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FAA 00-7992-1

OFFICE OF THE
CHIEF COUNSEL
RULES DOCKET
2000 SEP 20 P 2:17

September 14, 2000

Rules Docket (AGC-10)
Federal Aviation Administration
800 Independence Avenue
Washington D.C. 20591

I hereby apply for an exemption from FAR 135.143 of Title 14, Code of Federal Regulations (14 CFR) so as to allow Branch River Air Service to operate with a TSO-C74b or TSO-C74c (Mode C) transponder rather than a TSO-C112 (Mode S) transponder in the following aircraft:

N9608G; N4773U; N24BR; N5217G; N9313Z

The FAA promulgated FAR 135.143 (c) (2) in an effort to reduce air traffic control separation standards and thus increase traffic flow. The necessary ground sensors have not become operational, thus there is no potential safety advantage to using Mode S transponders rather than Mode C transponders. Mode S transponders are more expensive to install and to maintain.

Granting this exemption is in the public interest because the exemption would result in an increase in aviation safety. The aircraft is presently not equipped with a transponder and therefore the position and altitude is not displayed to pilots of TCAS equipped aircraft. The display of altitude and position of N9608G, N4773U, N24BR, N5217G and N9313Z would greatly benefit passengers aboard FAR 121 aircraft. The use of a Mode C transponder would also allow ATC to provide greater separation from other air traffic.

Summary:

The petitioner requests authorization to operate N9608G, N4773U, N24BR, N5217G and N9313Z when equipped with TSO-C74b or TSO-C74c (Mode C) transponder rather than install a TSO-C112 (Mode S) transponder. A Mode S transponder offers no benefit and is more expensive. Because of the additional expense a Mode S transponder will not be installed.

Regards,

George V. Hartley

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