

COMMITTEES:
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VETERANS' AFFAIRS

United States Senate

WASHINGTON, DC 20510-4304

September 23, 2005

XR FAA-050926-000

RESPECTFULLY REFERRED:

Mr. Quentin Burgess
Manager
Federal Aviation Administration
800 Independence Avenue, SW, Room 1022
Washington, DC 20591

Dear Mr. Burgess:

The attached communication was forwarded to Senator Hutchison by a constituent who is concerned about a matter that falls within your agency's jurisdiction. I would appreciate it if appropriate inquiries could be initiated on this individual's behalf, and if a full response could be prepared for me to report to the constituent.

It would be very helpful if the attached were to accompany your response. In the event you require more information, please do not hesitate to contact me in Austin at 512/916-5834 or by fax at 512/916-5839.

Thank you for your courtesy.

PLEASE REPLY TO:

Office of Senator Kay Bailey Hutchison
Attention: Dustin Ouellette
961 Federal Building
300 East Eighth Street
Austin, Texas 78701

Enclosure



Turbine Aircraft Services, Inc.

Corporate Office
745 Warehouse Road
San Angelo, Texas 76903
TEL: 915.486-9113
FAX: 915.486-1534

Dallas Office
4550 Jimmy Doolittle Dr.
Addison, Texas 75001
TEL: 972.248.3108
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Aircraft Parts Sales
4550 Jimmy Doolittle Dr.
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TEL: 972.248.3520
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PLEASE NOTE ADDRESS CHANGE FOR OUR DALLAS OFFICES

FACSIMILE COVER

FAX: 512 916 5839 PAGES: 5 DATE: 9-22-05

COMPANY: _____

ATTENTION: Senator Kay Bailey Hutchison

FROM: Richard Wheldon

CORP OFC

DALLAS OFC

DALLAS A/C PARTS SALES

COMMENTS:



September 13, 2005
VIA FAX 512-916-5839

Senator Kay Baily Hutchison
961 Pickle Federal Building
300 E. 8th Street
Austin, TX 78701

Dear Senator Hutchison,

I am resubmitting my request to you dated September 13, 2005, which your Austin office received via fax that same day. Your response, dated August 31 (I believe the date is a typographical error) is also attached. My letter may have been misunderstood by your staff and the response was not applicable to the issues I raised. My request to you is on the second page, and is essentially that you investigate on my company's behalf some actions that the FAA is currently undertaking which could cause us severe economic harm. I am eager to discuss this with you or your staff, and can make myself available at your convenience. Thank you in advance for your attention to this matter.

Sincerely

Richard G. Wheldon
(972) 248-3108 x 209

Enclosures (2)
wheldon3@turbineair.com

cc: Mr. Tom Berscheidt

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Turbine Aircraft Services, Inc.

September 13, 2005

Senator Kay Baily Hutchison
961 Pickle Federal Building
300 E. 8th Street
Austin, TX 78701

Dear Senator Hutchison,

I am Vice-President of Turbine Aircraft Services, Inc., a general aviation company operating out of San Angelo and Addison, Texas. My home address is [REDACTED]. My company operates two MU-2 aircraft and consults with the airplane's manufacturer, Mitsubishi Heavy Industries. Our consulting activities include numerous programs designed to promote the safe operation of the MU-2.

The purpose of this letter is to bring to your attention a misguided and unwarranted attempt by certain litigants to bring political pressure to bear and to use the FAA as a tool to ground the MU-2. I will try to concisely summarize the facts as I know them.

Two MU-2 aircraft crashed in Colorado during this last 12 months. In the first, an engine failure apparently occurred just after takeoff. According to the NTSB's preliminary report, the pilot successfully shut down the engine, climbed to a safe altitude, and attempted to return to the airport. On the approach, he misjudged the wind, flew past the runway, and apparently got slow and stalled the airplane. This mistake was fatal to the pilot and his cockpit observer. In the second accident, in weather, the airplane crashed south of the runway while configured to land and with the wings level. This strongly implies that the airplane was under full control and that a navigational error was the cause.

