HJR

70

COMMITTEE REPORT

SENATE

FURTHER: None

3/6/80

Date: March 12, 1980

Mr. President:

The Committee on STATE AFFAIRS has had HJR 70
operations at bush airports in Alaska

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

[√] do pass [ ] do not pass

[ ] do pass with attached amendments(s)

[ ] replace with CS for _____ [ ] same title [ ] new title

and recommends _____

[ ] AND attaches a "Letter of Intent" [ ] New Fiscal Note

[ ] reports it back without recommendation

[ ] referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

S 60 (Rev. 12/78)

Official Business

Alaska State Legislature

Senate

Committee on State Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

March 11, 1980

HJR 70 - Relating to operations at bush airports in Alaska.

BY: Representative Hurlbert, et al.

The resolution states that numerous small communities in Alaska are dependent on aviation for virtually all aspects of their existance. The vast majority of these communities have small, predominately unimproved airstrips ranging from 1400 to 2500 feet in length.

In the past few years, remarkable advances have been made in the development of short takeoff and landing (STOL) aircraft. However, federal regulations adopted in 1952 have not been revised to reflect the latest STOL technology and capabilities. These regulations, which establish an arbitrary maximum gross weight of 12,500 pounds for operations on Alaskan bush airstrips, largely prohibit STOL aircraft from operation on the very airfields for which they were designed.

The operation of STOL aircrafts on bush airstrips would greatly enhance service to Alaskan rural communities, especially by improving the delivery of cargo too large or heavy to be fitted into aircraft now used. This would greatly help the 38 communities suffering energy shortages this winter because of the inability of smaller aircraft to efficiently transport oil.

The Governor has already recommended to the Administrator of Federal Aviation Administration (see attached letter) that he consider requests for exemptions from these regulations (14 C.F.R. section 135.385 (b) and (c), attached) so that STOL aircraft may serve the remote areas of the state. Other F.A.A. regulations (14.C.F.R. sections 11.25 (b) (1) and 11.27, attached) provide for expedited consideration of such requests.

Therefore, the resolution urges the F.A.A. to give prompt and favorable consideration to the requests for exemption from restricting regulations, so that STOL aircraft may be licensed for use at remote airstrips and so that service may begin as soon as possible.

For further details regarding this problem, please see the letter to Representative Hurlbert from Air Logistics of Alaska, Inc., attached.

Introduced: 2/18/80
Referred: Commerce

BY HURLBERT, HALFORD, ANDERSON, BARNES, BROWN, FREEMAN, FULLER, HAUGEN, HAYES, MCKINNON, MALONE, MARTIN, MILES, MILLER, MONTGOMERY, MOSS, MUNSON, OSTERBACK, RANDOLPH, ROGERS, ZHAROFF AND GARDINER

IN THE HOUSE

HOUSE JOINT RESOLUTION NO. 70

IN THE LEGISLATURE OF THE STATE OF ALASKA

ELEVENTH LEGISLATURE - SECOND SESSION

Relating to operations at bush airports in Alaska.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the State of Alaska is the largest and most sparsely populated state in the Union, with numerous small communities broadly dispersed; and

WHEREAS these communities typically have no roads or other surface access to neighboring communities or to regional population centers for their basic needs; and

WHEREAS these communities are necessarily dependent on aviation for all aspects of their existence as well as for their communications with the outside world; and

WHEREAS the vast majority of these communities depend on aviation services provided from small, predominately unimproved airstrips ranging from 1400 to 2500 feet in length; and

WHEREAS remarkable advances in aviation technology, especially in short takeoff and landing (STOL) equipment have been made in the past few years; and

WHEREAS certain regulations of the Federal Aviation Administration adopted in 1952 have not been revised to take into consideration current STOL technology and capabilities; and

WHEREAS these regulations establish an arbitrary gross aircraft weight of 12,500 pounds for operations on bush airstrips in Alaska; and

WHEREAS the regulations largely prohibit STOL aircraft from operation on the very airfields for which they were designed; and

WHEREAS the permission to utilize STOL equipment on bush airstrips in

Alaska would greatly enhance service to the rural communities by providing for the more regular and professional delivery of cargo too large or too heavy to be fitted into the aircraft presently used; and

WHEREAS the increased efficiency and capability of the use of STOL aircraft would achieve, among other things, a substantial, and a substantially needed, increase in the quality of life for the residents of the remote Native villages of Alaska; and

WHEREAS the use of STOL aircraft would help the 38 communities in Alaska that are presently suffering a substantial loss in the capability to generate electricity and heat because of difficulty in obtaining oil into the communities during the winter because of the inability of smaller aircraft to efficiently transport oil; and

WHEREAS the Governor of Alaska has recommended to the Administrator of the Federal Aviation Administration by letter of January 24, 1980, that consideration be given to requests for exemptions from the regulations to resolve the matter and to provide assistance to the rural Alaskan communities; and

WHEREAS exemption from regulation 14 C.F.R. section 135.385(b) and (c) of the Federal Aviation Administration would enable operation of such aircraft as the CARIBOU, CASA 212, and similar aircraft to serve the remote areas of the state; and

WHEREAS favorable consideration by the Administrator of the Federal Aviation Administration to a request for expedited consideration of the request under 14 C.F.R. sections 11.25(b)(1) and 11.27 would enable service to begin earlier than might otherwise be possible;

BE IT RESOLVED by the Alaska State Legislature that the Administrator of the Federal Aviation Administration is urged to give prompt and favorable action to the requests that STOL aircraft be licensed for use at remote Alaskan airstrips.

FAR 23
FAR 25

COPIES of this resolution shall be sent to the Honorable Jimmy Carter, President of the United States; to the Honorable Langhorne M. Bond, Administrator of the Federal Aviation Administration, and to the Honorable Ted Stevens and the Honorable Mike Gravel, U. S. Senators and the Honorable Don Young, U. S. Representative, members of the Alaska delegation in Congress.

HJP)

HJR 70 Relating to operations at bush airports in Alaska By Hurlbert et al.

Small communities in Alaska are ~~especially~~ dependent on aviation for virtually all aspects of their existence. The vast majority of these communities have small, predominately unimproved airstrips ranging from 1400 to 2500 feet in length.

In the past few years remarkable advances have been made in the development of short takeoff and landing (STOL) aircraft. However, federal regulations adopted in 1952 have not been revised to reflect the latest STOL technology and capabilities. These regulations, which establish an arbitrary maximum gross weight of 12,500 pounds for operations on Alaskan bush airstrips, largely prohibit STOL aircraft from operation on the very airfields for which they were designed.

The operation of STOL aircraft on bush airstrips would greatly enhance service to Alaskan rural communities, especially by improving the delivery of cargo too large or heavy to be fitted into aircraft now used. This would help the 38 communities suffering energy shortages this winter because of the inability of smaller aircraft to efficiently transport oil.

The Governor has already recommended to the Administrator of the F.A.A. that he consider requests for exemptions from these regulations (14 C.F.R. section 135.385 (b) and (c)) so that STOL aircraft may serve the remote areas of the state. Other F.A.A. regulations (14 C.F.R. sections 11.25 (b)(1) and 11.27) provide for expedited consideration of such requests.

Therefore this resolution urges the F.A.A. to give prompt

and favorable consideration to the requests for exemption from the restricting regulations, so that STOL aircraft may be licensed for use at remote airstrips and so that service may begin as soon as possible.

may limit or terminate exemptions so issued by them or by offices whose jurisdiction they may have assumed. Exemptions issued under these circumstances are at all times subject to modification and termination by the Director or Acting Director or officer in charge of the Region concerned, subject to ultimate action by the Director or Acting Director of the Service concerned.

(49 U.S.C. 1344, 1348, 1354, 1430)

[Amdt. 11-2, 29 FR 7091, May 29, 1964, as amended by Amdt. 11-5, 31 FR 11091, Aug. 20, 1966; Amdt. 11-10, 33 FR 17850, Nov. 30, 1968; Amdt. 11-11, 36 FR 3463, Feb. 25, 1971]

Subpart B—Rules Other Than Airspace Assignment and Use

§ 11.21 Scope.

(a) This subpart applies to substantive rules, other than those relating to airspace assignment and use.

(b) Unless the Administrator, for good cause, finds that notice is impracticable, unnecessary, or contrary to the public interest, and incorporates that finding and a brief statement of the reasons for it in the rule, the FAA issues notices of proposed rule making and allows interested persons to participate in rule-making procedings involving a substantive rule.

(c) Unless the Administrator determines that notice and rule-making procedures are to be followed, interpretive rules, general statements of policy, and rules of FAA organization, procedure, or practice are prescribed as final without notice or rule-making procedures.

(d) Whenever the Administrator so determines, the procedures prescribed in this subpart apply to exempting persons and classes from the requirements of a substantive rule.

§ 11.23 Initiating rule-making procedures.

The Administrator initiates rule-making procedures upon his own motion. However, in doing so, he considers the recommendations of other agencies of the United States and the petitions of other interested persons.

§ 11.25 Petitions for rule making or exemptions.

(a) Any interested person may petition the Administrator to issue, amend, or repeal a rule whether or not it is a substantive rule within the meaning of § 11.21, or for a temporary or permanent exemption from any rule issued by the Federal Aviation Administration under statutory authority.

