



January 30, 2018

Mr. Ken Martin
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Ms. Deb Bartell
Manager
Chicago Airports District Office
Federal Aviation Administration
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RE: Informal Part 13 Complaint Against Waukegan National Airport

Dear Mr. Martin & Ms. Bartell:

I am writing to notify you that the Aircraft Owners and Pilots Association (AOPA), along with the affected pilots, would like to formally withdraw the informal complaint that we filed with your office on August 28, 2017, against Waukegan National Airport (UGN) pursuant to 14 C.F.R. § 13.1(a). The Waukegan Port District (Port), as owner and sponsor of the Waukegan Airport, has recently taken concerted and transparent actions to improve the accessibility of the airport to transient users by offering alternative ramp parking and facilitating lower fuel prices. To promote awareness, we request that the Federal Aviation Administration (FAA) amend its airport diagram for UGN to notify users of this newly publicized parking ramp area.

As you know, the Part 13 complaint asserted that the pricing practices of Signature Flight Support (Signature), the single fixed-based operator (FBO) at UGN, had resulted in the Waukegan Airport violating the terms of Grant Assurances 22 and 23. As explained in the complaint, Signature was using its monopoly position over airport parking to force all transient users to purchase the FBO's unreasonably priced fuel and pay for other services which they did not benefit from or use. These unreasonable pricing practices were detrimentally affecting the ability for transient users to access Waukegan Airport.

In response, the Port has asserted its oversight authority to improve transient access and mitigate the effects of Signature's pricing practices. The Port has made available separate ramp space for transient parking, free of charge, as an alternative to Signature's ramp area at the airport. AOPA believes the availability of this alternative ramp area will increase competition with the single FBO by providing transient users with more than one option for parking their aircraft at the airport. In addition, Signature agreed to lower the price of self-service aviation gasoline from \$5.99 to \$4.81. Most importantly, however, users will no longer be forced to purchase fuel and other services at the single FBO simply for landing at this public-use airport.

To communicate these changes, the Port has published on their website an airport diagram illustrating the location of the alternative transient parking ramp, self-service gasoline, and the pedestrian access gate adjacent to the ramp. The Port's diagram, which is enclosed with this letter, also provides transient users with instructions on securely accessing the airport's ramp parking area. To better promote the availability of this alternative area, we request that the FAA amend its airport diagram for UGN to make transient users aware of this transient parking ramp, which is required to be charted in accordance with FAA Order JO 7910.4D.

AOPA, along with the affected pilots, recognize and appreciate the Port taking important steps to bring the airport into compliance with its grant obligations. The Port's actions are also consistent with the FAA's recent guidance, *Q&As—FBO Industry Consolidation and Pricing Practices*. The alternative parking area, including wide promotion of its existence, will improve competition at the airport, better ensure the reasonableness of prices and fees for aeronautical services, and protect reasonable airport access. As a result, we will not pursue any formal administrative action against Waukegan Airport at this time. However, we will continue to monitor and protect the ability for users to reasonably access the airport, and reserves the right to bring these same, or additional, claims in the future should circumstances change.

Sincerely,

Kenneth Mead
General Counsel
Aircraft Owners and Pilots Association

Enclosure

cc:

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