While I cannot speak for the NTSB, a cursory review of the preliminary reports for these accidents reveals that they will probably be classified as pilot error.

The FAA recently posted an "Airworthiness Concern Sheet" requesting comments about MU-2 controllability. This sheet reported that the FAA was conducting a Safety Evaluation Investigation and stated that loss of control appeared to be the cause of many MU-2 accidents. The sheet was not distributed to the FAA's database of MU-2 owners, but instead was sent to general aviation aircraft operators groups, who in turn passed it on to our company. The distribution date was September 2, 2005 (the Friday before a holiday weekend). We did not receive it until the following Tuesday afternoon, and the period for comments was closed on September 12, less than a week later. Allowing less than one week for comment on a potential grounding of the MU-2 fleet, which could possibly make our investment in the MU-2 valueless, is thoughtless, careless, or perhaps more something more malevolent.

The Safety Evaluation Investigation was prompted by letters from the two Colorado Senators and four Colorado Congressmen demanding that the MU-2 be grounded, according to a column in the Atlantic Flyer, a trade journal (www.aflyer.com). I have not seen copies of the letters, except for one that was published in the Atlantic Flyer purportedly written by Congressman Tom Tancredo. In it, the congressman cites an Atlantic Flyer columnist as an MU-2 expert (that columnist has, by his own admission, never flown an MU-2, although he has strong opinions about it!) and uses language found on the web site of a Dallas area plaintiff's attorney who may have signed up one of the Colorado accident victims families. Both the columnist and the attorney were quoted in the local Colorado newspapers immediately following each MU-2 crash, representing themselves as MU-2 experts and not revealing any conflicts of interests.

The MU-2 was originally certified in Japan and accepted into the United States under bilateral agreement. Subsequently, it underwent another certification in the United States. The certification was reviewed by the

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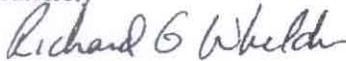
FAA extensively in 1983, and again in 1996. None of these reviews revealed any design flaws! To my knowledge, no other airplane has undergone such comprehensive and rigorous oversight.

If the Colorado congressmen, the plaintiff's attorney, the columnist, and the FAA succeed in grounding the MU-2 fleet, they will deprive my company of the use of these essential assets and cause great economic harm to us and to the approximately 300 other MU-2 owners in the United States. In today's "blame someone else" society, this would be fundamentally wrong. Just as most traffic accidents ultimately are caused by the driver making a mistake, the same holds true for airplanes. Pilot's mistakes are to blame in approximately 75% of all aircraft accidents. We know through many years of ownership that the MU-2 is a fine and safe aircraft which we operate conservatively and prudently. We train regularly and maintain our airplanes properly, and we have responsibly decided to own and operate these airplanes in a safe manner. I strongly urge you to make a stand against undue government interference and register your opinions with the FAA against this action.

Before closing, let me describe my qualifications. I am a Navy trained pilot with a degree in Aerospace Engineering from the Naval Academy. I have logged nearly 5000 pilot in command hours in the MU-2. With my engineering background, I have the specialized knowledge and skills to evaluate the stability and control of the MU-2. I have NEVER noted any dangerous flight characteristics with this airplane. I chose to train annually in the simulator and maintain our airplanes at a factory approved maintenance facility. While these actions do not, by themselves, guarantee that I will never have an accident, I am certain that they will tip the odds dramatically in my favor. It is no small coincidence that the pilots of only 3 of the 18 fatal accident airplanes over the last 12 years had successfully completed simulator training. It is also no small coincidence that neither of the Colorado accident pilots was simulator trained.

Please feel free to contact me to discuss these issues or any related issues. I can come to Washington or to your Texas offices, and can make our airplanes available in either location to demonstrate them to you or your aides.

Sincerely



Richard G. Wheldon
(972) 248-3108 x 209


wheldon3@turbineair.com

cc: Mr. Tom Berscheidt