(b) Each petition filed under this section must—

(1) In the case of a petition for exemption, unless good cause is shown in that petition, be submitted at least 120 days before the proposed effective date of the exemption;

(2) Be submitted in duplicate—

(i) To the appropriate FAA airport field office in whose area the petitioner proposes to establish or has established its airport, in the case of any petition for exemption filed under Part 139 of this chapter; and

(ii) To the Federal Aviation Administration, Washington, D.C. 20591, in all other cases;

(3) Set forth the text or substance of the rule or amendment proposed, or of the rule from which the exemption is sought, or specify the rule that the petitioner seeks to have repealed, as the case may be;

(4) Explain the interests of the petitioner in the action requested including, in the case of a petition for an exemption, the nature and extent of the relief sought and a description of each aircraft or person to be covered by the exemption; and

(5) Contain any information, views, or arguments available to the petitioner to support the action sought, the reasons why the granting of the request would be in the public interest and, if appropriate, in the case of an exemption, the reason why the exemption would not adversely affect safety or the action to be taken by the petitioner to provide a level of safety equal to that provided by the rule from which the exemption is sought.

(Secs. 313(a), 601(c), 72 Stat. 752, 775; 49 U.S.C. 1354(a) 1421(c); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

[Docket No. 1242, 27 FR 9586, Sept. 28, 1962, as amended by Amdt. 11-5, 31 FR 11091, Aug. 20, 1966; Docket No. 8084, 32 FR 5769, Apr. 11, 1967; Amdt. 11-8, 32 FR 6390, Apr. 25, 1967; Amdt. 11-12, 37 FR 19354, Sept. 20, 1972; Amdt. 11-14, 42 FR 34865, July 7, 1977; 42 FR 36242, July 14, 1977]

§ 11.27 Action on petitions for rule making or exemptions.

(a) No public hearing, argument, or other formal proceeding is held directly on a petition filed under § 11.25, before its disposition by the FAA.

(b) If the Administrator determines that the petition discloses adequate reasons, he issues a notice of proposed rule making, or adopts a final rule, or, if it is in the public interest, grants the exemption.

(c) If the Administrator determines that the petition does not justify instituting rule-making procedures or granting the requested exemption, he notifies the petitioner to that effect.

(d) Specific provisions covering actions on petitions are set forth in Subpart C of this part.

§ 11.29 Notice of proposed rule making.

(a) Each general notice of proposed rule making is published in the FEDERAL REGISTER, unless all persons subject to it are named and are personally served with a copy of it.

(b) Each notice, whether published in the FEDERAL REGISTER or personally served, includes—

(1) A statement of the time, place, and nature of the proposed rule-making proceeding;

(2) A reference to the authority under which it is issued;

(3) A description of the subjects and issues involved or the substance and terms of the proposed rule;

(4) A statement of the time within which written comments must be submitted and the required number of copies; and

(5) A statement of how and to what extent interested persons may participate in the proceedings, as prescribed by §§ 11.31 and 11.33.

(c) A petition for extension of the time for comments must be submitted in duplicate not later than two days before expiration of the time stated in the notice. The filing of the petition does not automatically extend the time for petitioner's comments. Such a

may limit or terminate exemptions so issued by them or by offices whose jurisdiction they may have assumed. Exemptions issued under these circumstances are at all times subject to modification and termination by the Director or Acting Director or officer in charge of the Region concerned, subject to ultimate action by the Director or Acting Director of the Service concerned.

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continue to the airport, to arrive at an altitude of at least 1,500 feet directly over the airport, and after that to fly for 15 minutes at cruise power or thrust, or both; and

(v) The consumption of fuel and oil after the engines fail is the same as the consumption that is allowed for in the net flight path data in the Airplane Flight Manual.

§ 135.385 Large transport category airplanes: turbine engine powered: landing limitations: destination airports.

(a) No person operating a turbine engine powered large transport category airplane may take off that airplane at a weight that (allowing for normal consumption of fuel and oil in flight to the destination or alternate airport) the weight of the airplane on arrival would exceed the landing weight in the Airplane Flight Manual for the elevation of the destination or alternate airport and the ambient temperature anticipated at the time of landing.

(b) Except as provided in paragraph (c), (d), or (e) of this section, no person operating a turbine engine powered large transport category airplane may take off that airplane unless its weight on arrival, allowing for normal consumption of fuel and oil in flight (in accordance with the landing distance in the Airplane Flight Manual for the elevation of the destination airport and the wind conditions anticipated there at the time of landing), would allow a full stop landing at the intended destination airport within 60 percent of the effective length of each runway described below from a point 50 feet above the intersection of the obstruction clearance plane and the runway. For the purpose of determining the allowable landing weight at the destination airport the following is assumed:

(1) The airplane is landed on the most favorable runway and in the most favorable direction, in still air.

(2) The airplane is landed on the most suitable runway considering the probable wind velocity and direction and the ground handling characteristics of the airplane, and considering other conditions such as landing aids and terrain.

(c) A turbopropeller powered airplane that would be prohibited from being taken off because it could not meet paragraph (b)(2) of this section, may be taken off if an alternate airport is selected that meets all of this section except that the airplane can accomplish a full stop landing within 70 percent of the effective length of the runway.

(d) Unless, based on a showing of actual operating landing techniques on wet runways, a shorter landing distance (but never less than that required by paragraph (b) of this section) has been approved for a specific type and model airplane and included in the Airplane Flight Manual, no person may take off a turbojet airplane when the appropriate weather reports or forecasts, or any combination of them, indicate that the runways at the destination airport may be wet or slippery at the estimated time of arrival unless the effective runway length at the destination airport is at least 115 percent of the runway length required under paragraph (b) of this section.

(e) A turbojet airplane that would be prohibited from being taken off because it could not meet paragraph (b)(2) of this section may be taken off if an alternate airport is selected that meets all of paragraph (b) of this section.

§ 135.387 Large transport category airplanes: turbine engine powered: landing limitations: alternate airports.

No person may select an airport as an alternate airport for a turbine engine powered large transport category airplane unless (based on the assumptions in § 135.385(b)) that airplane, at the weight anticipated at the time of arrival, can be brought to a full stop landing within 70 percent of the effective length of the runway for turbopropeller powered airplanes and 60 percent of the effective length of the runway for turbojet airplanes, from a point 50 feet above the intersection of the obstruction clearance plane and the runway.

AIR LOGISTICS OF ALASKA, INC. A DIVISION OF OFFSHORE LOGISTICS, INC.

February 16, 1980

The Honorable Vernon L. Hurlbert
Alaska State Representative
State Capitol Building
Pouch V
Juneau, Alaska 99811

Dear Representative Hurlburt:

Thank you so much for your interest and the opportunity to visit with you on the phone last night.

Per our discussion, I am forwarding you a copy of the letter we sent to Senator Ted Stevens just last week which gives a good, concise breakdown of what the problem is and where we are trying to go with it.

Additionally, here is the information I gave you at the end of the phone call on the two specific FAA Sections:

> Section 135.385 (b) & (c) of the Federal Air REgulations is the part that tells us how to calculate how long a field needs to be in order for any aircraft which weighs more than 12,500 on it's certification papers, to land. With our present charts, it works out to some 3,500 feet under most conditions.
>
> (we cannot make a landing at Sleetmute, technically)
>
> Section 11.25b (1) says that they will normally want us to send in such requests some 120 days before we want it to become effective. Since we started this on 13 Sept. 1979, we feel we've complied and do not need another delay.
>
> Section 11.27(j) says that there are various requirements to publish the request in the Federal Register for a month or so in advance, and since our original one last fall was published, we are requesting that we not be required to go through that again.

The plan now is for Dick Castner and I to leave for D.C. on Monday night and hit our attorney, all three Federal Legislators and a special assistant to President Carter as well as spending some work sessions with our counterparts

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in the FAA. When we come home at the end of the week, we should have it all lined out and ready for final typing. Also, we should have a memo or letter of support from Gravel, Stevens & Young and perhaps one from the White House to go along with the Governor's letter on 24 January 1980.

When we have it all typed and bound, we'll be certain to mail you an advance copy, and then our boss will fly to Washington D.C. for what we hope is a personal appointment with Administrator Langhorn Bond, where he will file the request. Hopefully we will have done our homework so well, that it will be approved in short order and we can begin planning for bush school construction, fuel hauls and other requirements in the short strips.

Our boss is in the States now trying to talk the parent company into looking into putting additional CASA 212s up here to go along with the one that has been such a great workhorse. We have high hopes, and will keep you posted. We look forward to seeing your resolution, and attaching a copy as additional support to our package in a week or two.

Thank you again!

Sincerely,

AIR LOGISTICS OF ALASKA, INC.

Kent Lee Woodman
Special Projects

KLW/gg

Encl: cy Sen Stevens' letter

AIR LOGISTICS OF ALASKA, INC. A DIVISION OF OFFSHORE LOGISTICS, INC.

February 11, 1980

The Honorable Ted Stevens
United States Senate
Washington, D. C.

Dear Ted,

I have been retained on a contract to assist AIR LOGISTICS in a project upon which, I am told, you have received some information from time to time. I refer to the request for exemption to section 135.835(b) and (c) of the FAR's.

Here is a very brief history of events to date:

- Air Log's attorneys filed the original request for for exemption in D.C. on 13 September 1979.

- Additional information was provided to the original filing in the form of Supplement Number 1 on 2 November 1979.

- The request for exemption was denied as "not being in the public interest".

- Our time runs out for request for reconsideration on or about the 14th of this month.

- Our attorney will file a very short request momentarily to tie to that time limit.

- We are in draft for Supplement to that request now, and will submit it in D.C. to complete the request.

Here is a very short background on the nature of the FAA regulation and our request and rationale:

- There is a magic figure in FAA regulations for our type operations, a gross aircraft weight of 12,500 pounds. Other aircraft such as the twin otter and the sky van are certified just under this limit in the U.S. in order to operate under certain conditions which are of great importance in Alaska.....though they are certified at higher weights outside of the U.S. where the limit is meaningless.

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- Our aircraft, the Spanish CASA 212, is certified for operations in STOL conditions at a gross weight of 14,332 lbs. and a landing weight of 13,781 lbs.

