviation fleet of some 200,000 aircraft (approximately 86% are single-engine) is staggering - by the FAA's own estimates for Part 121 operators (page 1946 of the Rule) - costs of \$6,600 per aircraft (transponder, parts and labor) are estimated. This translates to \$1.320 billion (that is billion, not million) for the 200,000 general aviation aircraft.

I suggest the FAA take a reading on the current economic state of the general aviation industry, and realize the impact of such costs. In short - it would cripple, if not destroy, an industry already reeling under the effects of 9/11.

The FAA suggests that since the proposed modifications would not exceed 2% of the revenue for the Part 121 operators (page 1946), it is "affordable". This criteria is, to say the least, arbitrary and is not referenced to any common business or accounting rules for the criteria of "affordability". In other words, the FAA appears to have fabricated it from whole cloth. Since many general aviation aircraft are privately owned (e.g., no revenues) or used by flight schools with marginal profitability, what criteria would the FAA propose for "affordability" to these aircraft owners?

The rule, as proposed for Part 91 aircraft - is unnecessary, unfeasible, horribly expensive and represents poorly conceived and implemented government regulation. Current regulations and transponders adequately address these issues with regards to Part 91 aircraft.