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May 6, 2003

Docket Management System,  
U.S. Department of Transportation,  
Room PL 401,  
400 Seventh Street, SW.  
Washington, DC 20590

Subject: Area Navigation (RNAV) and Miscellaneous Amendments - Notice of Proposed Rulemaking (NPRM)  
Reference: Docket Number FAA-2003-14698

Dear Mr. Gallant:

American Trans Air supports FAA's proposal to amend its regulations to reflect technological advances that support area navigation (RNAV); harmonize terms consistent with those of the Joint Airworthiness Authorities and International Civil Aviation Organization. We welcome all changes that bring the regulations into the 21<sup>st</sup> Century. We believe it is important that this NPRM establish a timeless specification of communications, navigation and surveillance performance that will not unnecessarily restrict, or require additional rulemaking to enable the use of new/evolving technology.

American Trans Air provided late comments when confusion and concern regarding the issuance and handling of the original NPRM were so strongly expressed with a request for extension. We continue to have the same concerns and fail to see how extending the full NPRM would preclude or delay new RNAV routes. You fail to specify your original time line and the date any specific RNAV routes must be in place and its economic impact. Your action to selectively, insert FAA Orders and contrived/uncoordinated thinking into the Rules will only prove to be limiting and problematic to both FAA and its users.

American Trans Air offers the following: Please note that some comments may relate to sections in the original FAA-2003-14002, but it's very difficult to understand FAA's process regarding this NPRM.

#### **Section 1.1**

Change the definition of ATS Route: The regulation should simply state ATS Route is a route or procedure approved by the Administrator. Why is it necessary to list examples of routes included under ATS Route? This will only serve to restrict any future naming convention. e.g., like the change to 91.205

#### **PART 71**

71.11 Air Traffic Service Routes (ATS). Drop paragraphs a, b, and c. Rewrite the whole 71.11 to read as follows: "Unless otherwise specified, ATS routes include the protected airspace dimensions as determined acceptable by the Administrator."

71.13 Classification of Air Traffic Service (ATS) Routes. Under 71.13 (b), rewrite as follows: (b) In subpart E of this part:

- (1) Federal Airways.
- (2) RNAV Routes.

#### **Part 91**

91.177 Change to read: However, if both a MEA and a MOCA are prescribed for a particular route or route segment, a person may operate an aircraft below the MEA down to, but not below, the MOCA. Except when using VOR navigation, operations at MOCA beyond 22 NM of the VOR concerned (based on the

pilot's reasonable estimate of that distance) is not permitted. This change allows other navigation without further specifying types of avionics RNAV, GPS etc.

**Part 97**

97.10 Do not delete this. Because these type procedures no longer exist is not sufficient justification. This language does no harm and provides a method of accepting other procedures should the need arise.

97.20 Do not change: FAR's should not hand off regulatory material to FAA Orders. These Orders then in effect become the rule under complete control of the FAA. The current regulation already identifies U.S Terps. Why is the internal filing system number (xxx.3b) required? There is no need to add 8260.19 to the rule any more than the 6750.24 regarding what must be ancillary components must be operating. How would omitting specific orders in the FAR affect the development of procedures? What value is it to FAA, or the public, to expand the list of Orders listed in the rule.

Questions concerning this reply may be directed to Mr. James Enias, Technical Programs Manager, 317-282-5078.