- The FAR provides a formula to be applied to the approach speed of the aircraft, rollout with no reverse and the like, and the results for our aircraft means we are restricted to fields of ±3,500 feet or more....in spite of the fact that the aircraft was designed for and operates well into fields down to half that figure!

Simply stated, we desired an exemption to that small portion of the FAR's in order that we could compute per the formula with a height over the fence of 20' instead of 50', and a percentage figure of the useful airfield length of 80% instead of 60%. This would result in our operations into fields of approximately 1600 feet.

We have put together quite a bit of material to show UBLIC NEED AND NECESSITY and to show that considerable higher quality service would be available to the ±70 fields in the state to which we are now denied. I'll not load this down with a lot of attachments and justifications; they go to the FAA. Suffice it to say that we have a 750 gallon tank modification for hauling fuel oil and nobody else has anything like it. We have hauled building beams 38' long into short dirt strips, and with school construction, Village Safe Water programs and other Public Works projects in the mill, we do not feel that the state is properly prepared for even seasonal work, let alone the long haul coming in the next five (5) to ten (10) years!

Our General Manager is, at this writing, meeting with the parent company President and the Spanish manufacturer's representative to make arrangements for adding two (2) additional CASA's to the Alaskan operations. The first is available immediately, the second at breakup. The future appears even more exciting for fixed wing and helicopter operations as well.

Our chief fixed wing pilot, Richard R. Castner (a fellow Air Guard pilot) and I will be in D.C. 18-22 February time period, and would propose to visit with you for about ten minutes, to show you the draft of the work we have prepared, and obtain any comments you may feel are appropriate. This trip is a working trip with our legal firm and several specialists at the FAA, preparing the draft for final submittal at the end of February or beginning of March.

We feel certain that your office is a focal point for complaints and problems concerning all nature of communications and transportation for villages, towns and cities in Alaska, and that you will have a continuing interest in our effort.

Our purpose in visiting with you is two-fold. First, we would very much appreciate any input that you or your staff may have. Secondly, we would appreciate some sort of indication of support of the effort, such as a memo or letter expressing your feelings on the appropriateness of our request for exemption in order to serve these areas. We will have all the backup documents with us, including charts and letters, and would have them available to answer any specific questions.

We do not request any sort of intervention on our behalf at the FAA, as we feel that our approach is correct, and that we have got it together the way they will want it submitted. We are requesting exemption to the criteria for computing landing distance for specific fields and with self-imposed weight restrictions for the more critical ones; not a blanket approval.

In discussions with your Anchorage office this date, we note that your Thursday-Sunday tour this direction next week will be one of your typical back-breakers, and we would not presume to interfere with it. I spoke with Kristan this morning, and she was to call me back tomorrow on the prospect of a few minutes with you either Tuesday afternoon the 18th, or sometime during the day of the 19th. I wanted to get this letter off to you in order that you and your staff in both offices have the material in advance, so it's signed and mailed without that return call.

I look forward to visiting with you; haven't done it in D.C. for over five years! Thank you very much in advance for your interest.

Sincerely,

AIR LOGISTICS OF ALASKA, INC.

Kent Lee Woodman
Special Projects

KLW:d

Encl: 1. Gov. Hammond's ltr of 24 Jan 80
2. Executive Summary; Walt Parker Study
3. Work Sheet on Village Fuel shortage problem (SB 125-Geo Hohman)

FROM A LETTER BY L.W. BAYS (DIR. OF OPERATIONS - AIR LOGISTICS OF ALASKA, INC.) TO U.S. SENATOR HOWARD CANNON

problem in context. The 12,500 pound arbitrary dividing line between "small" and "large" airplanes was established on 9 April 1953 by the CAB. Small aircraft in general use at the time were ranging up to a high of nearly 9000 pounds (the D-18 Twin Beechcraft). Larger airplanes started at about 28,000 pounds, (the Douglas DC-3). There was really nothing in between. It seemed that some line of distinction needed to be drawn to define small and large aircraft for certification and operational rule purposes. As a man who took part in the 1953 rule making said recently, "it seemed like a good number at the time". He then added, "and it still does". The rule did not have any real economical impact in 1953. While subsequent airframe and power plant design advanced the rule stagnated and petrified. It is now viewed upon as if it had been written upon a stone tablet in ancient Hebrew and started out "Thou shall not....". It is now an inflexible rule that is two decades behind the world aviation industry and the requirements of the people in this country.

The 12,500 pound rule has been economically stifling to the aviation industry in the whole free world. No manufacturer in the U.S. would consider making an airplane over 12,500 pounds unless it was a genuine large transport airplane, simply because he couldn't sell it. He could certify the airplane under Part 25, but he couldn't sell it because no air taxi or small commercial operator could operate the aircraft under the severe operating rules. Foreign manufacturers all faced the same problems because their best market for selling their airplanes was in the United States. Therefore, airplanes for civil use were not manufactured between 12,500 pounds and roughly 30,000 pounds. It is numbing to think of the fine airplanes that would be providing public service in this country if the 12,500 pound iron curtain had not lasted so long.

When the Spanish originally conceived the CASA 212 they did not consider the 12,500 pound barrier. The Spanish Air Force was providing support to their domestic and African operations with antiquated Douglas DC-3 (C-47) and left over German JU-52s (similar to the Ford Tri-Motor). In the 1960s they looked at the world airplane market and could not locate a suitable replacement. They saw the U.S. C-123s and C-130 Hercules and with those as the basic idea, produced a small version. They designed and are manufacturing the airframe and a few components. The engine, propellers, instruments, radios and almost everything else is of U.S. manufacture. The engines, as an example, are the very fine and well proven Garrett TPE-331 turbo-propeller power plants made in Pheonix. The Spaniards had no requirements to consider the 12,500 pound rule. It was sold to their own, the Portugese, and many South American governments for military use. The airplane first became operational in 1971. There are now over 180 flying in Spain, Portugal, Africa, South America, the Middle East, Indonesia, and Thailand to name a few areas of operation. To date, there has never been a fatal accident in a CASA-212. The airplane received U.S. certification in February, 1977. Since it

AIR LOGISTICS OF ALASKA, INC. A DIVISION OF OFFSHORE LOGISTICS, INC.

December 19, 1979

Representative Vern Hurlburt

Sleetmute, Alaska 99668

Dear Representative Hurlburt:

I wish to thank you for your interest in the problems confronting the aviation industry in Alaska, and hope this summary of our conversation will clarify the points I was trying to make, and perhaps give you some suitable posture to assume, should you deem it worthwhile.

There are three enclosures to this which more or less specify the position we've taken at this time. The petition and supplement to the petition are wordy, so will take a bit of patience on your part. The other enclosure is a sample of a letter which we've sent to various members of the U.S. House and Senate requesting aid or consideration. The letters went to Senators Stevens, Gravel, Glenn, Goldwater, and Cannon, and to Representative Young. Thus far we are not aware of much action one way or the other, though we have gotten letters expressing interest or sympathy.

Briefly, the situation we are dealing with is thus:

Aircraft are certificated under two sets of rules (FAR 23 or FAR 25) depending on gross weight, 12,500 pounds being the dividing line. When an aircraft is certified under FAR 23 and operates under 12,500 gross weight it is free to operate into and out of virtually any situation as long as the flight manual on the aircraft shows it can be done. If an aircraft is certified under FAR 25 certification rules it must take its landing data and compute it to comply with FAR 135.385 which briefly means you compute your required runway length from 50 feet above the end of the runway to the end of the landing roll using brakes only and this must fall within 60% of the available field length. This rule applies to

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Boeing 747s right down to aircraft weighing 12,501 pounds.

As I told you, the 12,500 pound dividing line was arrived at in 1953 by arbitrary means. At the time of the decision, aircraft did fall into two relatively distinct catagories and the 12,500 pound line was safely between the two. Since that time aircraft weights have been slowly creeping up and you now find numerous aircraft which are certificated to operate at 12,500 pounds, and not a pound more. The penalty paid for one extra pound is enormous.

Recently the FAA recognized the creeping aircraft weights and advances in technology, to some extent, by releasing a Special Federal Air Regulation 41, which allows operators to recertify aircraft which were formerly certified under 12,500 to increase maximum operating weights above that. Paradoxically they ruled that when the aircraft weighs more than 12,500 it must comply with the more stringent rule, but if on one leg of the day you should operate that same aircraft under 12,500 you may ignore it. As anyone can see, this is a situation begging for cheating. Who, for instance, would ever land an aircraft weighing over 12,500 pounds unless it was convenient to do so. Anyone associated with aviation recognizes the fact that much of the weight and balance computation done in the field is done by educated guess, and it is just as easy to guess light if it is convenient to do so.

Now then, the specifics of our situation are thus. We have an aircraft which is perfectly able to operate into 99% of the small bush strips in the state of Alaska, and capable of doing so safely---witness the number of operations on page 3 of the supplement to the Petition. However, despite this demonstrated capability, administrative fiat has declared this off limits for us because we are on the far side of the 12,500 pound line. The FAA has declared that it is perfectly acceptable for us to go into the same strips if we are employed in public service; tax money pays the bill. It thus makes it appear that if safety is the primary concern, it is acceptable to be unsafe while working for the Government, but not so while engaged in free enterprise. This self same situation exists for the Caribou and several other aircraft which fall into what is soon to be known as the "Light Transport" category. This arbitrary rule does not impose a hardship, with few exceptions, anywhere but in Alaska. In Alaska, as you well know, we deal in distances unknown in any other state, and we support literally hundreds of communities by air alone.

