



421 Aviation Way
Frederick, Maryland 21701

T. 301-695-2000
F. 301-695-2375

www.aopa.org

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Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Avenue, SE
West Building Ground Floor, Room W12-140
Washington, DC 20590-0001

Re: FAA Docket Number FAA-2008-0036 Policy Regarding Airport Rates and Charges

The Aircraft Owners and Pilots Association (AOPA) is a not-for-profit individual membership organization of more than 415,000 pilots and aircraft owners. AOPA's mission is to effectively serve the interests of its members in order to establish, maintain, and articulate positions of leadership in promoting the economy, safety, utility, and popularity of flight in general aviation aircraft. Representing two thirds of all pilots in the United States, AOPA is the largest civil aviation organization in the world.

On January 17, 2008 the Federal Aviation Administration (FAA) issued a proposal amending the Department of Transportation's (DOT) policy covering the establishment of airport rates and charges. The FAA states, "these amendments are intended to provide greater flexibility to operators of congested airports to use landing fees to provide incentives to air carriers to use the airport at less congested times or to use alternate airports to meet regional air service needs."

AOPA is opposed to the DOT proposal for "congestion pricing." The proposal does nothing to improve the national air transportation system and could have an adverse effect on general aviation's access to airports. The possibility that this policy could expand to reliever airports and other general aviation facilities that are part of an air carrier airport system implementing congestion pricing is alarming. While we recognize that current airport rates and charges guidelines permit airports to establish different landing fees during various times of the day, general aviation, the airlines and even some airport operators have opposed expanding this principle to a congestion pricing scheme. Instead the Department should work with the aviation community to quickly add capacity and improve system performance as an appropriate response to congestion.

There are many strategies that the DOT could deploy in lieu of congestion pricing. In November 2008, AOPA reminded Secretary Peters that general aviation operations account for less than three percent of the traffic at the three large airports in the New York City metropolitan area. Additional analysis reveals that general aviation

operations account for 2.1% of the total operations at the top seven airports. According to MITRE, these airports account for more than 72% of the nation's total delays. AOPA provided the DOT with a comprehensive list of near and long-term solutions that can be immediately used to address delays that would reduce passenger and airline demand.

- Align schedules with capacity benchmarks
- Implement changes in air traffic control procedures
- Educate the traveling public
- Ensure adequate air traffic controller staffing
- Add more runways to existing airports, and
- Mandate key technologies for landing at congested airports.

In December 2007, the DOT initiated a New York City Aviation Rulemaking Committee (NYC ARC) and they also recommended a myriad of solutions to help reduce congestion and delays at the New York City airports. However, the NYC ARC did not endorse congestion pricing and in fact made it very clear it was a concept opposed by the majority of the aviation community.

Despite the comments by AOPA and the NYC ARC's rejection of congestion pricing, the DOT continues to pursue the strategy, and Secretary Peters has repeatedly called for congestion pricing as a preferred strategy for congestion management. Just one week ago, speaking in Phoenix, Arizona the Secretary once again promoted congestion pricing:

“Our proposed policy changes signal congested airports that they can move away from the decades-old practice of charging aircraft landing fees based solely on the weight of the aircraft – a disincentive for flying larger planes, even when these planes provide the most efficient utilization of the airport.”

Discouraging or limiting general aviation access to airports is an unsatisfactory management strategy, and we oppose the use of congestion pricing as a solution to be considered. The DOT should scrap plans for congestion pricing and pursue alternative solutions that have been identified in the NYC ARC and elsewhere. Recognizing the need to address this problem, AOPA is prepared to continue the dialogue on acceptable traffic management strategies that do not have a negative effect on general aviation.

Sincerely,



Andrew V. Cebula
Executive Vice President
Government Affairs