As was pointed out time after time in the "Parker Associates" Study, the citizenry in the Bush is paying heavily for the lack of flexibility imposed on them by inadequate runways, lack of options in aircraft kinds, insufficient numbers of aircraft in the hands of the operators, and general lack of interest created by the absence of competition in the industry. This self same absence of competition is likely to continue, for, under the present circumstances, the only real choices in equipment are the Skyvan and the Twin Otter. Any real advances made in either load carrying capability or economy of operation offered by alternative equipment available on the market do not accrue to the bush communities, because of the lack of flexibility imposed by inadequate airports, and/or the 12,500 rule.

One of the suggestions made in the "Parker" study is the upgrading of airports in the state to allow the bush communities to enjoy the benefits of more economical airlift. That, most certainly, is a valid suggestion. It is, however, costly, and it is a process which is likely to take twenty years or more. There are, after all, more than two hundred airports which fall into that category.

We offer, by way of alternative, the suggestion, the State of Alaska make every effort to secure exception to the operating rules which disallow the use of aircraft such as ours in the strips which already exist. Such exceptions will be granted by the FAA, have been in the past specifically for the State of Alaska (ref. FAR 91.38), if it can be shown it will serve the public interest, and that an equivalent level of safety can be achieved. We can demonstrate the safety aspects, and believe there is an irrefutable case which can be made for the public interest aspect.

We have applied for an exception to the operating rules which would stop us from operating our airplane into the bush communities. We believe it is in the best interest of the citizens of the State of Alaska that the State of Alaska join us in this endeavor via whatever means is available to it.

As a beginning we would suggest that both houses pass a resolution enjoining the Governor to use his good office to petition the FAA for favorable consideration of our Petition for Exemption.

We further believe it is in the best interest of the citizens of the State of Alaska that the Governor further

urge the FAA to consider the unique needs of the State of Alaska if, in the future, other operators should apply for similar exceptions with other equipment which would fall in this newly created Light Transport Category.

Sincerely,

AIR LOGISTICS OF ALASKA, INC.

Jack Wilson
Manager

JW/gg

January 24, 1980

Mr. Langhorn Bond
Administrator
Federal Aviation Administration
800 Independance Avenue, S.W.
Washington, D.C. 20591

Dear Mr. Bond:

I would like to express my support of the petition of Air Logistics of Alaska, Inc. for exemption to the operating rules imposed on their CASA 212 aircraft, reference your docket number 19498.

Alaska has many communities whose only practical access for many months of the year is air transportation. Any foodstuffs or fuel transported to these communities at these times would indeed be considered public service operations.

We are presently facing in Alaska, the need to supply at least 30 villages with additional fuel to heat their homes. The only method of delivering this fuel is by aircraft. The availability of aircraft such as the CASA 212 aircraft or the Caribou, would indeed serve the public interest, now and in the future. I would ask that when considering Petitions for Exemption from the provisions of Section 135.385(b) and (c) of the Federal Aviation Regulations, that Alaska's particular circumstances be given every consideration.

The State of Alaska in no way suggests that the FAA compromise its safety standards, but only make provisions for advances in aircraft technology.

We appreciate your consideration of this matter.

Sincerely,

Jay S. Hammond
Governor

bcc: Charles R. Webber
Clarissa Quinlan

Air Logistics
1812 East 5th
Anchorage, Alaska 99501

AIR LOGISTICS OF ALASKA, INC. A DIVISION OF OFFSHORE LOGISTICS, INC.

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Sincerely,

AIR LOGISTICS OF ALASKA, INC.

Jack Wilson
Manager

JW/gg

AIR LOGISTICS OF ALASKA, INC. A DIVISION OF OFFSHORE LOGISTICS, INC.

October 8, 1979

Senator Howard Cannon
United States Senate
Washington D. C. 20510

Dear Senator Cannon:

I am writing to you to solicit your aid in an aviation matter. I write to you because of your position as Chairman of the Senate Aviation Subcommittee and at the suggestion of an old friend and comrade, Lt. General Thomas H. Miller USMC(retired). Tom told me of your deep interest in aviation matters. We realize that you are a very busy man, but if you could devote some of your time to this problem, it would be greatly appreciated and would help to rectify an inherent wrong in the Federal Aviation Regulations (FARs). Please excuse the length of this letter. We feel that it is necessarily long in order to thoroughly explain the problem.

Air Logistics of Alaska is introducing a new airplane to Alaska and indeed to North America. This airplane is the Spanish built CASA-212. (There is a photograph of the CASA along with other data enclosed.) The CASA (Construcciones Aeronauticas, S.A.) has a maximum certified take-off weight of 14,332 pounds which, being over 12,500 pounds, places it in the "Large Transport Category". Landing restrictions imposed by the FARs upon this small, simple, and impressive little airplane are the same as those applicable to the behemoths such as the Boeing 747, etc. Air Logistics feels that these operational limitations are wholly unrealistic and has therefore applied for an exemption in order to be allowed to operate this aircraft in a more competative manner. These landing restrictions deprive Alaska, and particularly the Alaskan bush of the services of this very fine airplane. In our numerous discussions with FAA representatives, we have found an astonishing lack of flexability in their thinking in the matter. They seem to be able to distinguish only two colors, black and white. This lack of realistic thinking is imposed upon the FAA personnel by the long standing, out of date, and economically stifling 12,500 pound rule. This is the basis of our problem.

A copy of our petition, filed with FAA as docket Number 19498, is attached. This petition explains the situation fairly well, however, there are some other aspects to be considered. In doing so it is necessary to place the whole

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problem in context. The 12,500 pound arbitrary dividing line between "small" and "large" airplanes was established on 9 April 1953 by the CAB. Small aircraft in general use at the time were ranging up to a high of nearly 9000 pounds (the D-18 Twin Beechcraft). Larger airplanes started at about 28,000 pounds, (the Douglas DC-3). There was really nothing in between. It seemed that some line of distinction needed to be drawn to define small and large aircraft for certification and operational rule purposes. As a man who took part in the 1953 rule making said recently, "it seemed like a good number at the time". He then added, "and it still does". The rule did not have any real economical impact in 1953. While subsequent airframe and power plant design advanced, the rule stagnated and petrified. It is now viewed upon as if it had been written upon a stone tablet in ancient Hebrew and started out "Thou shall not....". It is now an inflexible rule that is two decades behind the world aviation industry and the requirements of the people in this country.

The 12,500 pound rule has been economically stifling to the aviation industry in the whole free world. No manufacturer in the U.S. would consider making an airplane over 12,500 pounds unless it was a genuine large transport airplane, simply because he couldn't sell it. He could certify the airplane under Part 25, but he couldn't sell it because no air taxi or small commercial operator could operate the aircraft under the severe operating rules. Foreign manufacturers all faced the same problems because their best market for selling their airplanes was in the United States. Therefore, airplanes for civil use were not manufactured between 12,500 pounds and roughly 30,000 pounds. It is numbing to think of the fine airplanes that would be providing public service in this country if the 12,500 pound iron curtain had not lasted so long.

When the Spanish originally conceived the CASA 212 they did not consider the 12,500 pound barrier. The Spanish Air Force was providing support to their domestic and African operations with antiquated Douglas DC-3 (C-47) and left over German JU-52s (similar to the Ford Tri-Motor). In the 1960s they looked at the world airplane market and could not locate a suitable replacement. They saw the U.S. C-123s and C-130 Hercules and with those as the basic idea, produced a small version. They designed and are manufacturing the airframe and a few components. The engine, propellers, instruments, radios and almost everything else is of U.S. manufacture. The engines, as an example, are the very fine and well proven Garrett TPE-331 turbo-propeller power plants made in Pheonix. The Spaniards had no requirements to consider the 12,500 pound rule. It was sold to their own, the Portugese, and many South American governments for military use. The airplane first became operational in 1971. There are now over 180 flying in Spain, Portugal, Africa, South America, the Middle East, Indonesia, and Thailand to nam a few areas of operation. To date, there has never been a fatal accident in a CASA-212. The airplane received U.S. certification in February,1977. Since it

is slightly over 12,500 pounds (1832 pounds) the aircraft was certified under the very stringent rules outlined in FAR 25 as a "Large Tranport Category Airplane." Thus it meets the same structural and design safety criteria as the behemoths, whereas its main competitors such as the Short SC-7 Sky Van (manufactured in the United Kingdom) and the Canadian De-Haviland Twin Otter are certified under the much less restrictive measures of SFAR-3 and Part 23 respectively. These very slightly lighter airplanes are allowed to operate under different landing rules. FAR 135.385(b) outlines rules for turbine engine powered Large Transport Catagory Airplanes. This rule requires the destination airport to be of sufficient length for the aircraft to come to a full stop landing within 60% of the effective length of the runway after passing over the landing end at an altitude of 50 feet. If the approved Airplane Flight Manual (AFM) for a Sky Van, Twin Otter, or any other airplane 12,500 pounds or less indicated a required runway of 1600 feet from over 50 feet, they could legally land on a runway 1600 feet in length. Whereas the CASA pilot would have to factor his 1600 feet with the 60% effective runway rule and would therefore require 2666 feet of runway to legally land his airplane. It has been said by some FAA inspectors that to allow the CASA to operate under the same rules as a Van or Otter would be "unsafe" even though he knows very well that the landing performance data for the CASA is comparable to that of the other two aircraft. He also knows that, due to the certification rules met by the CASA and not the other two aircraft, that the CASA is in fact a safer airplane. The 1832 pounds creates the problem for him and he cannot or will not look over the 12,500 pound wall. On 21 December 1978, the FAA Administrator signed an announcement of a regulatory review of a new proposal Part 24. Part 24 is not applicable here, but a statement that he made in that announcement is. He let it be known that one of his goals is "To implement the President's policy on improving government regulations, agencies must consider alternative ways to deal with a problem and an analysis of the economic consequences of each alternative." FAA personnel that we have encountered do not seem to be taking the Administrator's nor the President's goal very seriously.

Air Logistics has applied for an exemption from the requirements of FAR 135.385(b) and (c). This petition, FAA Docket #19498 attached, goes much further into all the ramifications. Our problem is immediate and becomes more pressing every day. We are desirous of providing much needed services this winter in the further development of the National Petroleum Reserve. In addition, we need some relief from this unrealistic landing restriction in order to provide much better and more versatile service to the Alaskan bush communities. The granting of relief from these staid old rules will not adversely effect aviation safety, and is very definately in the public interest. If we fail in this matter it is felt that a very fine airplane will be relagated to oblivion in North America. Any asistance that you can provide will be greatly appreciated.

If you or your staff should have further questions, I am at your disposal. In addition, we are represented in this matter by Mr. Edward W. Sauer of Squire, Sanders & Dempsey, 21 Dupont Circle N.W., Washington D.C., telephone 862-7050. Mr. Sauer is well versed on the subject, and is at your disposal.

Sincerely,

AIR LOGISTICS OF ALASKA, INC.

Leslie W. Bays
Director of Operations

LWB/gg

Please excuse the condition of the duplicated enclosures. About two hours after this letter was typed an airplane crashed into our hangar. The hangar and offices were damaged by fire. Mr. Sauer can provide a considerable amount of additional information.

Les Bays

AIR LOGISTICS

AND

THE CASA 212

Air Logistics is the Aviation Division of Offshore Logistics, Inc. with headquarters in Lafayette, La. The parent company operates over 120 supply, tow, and crew vessels in support of the oil industry worldwide.

Air Logistics operates 110 helicopters and aircraft from various bases in the United States and in a number of overseas countries. The airlift capability is rapidly expanding, with more than 50 new helicopters on order and additional fixed wing aircraft backlogged to fill the logistics support role worldwide.

As the first U.S. operator of the CASA-212 aircraft, Air Logistics of Alaska, Inc. is in a unique position to inform the aviation public of the capabilities of this versatile aircraft. To this end, we have made a comparison study of the CASA 212 and two other aircraft which might be generally considered as its closest competition, namely the DHC-6-300 Twin Otter and the Shorts SC-7 Skyvan. A considerable amount is known about these two aircraft, while the CASA 212 is so new to the market that some general comments on its background are appropriate. The airplane is manufactured by C.A.S.A. (Construcciones Aeronauticas, Sociedad Animas). It is fabricated in four plants in Spain and assembled in their Seville facilities. In the 1960s the Spanish Air Force investigated the world market for an airplane to replace their antiquated C-47 and Junkers 52 (German version of Ford Tri-Motor) airplanes. Because there was nothing available on the market that suited their purposes, they elected to build their own, and the result was an aircraft that appears to bear the blood lines of the U.S. C-123, but on a smaller scale. The airframe is manufactured in Spain but nearly everything else has other origins. The engines, propellers, instruments, radios, navigation equipment, electrical components, batteries, and other principal items, are of U.S. manufacture. The airframe, which is very solidly constructed, was designed and built by CASA, who were producing quality airplanes prior to and during World War II, including such aircraft as the ME-109.

CASA is a partner in the European Airbus Industrie, collaborates in European and Spanish space programs and does major overhaul and repair work on tactical aircraft

of the U.S. Navy's 6th Fleet and the U.S. Air Forces, Europe. In addition, they manufactured approximately 70 F5 Freedom Fighters under license from Northrop. They have designed and are beginning manufacture on the CASA 101 which is a jet trainer similar in configuration to, and is programmed to replace, their aging U.S. T-33s. More than 130 CASA-212 airplanes have been built since 1971 and are operating largely in Europe, the Mid-East, Indonesia, Africa and South America. The airplane is powered by two AirResearch Garrett TPE 331-5-251C engines capable of 840 SHP and flat rated to 750 SHP. The TPE 331 engine has been used very successfully on a world-wide basis on numerous types and models of military and civil aircraft and has been quite effectively operated here in the Far North for more than a decade on Volpar, Skyvan, Swearingen and Mitsubishi airplanes.

It is not our intention to belittle competitive aircraft or engines, but simply to state the facts as we see them. The attached chart and explanatory notes clearly reflect the basic differences between the three aircraft as presently operated in Alaska and it is our firm conviction that the CASA 212 offers a combination of versatality, operational efficiency, and practical economy that has not been available in an aircraft of this type.

Air Logistics is proud of the part it has played in introducing this fine aircraft to the U.S. and we are confident that it is going to have a long term impact on the aviation industry in this country.

If further information is required either on Air Logistics or the CASA 212, please do not hesitate to contact us.

Sincerely,

AIR LOGISTICS OF ALASKA, INC.

Jack Wilson
Manager

JW/gg

COMPARISON CHART

No.	Description	CASA 212	300 Series Otter	Skyvan
1.	Max. Gross Takeoff Weight	14,332 lbs.	12,500 lbs.	12,500 lbs.
2.	Useful Load	5,532 lbs.	4,760 lbs.	4,160 lbs.
3.	Passenger Capacity	19	19	Refer Comments
4.	True Airspeed (Cruise at Max. Weight)	188 knots	145 knots	140 knots
5.	Fuel Capacity	3,538 lbs.	2,550 lbs.	2,340 lbs.
6.	Fuel Consumption	600 lbs/hr	600 lbs/hr	600 lbs/hr
7.	Max Range (45 Min. Res)	1,050 Stat Mi.	585 Stat Mi.	515 Stat Mi.
8.	Takeoff Distance Over 50' Obstacle	1,700 feet	1,500 feet	1,590 feet.
9.	Landing Distance Over 50' Obstacle	1,750 feet	1,940 feet	1,480 feet
10.	Cabin Volume	840 cu.ft.	384 cu. ft.	780 cu. ft.
11.	Cargo Door	Rear Ht. 5'11" Wide 5'7"	Side Ht. 4'2" Wide 4'8"	Rear Ht. 6'5" Wide 5'9"
12.	Hydraulic Ramp	yes	Side Door Only	No
13.	De-Icing Leading Edges Windshield Propeller Engine Intake	 Pneumatic Boots Electric Electric Bleed Air Heat	 Pneumatic Boots Electric or Alcohol Electric No Heat but Snow Baffles	 Alcohol or None Alcohol or None Electric Bleed Air Heat
14.	Single Engine Service Ceiling	13,800 ft.	11,500 ft.	8,000 ft.
15.	Charter Rate -Wet (Alaska)	$660/Hr.	$560/Hr.	$500/Hr.
16.	Payload Anchorage-Fairbanks (222 nautical mi.) Cost/Lb. Cost/Naut. Mi.	4386 lbs. $.18/lb. $3.97/NM	3404 lbs. $.25/lb. $3.86/NM	2780 lbs. $.29/lb. $3.58/NM

EXPLANATION OF COMPARISON CHART

Item 2. Useful Load (Payload + Fuel) Useful load is computed herein by adding the aircraft Basic Empty Weight (BEW), a two-man crew at 170 lbs/man, and 100 pounds for survival equipment/incidentals to reach the Basic Operating Weight (BOW). The computations are as follows:

	CASA 212-5	300 Series Otter	Skyvan
BEW	8300	7300	7900
Survival/Incidentals	100	100	100
Crew	*400	340	340
BOW	8800	7740	8340
MGTOW	14,332	12,500	12,500
Useful Load	5,532 lbs.	4,760 lbs.	4,160lbs.

*Aircraft weighing over 12,500 lbs. are required by the new FAR 135.2 (e)(1)(ii)(A) to compute each crewmember at 200 pounds.

Item 3. Passenger Capacity The Skyvan is not certified for the carriage of passengers without the installation of side doors which adds a considerable amount to the basic weight of the aircraft.

Item 4. True Airspeed The CASA 212 speeds are based upon a nearly 10,000 mile flight from Spain to Anchorage and over 400 additional flight hours. The Skyvan figures are based upon over 2000 hours of recent personal flight experience in the Skyvan by one of our supervisory pilots. The 300 Series Twin Otter speeds are based upon flight experiences of numerous Twin Otter pilots and published reference material.

Item 6. Fuel Consumption The fuel consumption of the three aircraft is almost identical. However, because of its extra speed, the CASA will use less fuel to go the same distance and in fact, savings in fuel costs of over 30 per cent can be expected compared with the two other aircraft.

Items 8 & 9. Take-Off/Landing Distance This data is taken from the respective flight manuals of the three aircraft and is based upon clearing a 50 foot obstacle both on take-off and landing. Operational experience has shown that the Spanish manufacturer has been very conservative in the preparation of the performance charts since the aircraft performance exceeds the published data significantly.

Item 11. Cargo Door The CASA and Skyvan both have rear loading doors of similar size. The CASA has a hydraulically operated lower loading ramp identical in concept to the C-130 Hercules that is 5'7" x 5'5". This ramp will hold 3600 pounds during loading and affords a 660 pound capacity cargo or luggage compartment. This ramp allows small vehicles (American sub-compacts & Datsun/Toyota size cars and trucks) to be driven on and off the aircraft without any external equipment. The Skyvan does not have such a ramp and the Twin Otter has only a side loading cargo/passenger door.

Item 13. Anti and De-Icing The CASA 212 and the Skyvan both have engine intake heat while the Twin Otter is equipped with engine intake vanes to deflect excessive snow or rain. The CASA and the Twin Otter have pneumatic boots on all leading edge surfaces while the Alaska based Skyvans vary from a very ineffective alcohol spray system to no anti or de-icing equipment on the surfaces at all. All three aircraft have electrically heated propellers. The CASA has electric windshield heat as do some of the Twin Otters (others have only alcohol). Some Skyvans do not have any windshield anti or de-icing at all and others have alcohol.

Item 14. Single Engine Service Ceiling The single engine service ceiling of the CASA exceeds that of the Otter by 30% and the Skyvan by over 70% which means that the customer has that much greater safety margin when the aircraft is operating in mountainous areas.

Item 15. Charter Rate These are the rates (including fuel) currently being charged in Alaska.

In summary, the CASA has the following major advantages over the Twin Otter and the Skyvan:

1. A thirty per cent higher cruise speed which results in reduced costs to the customer.

2. A greater cubic cargo capacity than that of the Skyvan and more than twice the cabin volume of the Twin Otter.

3. A passenger capability exceeding the Skyvan and similar to the Otter, but with extra room and airline type seats.

4. A rear cargo door superior to the Skyvan and with a configuration similar to the Hercules C-130. The Twin Otter has a smaller side door.

6. A range nearly double that of the Twin Otter and more than double that of the skyvan.

PETITION FOR EXEMPTION

To the Administrator, Federal Aviation Administration

Pursuant to the provisions of Section 11.25 of the Federal Aviation Regulations, Air Logistics of Alaska, Inc. (Air Logistics), hereby petitions the Administrator of the Federal Aviation Administration (FAA) for an exemption from the provisions of Section 135.385(b) and (c) of the Federal Aviation Regulations to the extent necessary to permit Air Logistics to land its present and future CASA 212 aircraft with due regard only to the limitations imposed by its Aircraft Flight Manual. Air Logistics requests expedited processing of this petition pursuant to FAR 11.27(j), and submits that good cause for this expedited processing, as well as for Air Logistics' failure to submit this petition within the 120-day period normally provided by FAR 11.25(b)(1) is clearly established by the information set forth below. Air Logistics also requests that its Operations Specifications be revised accordingly. In support of this petition, Air Logistics states as follows:

1. Petitioner, Air Logistics of Alaska, Inc., is a corporation established in Alaska approximately two years ago as a subsidiary of the Louisiana-based Offshore Logistics, Inc. Offshore Logistics is currently the second largest helicopter carrier in the United States and has amassed the finest helicopter safety record in the industry. Since its inception, Air Logistics has provided transportation services throughout the State of Alaska

primarily through the use of helicopters. In the process, Air Logistics has made a substantial commitment to safety and believes it has compiled a very strong safety record. In 1978, Air Logistics determined that market demand justified the addition of fixed wing equipment to its fleet. Accordingly, on May 11, 1978, Air Logistics took delivery of a CASA 212 STOL aircraft from its Spanish manufacturer, Construcciones Aeronauticas, S.A. The CASA 212 is a twin engine turbopropeller powered fixed wing aircraft with a maximum certificated take-off weight of 14,332 and a landing weight of 13,781 pounds. Its highly sophisticated design characteristics give it outstanding STOL capabilities as shown in the attached landing performance charts taken from its approved flight manual (Attachment A).

13781
1250
12/1

2. Air Logistics purchased its CASA 212 equipment with a view toward operations into and from the Alaskan bush. At the present time, approximately 55% of Alaska's population is concentrated at the major centers of Anchorage, Fairbanks, and Juneau. The remaining population is scattered throughout outlying areas and concentrated primarily around relatively small airfields. These smaller communities are highly dependent upon air service for basic necessities. In particular, construction supplies frequently have to be flown in from central areas, and these shipments typically require high payload capacity, the ability to handle outsized loads and short field capacities. The CASA 212's 5,532-pound useful load and its spacious cargo hold and exceptional

performance characteristics make it ideally suited for supporting Alaskan requirements.

3. Most of the runways at these outlying areas are relatively short. A recent Alaska Supplement of the U. S. Flight Information Publication shows that there are 71 bush airfields between 1500 and 2,000 feet in length, an additional 79 such strips between 2,000 and 2500 feet, and 31 more between 2500 and 3,000 feet. The CASA 212 is well-suited for operation at most of these airfields under appropriate weather conditions, a fact which is readily demonstrated by the manual provisions set forth in Attachment A.

31
79
71
181
31

4. Air Logistics recently was advised by the FAA that, once this aircraft is placed in civil aircraft operations, landings will be permitted only at airstrips sufficiently long to permit a landing from 50 feet over the obstruction clearance plane within 60% of the usable runway space at the primary airport, and 70% at the alternate. This will relegate the CASA 212 when fully loaded to airstrips of approximately 3500 feet or more which, as a practical matter, will destroy its economic viability. Air Logistics submits that the extremely wide margin that these operating limitations provide is totally unnecessary in order to assure the highest degree of safety in operation of this aircraft.

5. FAR 135 draws several distinctions among the aircraft that may be operated by air taxi and commercial operators, such as Air Logistics. The CASA 212, with a maximum certificated take-off weight of 14,332 pounds, technically falls

within the large transport category and thus, pursuant to Section 135.385(b) is required under normal circumstances to operate only to primary airports at which it could land within 60% of the effective length of each runway from a threshold 50 feet above the intersection of the obstruction clearance plane and the runway. FAR 135.385(c) requires that only 70% of the available space at alternate airports be utilized, also subject to the 50-foot rule. In contrast, however, a number of aircraft with which the CASA 212 is capable of directly competing in the Alaskan bush markets -- the SC-7 Sky Van and the DHC-6 Twin Otter, for example -- are permitted to operate under the far less restrictive provisions of FAR 135.399 which do not impose this type of landing requirement upon them as an absolute rule.

The distinction drawn in the Regulations between the CASA 212 and its potential competitor aircraft is based primarily upon the fact that the CASA 212's maximum certificated takeoff weight exceeds 12,500 pounds, thus bringing it into the large aircraft category. The 12,500-pound dividing line was established on April 9, 1953 by the Civil Aeronautics Board and was based on the Board's determination that then-current studies showed that Part 3 of the Civil Air Regulations, as then in existence, "would not result in an acceptable level of safety for future designs of relatively large airplanes irrespective of their use." The Board went on to note that this demarcation was consistent with provisions of its economic regulations and other parts of the Civil Air

Regulations.

There can be no question that aircraft technology has undergone enormous advances since this 1953 CAB decision. In particular, no aircraft comparable to the CASA 212 [illegible] even in the design stage at that time and indeed none could have been since this aircraft represents state-of-the-art STOL technology at the present time. The studies upon which the CAB based its decision in 1953 thus could not have taken into account aircraft with the operating characteristics of the CASA 212. Indeed, to the extent that the 12,500-pound limitation was chosen in order to achieve harmony with the CAB's economic regulations, this limitation was not strictly based upon safety considerations in the first place.

Air Logistics does not maintain that the 12,500 demarcation should be totally abolished. Instead, its contention is that in the case of the CASA 212, the rigid application of 12,500-pound rule operates to place the aircraft into a class of equipment which, at least as far as landing characteristics are concerned, is not appropriate. The CASA 212 is only marginally over the 12,500-pound demarcation and yet pays a heavy penalty for this slight excess. Because of 1832 pounds of additional take-off weight (1281 pounds of landing weight), the CASA 212 finds itself classified with the very largest of aircraft which air taxis and commercial operators are permitted to utilize, and indeed, with regard to landing limitations, it is treated parallel to even the

most monstrous of widebodied equipment. The fact of the matter is that, notwithstanding its 1800 pounds of additional weight, the CASA 212's performance actually compares much more closely with the smaller aircraft which are operated under Part 135 without the limitation of Part 135.385(b) and (c) than with larger transport category equipment, a fact which is readily apparent from an examination of the pertinent operational data as set forth in Attachment B.

Accordingly, Air Logistics submits that the 12,500-pound limitation is arbitrary when applied to the landing characteristics of the CASA 212, and thus that an exemption from the landing limitations of Part 135.385(b) and (c) should be granted in this case. It is important to understand that Air Logistics does not maintain that the 12,500-pound distinction should be totally discarded since it has in the past served a useful guideline in safety regulation. Instead, it is Air Logistics' belief that in this unique case the extraordinary STOL capacity of the CASA 212 aircraft justifies excepting it from one of the rules normally applicable to the large aircraft category.

6. The CASA 212's unique STOL performance is achieved directly by the design of the aircraft under normal operating procedure. Unlike many other aircraft, the CASA 212 does not utilize special STOL flap settings to achieve its optimum landing and takeoff performance. Instead, take-off and landing procedures and flap settings on short airfields are exactly the same as those applicable to longer runways.

At all points during takeoff and landing, the appropriate V speeds are observed. Thus, the dangers inherent in the special configurations and low speeds which characterize STOL operation of other aircraft are not present in the case of the CASA 212.

7. For all of the reasons cited, Air Logistics submits that safety in aviation would not be adversely affected by permitting the operation of the CASA 212 as a civil aircraft, without application of Part 135.385(b) and (c). This would also have the effect of placing the CASA 212 under landing procedures similar to the Twin Otter and the Skyvan aircraft with which it will be in competition and with which its performance in landing most nearly compares. Indeed, besides weight, the only other distinction drawn between these aircraft in FAR 135 appears based on the earlier date of their type certifications. Air Logistics submits that this represents an unjustifiable penalty to the more recent technological developments which the CASA 212 incorporates. Air Logistics is not requesting unlimited authority to land the CASA 212 at any airport that it chooses under any conceivable set of weather conditions. Instead, it is requesting simply that it be permitted to operate its aircraft with due regard for flight manual limitations. The manual provisions, of course, contain allowances and adjustments for differing meteorological conditions and, in this connection, Air Logistics would intend to apply appropriate adjustment factors in the case of unpaved, wet, or slippery runways in

accordance with established practice. These procedures all contain built-in allowances for safety under varying conditions and thus would in no respect adversely affect safety. In point of fact, the liberal allowances provided by Part 135.385(b) and (c) are simply unnecessary in the case of an aircraft with the CASA 212's capabilities.

8. Under Section 601(c) of the Federal Aviation Act, the Administrator may grant exemptions of the type requested in this petition if he finds that such action would be in the public interest. The public interest is defined for this purpose by Section 103 of the Act to include:

> (a) The regulation of air commerce in such manner as to best promote its development and safety and fulfill the requirements of the national defense;
>
> (b) The promotion, encouragement, and development of civil aeronautics;

Air Logistics submits that it is clear that, its request for exemption is justified under these statutory standards. That safety would not adversely be affected by the granting of the exemption requested herein has been demonstrated above. At this point, the public interest in the promotion, encourage and development of civil aeronautics should also be considered.

The CASA 212 is a unique aircraft. Its characteristics permit it to utilize very short airfields for bush operations while at the same time affording a relatively large usable load both in terms of weight and space. The CASA Casa 212

this aircraft to runways of more than 3500 feet, the FAA would be effectively limiting it to markets in which it cannot hope to successfully compete under ordinary circumstances. If the exemption requested herein is not promptly granted, an unnecessary restriction would thus destroy the economic usefulness of the CASA 212 and require Air Logistics to give serious consideration to disposing of this aircraft. The end result would again be the unnecessary deprivation of the best possible air service to the people of the Alaskan bush country, and the consignment to oblivion of a very fine aircraft.

9. Air Logistics submits that good cause exists for its failure to file this petition within the 120-day period normally required by FAR 11.25(b)(1) and similarly that expedited processing under FAR 11.27(j) is called for in this case. Initial discussions with officials of the manufacturer and local FAA personnel at the time the aircraft was purchased left Air Logistics with the impression that the strict rules of FAR 135.385(b) and (c) would not be applied to this equipment. When Air Logistics first learned in August of 1979 that FAR 135.385(b) and (c) would be applied to civil operations by this aircraft, it promptly requested deviation authorization from the Alaska regional FAA office. This request was denied on August 28, 1979, and this petition has been submitted as promptly as possible thereafter. In these circumstances, Air Logistics submits that good cause exists for its failure to submit this applica ion

within the 120-day period normally provided by FAR 111.25(b)(1) and similarly that Air Logistics acted in a timely manner in filing this exemption petition within the meaning of FAR 11.27(j)(3)(iii).

The remaining requirements for expedited processing under FAR 11.27(j)(3) are also present here. As noted above, the CASA 212 is a unique commercial aircraft, and Air Logistics owns the only such aircraft presently flying in North America. The granting of an exemption designed to give it greater flexibility in landing would accordingly not seem to create a precedent of wide applicability in other cases. Grant of this exemption to Air Logistics would at most establish the principle that in an extraordinary case where an aircraft is only minimally above the 12,500-pound demarcation and yet performs comparably to aircraft below that line which are not subject to the full FAR 135.385(b) rules, the FAA would be willing to consider the granting of an exemption permitting greater landing flexibility where safety would clearly not be adversely affected. Air Logistics is unaware of any other aircraft existing at the present time whose operating situation parallels the CASA 212 and thus would not expect the grant of this exemption to provide an immediate precedent for any existing aircraft.

It is clear that the delay in acting upon this petition for exemption which would result from the use of standard publication procedures would be seriously detrimental to Air Logistics, as well as to the public interest. Air Logistics'

CASA 212 now sits idle on the ground and, absent the exemption sought here, can be expected to remain idle indefinitely. This aircraft represents a $1,400,000 investment for Air Logistics, and the loss of its use extracts a continuing daily penalty in terms of lost revenues and fixed expenses which continue to accrue. Indeed, if the requested exemption is not shortly forthcoming, Air Logistics will be forced to seriously consider disposing of this aircraft. This will be doubly unfortunate since, in addition to depriving Air Logistics of the profits which could be obtained from the operation of advanced fixed wing equipment, disposal of this aircraft would at the same time detract from the air service that could be offered in the bush by fixed wing equipment. For these reasons, Air Logistics submits that good cause exists under FAR 11.27 to process this exemption request without the publication and comment procedures which would otherwise apply. Nonetheless, in compliance with FAR 11.25(d), Air Logistics submits the following summary information in proper form for publication in the Federal Register:

1. Citation of each rule from which relief is requested: FAR 135.385(b) and (c);

2. Brief description of the general nature of the relief requested: Air Logistics requests that it be relieved of the obligation to comply with FAR's 135.385(b) and (c) to the extent necessary to permit it to operate CASA 212 aircraft with due regard to the landing limitations set forth in its Aircraft Flight Manual. Air Logistics further requests that its Operations Specification be revised accordingly.

10. In conclusion, Air Logistics reiterates that the grant of the limited exemption requested here will not adversely affect safety in aviation and yet at the same time will serve to promote civil aeronautics in the public interest. In particular, Air Logistics would note the emphasis which has been recently placed by the Congress and the Carter Administration upon maximizing competition in civil aviation. Congressional and Administration policy at this time clearly recognizes that the public interest is best served by the removal of unnecessary regulatory restrictions so as to maximize the degree of competition available in air transportation, thus providing the highest degree of service to the public. As noted above, the denial of this exemption request would effectively remove the most advanced STOL aircraft from the Alaskan market. This will be a serious detriment to competition, Air Logistics, and the public at large. Since the regulatory restrictions which are involved in this case are not necessary for safety, there would seem to be no justification for applying these restrictions to

the CASA 212 aircraft and every public interest justification for removing them. Accordingly, Air Logistics of Alaska respectfully requests that the Federal Aviation Administration grant the exemption requested in this petition as soon as possible.

Respectfully submitted,

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Re Docket No. 19498

SUPPLEMENT NO. 1 TO PETITION OF AIR LOGISTICS OF ALASKA

Air Logistics of Alaska, Inc. hereby submits this Supplement to its Exemption Petition in Docket 19498 for the the purpose of further defining the scope of the exemption relief sought, and providing additional information for consideration by the FAA in ruling upon the merits of that petition.

1. Air Logistics continues to believe that its original exemption request in Docket 19498 is fully justified due to the unique nature of its CASA-212 aircraft, the public interest in service by that aircraft in Alaska, and considerations of safety equivalency. Nonetheless, Air Logistics wishes to advise the FAA that a substantial portion of the operational problem discussed in more detail in its original petition in this docket could be resolved by granting exemption relief similar to that originally requested in this proceeding but restricted to an exemption from only the 60 percent and 70 percent restrictions of FAR 135.385, applicable only to day VFR, cargo-only operations within the State of Alaska. Air Logistics believes that an exemption of the type

discussed herein is the minimum relief which would provide a realistic opportunity for permitting service by its CASA-212 aircraft in the Alaskan bush markets on an economically viable basis.

2. Air Logistics' CASA-212 is plainly a unique aircraft, both because of its unparalleled short-field landing characteristics for an aircraft of its size, as well as its design and equipment which provide a degree of reliability and safety which, as far as Air Logistics is aware, far exceeds that of any other aircraft operated under FAR 135, at least in the Alaskan market.

Air Logistics has already brought to the FAA's attention the information contained in the Aircraft Flight Manual for the CASA-212 as approved by the Spanish civil aviation authority (Instituto Nacional de Tecnica Aerospacial) demonstrating the CASA-212's remarkable short-field capabilities in supervised flight tests. Air Logistics has also demonstrated that the landing and take-off performance of the CASA-212 in fact more closely compares with aircraft that operate without the landing limitations imposed by FAR 135.385. It is not, however, necessary to rely solely upon flight manual provisions and statistical data to demonstrate the CASA-212's operating capabilities. The following table summarizes statistical information concerning landings that have been made by Air Logistics utilizing its CASA-212 in public aircraft service:

Airfield Length	No. of Landings
1,750 feet & less	58
1,751 to 2,000 feet	53
2,001 to 2,500 feet	49
2,501 to 3,000 feet	39
3,001 to 3,500 feet	13

(Source: Company records)

These operations have been performed without accident or incident, operating under the commard of four different Air Logistics captains. Air Logistics believes that these operational statistics forcefully demonstrate that its CASA-212 aircraft can be operated into landing fields significantly shorter than those to which the aircraft would be relegated in civil aircraft service by virtue of the full panoply of present FAR 135.385 restrictions.

The CASA-212's safety record in worldwide operations has also been an exemplary one. At the present time, Air Logistics understands that there are approximately 154 CASA-212 aircraft in operation throughout the world, with the most extensive utilization being in South and Central America, Africa, the Middle East, Indonesia, Malaya, Thailand, India, and Spain and Portugal. Thus far, these CASA-212 aircraft have logged approximately 110,000 hours without a major accident or fatality.

The reason for this fine safety record is first and foremost the basic design philosophy of the aircraft. At every phase of design, emphasis was placed upon simplicity and reliability. Thus, for example, as previously noted the

CASA-212 does not utilize special "STOL" control settings for short-field operations. Instead, short-field performance is built directly into the aircraft design and does not require the use of special equipment or settings with the concomitant risk of failure. Additionally, where the manufacturer has purchased components for the aircraft abroad (and indeed a large portion of the CASA consists of U.S.-manufactured components) the emphasis has consistently been upon quality and proven perfo ıance.

The aircraft's turbopropeller engines and propeller reversing systems are excellent examples of the manufacturer's emphasis upon reliability and simplicity in design. The CASA-212 is powered by two Garret TPE-331-5 engines. Garret maintains records of inflight engine shutdowns by engine series and has advised that at the present time the lowest rate for a series has been zero and the highest .172 inflight shutdowns per 1,000 hours. The series which is utilized on the CASA-212 has had a shutdown rate of .08 per 1,000 hours. In fact, Air Logistics has never experienced an inflight shutdown of the engines on its CASA-212 equipment. Air Logistics' captains have accumulated approximately 20,000 hours in Garret-powered aircraft without ever experiencing an in-flight shutdown.

The CASA-212's propeller reversing system also illustrates the simplicity and reliability which typify the design of this aircraft. The reversing system is operated by

a direct mechanical linkage from the cockpit to the internal reversing mechanism. As a result of this design, Air Logistics has been informed by the manufacturer that there has never been a failure of the reversing system of the TPE-331 engine due to internal engine or propeller causes and Air Logistics has never experienced such a failure. The fundamental point is that the CASA-212 is an FAR 25 aircraft and has been designed to meet the more stringent requirements of that part. This has been done with a deliberate design philosophy of choosing the simplest and most reliable means of accomplishing each function necessary to the safe operation of the aircraft.

While the CASA-212 is deliberately simple in its design, it is also highly sophisticated in its instrumentation. For example, Air Logistics' CASA-212 aircraft is equipped with fully redundant navigation and communication equipment. Thus, there are dual Sperry VHF transceivers, dual Collins VHF navigation equipment providing VOR, DME, and ILS capabilities, dual transponders equipped with altitude encoding, and Bendix mapping and weather radar. There is also a complete set of dual flight instruments powered by dual Tarson gyroscopes. Under normal conditions, individual gyros drive the Captain's and copilot's instruments, although in the case of failure of either gyro, the remaining one can be selected to drive all instrumentation. The horizontal gyros are driven by two gyro-stabilized flux-gate compasses and utilize a

selection system of the type discussed above. In addition to the horizontal gyros, there are two radiomagnetic indicators. The aircraft is also equipped with a Sperry Stars direction system. As far as Air Logistics is aware, no other aircraft operated by any Part 135 carrier is comparably equipped, and indeed this instrumentation is believed to be better than that of many aircraft utilized by Part 121 operators.

Additional safety equipment is also under consideration at the present time. CASA has requested Goodyear to develop a prototype non-skid breaking system for the CASA-212 aircraft and has indicated that if this system results in a significant improvement in landing roll distances it will be made available to customers. Consistent with its commitment to the highest degree of safety, Air Logistics intends to purchase a non-skid breaking system for its CASA equipment if that system is proven to be reliable and effective.

As the foregoing illustrates, the CASA-212 is truly a unique aircraft. Air Logistics is not aware of any other equipment presently available on the commercial market which offers a similar combination of payload capacity, short-field operating characteristics, design simplicity and reliability, sophisticated instrumentation, and proven short-field operating characteristics. Air Logistics requests that the FAA recognize this uniqueness in evaluating its exemption request in Docket 19498.

3. Air Logistics also submits that concerns of safety equivalency should present no barrier to the granting of the requested exemption in view of the narrowness of the relief requested, the uniqueness of the aircraft involved, and Air Logistics' own operating and training policies and procedures.

At the outset it should be noted that the exemption request being made by Air Logistics as further defined in this Supplement is an exceedingly narrow one. It is restricted to operations within the State of Alaska since it is in that state where the bush market and the particular operational problem which led to the filing of this exemption request are most prevalent, and also because Alaska is the base of Air Logistics' flight operations. The FAA has recognized on several occasions in the past that the special operating environment of Alaska requires adjustments in operational procedures otherwise applicable on a nationwide basis, and Air Logistics submits that these previous FAA actions offer ample precedent for the granting of relief as requested herein, restricted to the Alaska market.

Secondly, Air Logistics is no longer requesting exemption relief from the 50 foot height requirements of FAR 135.385. Thus, its short-field operations in Alaska with the CASA-212 aircraft would, if the requested exemption were granted, have the additional margin against short landings or failure to clear obstructions which the 50 foot rule is designed to provide.

Restricting exemption relief to day VFR operations, if considered necessary by the FAA, would add a further safety margin. It is widely recognized in the aviation industry that pilots are capable of making shorter landings under day VFR situations than other operating modes and thus this limitation would provide an additional margin of safety. Finally, by restricting exemption operations to cargo flights, the FAA would also be limiting the potential consequences of an accident no matter how remote the actual possibility of the accident is.

A second factor bearing on safety equivalency is the design philosophy, construction, and equipment which has been built in to Air Logistics' CASA-212 aircraft as discussed above, all of which serve to reduce significantly the possibility of accidents or incidents, and thus lessen the need for additional operating restrictions in order to operate the CASA-212 aircraft in a safe manner. That these design, manufacturing, and instrumentation features serve their designated purpose has been amply demonstrated by Air Logistics' fine operating record concerning this aircraft in Alaska, as well as the aircraft's excellent worldwide operating history, as discussed above.

A final factor is Air Logistics' operating and training and policies and procedures. As a matter of policy, Air Logistics has been highly selective in choosing individuals to serve as its captains and has made a deliberate effort

to offer top incentives and benefits in order to employ the very best available personnel. At the present time, all of Air Logistics' CASA captains are ATP certificated, have at least 13,000 hours flying time, and a minimum of 2,000 hours in aircraft powered by Garret engines. With one exception, all of these pilots completed more than 100 hours in type before functioning as a captain in commercial operations.

These select flight personnel are subjected to a training program which substantially exceeds the requirements of FAR 135. Air Logistics' original training procedures were designed to meet Part 121 standards and have not been substantially changed since the recent comprehensive revision of Part 135. Attached to this Supplement is a copy of Air Logistics' present CASA-212 Ground Training Manual which demonstrates the unusual thoroughness of Air Logistics' ground training procedures. Also included is a copy of Air Logistics' approved Operations Manual, which includes as Appendix A Air Logistics' CASA flight training manual. Finally, as a further implementation of its concern for safety Air Logistics is presently considering the development of a further very thorough set of standard operating procedures to supplement these documents.

In summary, Air Logistics believes that safety equivalency is established first by the uniqueness of its CASA-212 aircraft, second by Air Logistics' own stringent attitudes on safety matters, and third, by the narrowness of

the exemption relief requested. Air Logistics is truly a unique carrier operating a unique aircraft under unique circumstances. It submits that proper recognition of these factors by the FAA fully justifies the limited exemption relief that is being requested.

4. Finally, Air Logistics reiterates its belief that the public interest in an air transportation system capable of serving the needs of Alaska clearly mandates the granting of appropriate exemption relief in this case. In this connection, it should be noted that it is not Air Logistics' contention that the financial burden which it incurs due to its inability to operate its CASA-212 equipment into short airfields in civil operations in and of itself establishes the public interest justification for grant of an exemption in this proceeding. While Air Logistics feels that such factors are proper ones for consideration by the FAA, Air Logistics believes that the broader public need of the State of Alaska for improved air transportation services is the clearest public interest justification for the exemption requested herein. As has previously been demonstrated to the FAA, Alaska is the largest state in the Union in terms of geographic area. While slightly more than half of its population is concentrated in the three metropolitan centers of Anchorage, Fairbanks, and Juneau, the remainder of Alaskan populace is largely spread throughout the relatively remote Alaskan bush area. Much of the Alaskan bush is not readily

accessible by surface transportation during all or a substantial portion of the year, and thus these bush communities typically depend heavily on air transportation, not simply for discretionary travel or luxury goods, but also for basic necessities, and important equipment and supplies. Air Logistics' CASA-212 is ideally suited to serve these bush markets in that it offers a payload capacity and cargo-hold size which exceed those otherwise normally available at Alaskan bush airstrips. It is thus particularly useful for the carriage of large, heavy shipments, or outsized articles such as construction supplies. As Air Logistics has demonstrated in its prior submissions in this docket, there can be no question that there is a public need for the type of service which Air Logistics and its CASA-212 aircraft are equipped to provide. Obviously, this is a problem which will not diminish but rather which will gain additional importance as more of Alaska's natural resources are made available for exploration, development, and production. Additionally, Air Logistics would note that the native Alaskans who live in bush communities served by short airfields are in many cases attempting to establish better dwellings, to procure more goods and services, and generally to elevate their living standards. Air Logistics believes that its CASA-212 is well suited to assist in meeting this demand.

A recent case in point is the State of Alaska's efforts to build schools, hospitals, and community facilities

in bush areas. In 1979 Alaska inaugurated a $250 million construction program designed to improve these facilities; however, this program was not fully successful in part, Air Logistics believes, because of the difficulty of transporting essential construction materials to these remote areas. [To cite one example, as far as Air Logistics is aware, the CASA-212 is the only aircraft presently in Alaska capable of carrying long support beams into these short airfields]. A similar construction program of even larger proportions is presently contemplated for 1980; however, it is clear that adequate air transportation will be essential to its prospects for total success. Air Logistics believes that its CASA-212 equipment can fill a void which might otherwise exist in the transportation needs of this type of program.

Considerations of more general aviation policy, as previously discussed in Air Logistics' exemption petition also support the grant of the limited exemption relief requested herein. As noted previously, the present aviation policies of the Carter Administration and the United States Congress strongly favor the maximization of competition in aviation markets both domestically and internationally. This policy can only be implemented if federal agencies are willing to demonstrate administrative flexibility in cases where the facts warrant such action. Air Logistics submits that its application in Docket 19498 presents exactly such a case. By granting the exemption requested herein, Air Logistics submits

that the FAA would be maximizing the availability of high quality air transportation to the people of the Alaskan bush without at the same time compromising justifiable safety concerns. To deny this application would be to unnecessarily stifle competition in the bush markets and to deprive the people of the Alaskan bush of the best air service which can presently be made available to them. Accordingly, Air Logistics renews its request for appropriate exemption relief as discussed in its original petition in this docket as well as in this Supplement.

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Dated: November 2, 1979