

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

N 8900.524

National Policy

Effective Date:
9/30/19

Cancellation Date:
9/30/20

SUBJ: Updated 14 CFR Part 129 Guidance for OpSpec A001, Issuance and Applicability, and Reports

1. Purpose of This Notice. This notice announces updated Federal Aviation Administration (FAA) Order 8900.1 guidance for operations specification (OpSpec) A001 for Title 14 of the Code of Federal Regulations (14 CFR) part 129 regarding the requirements associated with short-term service by network carriers.

2. Audience. The primary audience for this notice is International Field Offices (IFO), Principal Operations Inspectors (POI), Principal Maintenance Inspectors (PMI), and Principal Avionics Inspectors (PAI) with oversight responsibility for operators issued OpSpecs under part 129. The secondary audience includes the Safety Standards and Foundational Business offices.

3. Where You Can Find This Notice. You can find this notice on the MyFAA employee website at https://employees.faa.gov/tools_resources/orders_notices. Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avs.faa.gov>. Operators can find this notice on the FAA's website at <http://fsims.faa.gov>. This notice is available to the public at http://www.faa.gov/regulations_policies/orders_notices.

4. Explanation of Policy Changes. The International Program Division has amended the part 129 OpSpec A001 guidance to clarify Department of Transportation (DOT) and FAA requirements associated with short-term service by network carriers. Specifically, these changes address circumstances when one carrier within the network normally provides a scheduled service but this service needs to move to another network carrier on a short-term basis (e.g., due to an Aircraft on the Ground (AOG)). The move is made by cancelling the flight and creating an extra section. When the operating carrier changes, the flight number will change for regularly scheduled flights. Flight numbers for extra sections are allocated to each of the network carriers and never overlap with another carrier's available numbers. The passengers are notified of the change. On the side of the enplanement door of the aircraft, it says, "aircraft operated by [name of operator]." The flight is performed using the network carrier's dispatch, call sign, and flight number. The carrier that is performing the flight has operational control.

a. DOT Requirements.

(1) Economic authority issued by the DOT to each Air Operator Certificate (AOC) holder.

(2) Economic authority (i.e., a permit) held by a mainline carrier does not provide economic authority to its regional affiliates.

(3) The following is an example that meets DOT economic requirements: A mainline carrier from Canada holds a permit. Canadian affiliates all hold permits with each holding authority to conduct Canada–U.S. scheduled and charter operations. In the case of an AOG of one or more of those carriers:

(a) Any of the other listed carriers (or, for that matter, any Canadian carrier holding charter authority as well as any licensed U.S. carrier) could conduct the transborder operation with no need for additional authority.

(b) The operation could also be conducted by a properly licensed charter carrier from any other International Aviation Safety Assessment (IASA) Category (CAT) 1 foreign country, provided that the carrier applies for and obtains a Statement of Authorization from the DOT. Essentially, the subservice is viewed as a charter/provision of aircraft and crew operation, rather than as a scheduled operation for the carrier that ultimately conducts the service for the marketing/original operating carrier.

b. FAA Requirements.

(1) Mainline Carrier (e.g., Air Canada):

(a) Environmental Assessment (EA).

(b) List scheduled airport(s) in OpSpec A001.

(c) Provide notifications of short-term service changes to the responsible IFO upon request.

(d) Environmental file.

(2) Network (Relieving or Feeder) Carrier(s) (e.g., Air Canada Rouge, Sky Regional, and Jazz):

(a) EA. The assessment is required prior to operation of any scheduled flight to a U.S. airport, by each operator, to include short-term service.

(b) The airport served is in the geographical area authorized in OpSpec A001.

(c) Provide notifications of short-term service to the responsible IFO.

5. Action. This change in guidance for OpSpec A001 affects principal inspectors (PI) with responsibility for the issuance, amendment, and oversight of OpSpecs for part 129 operators (the part 129 templates) with short-term service by network carriers. All PIs will review the guidance in this notice and take appropriate action to ensure compliance with this notice. Additionally, the FAA recommends that each PI email a copy of this notice to each of their foreign operators operating to the United States to remind them of their EA responsibilities and work with them on any questions they may have.

6. Disposition. We will incorporate the information in this notice into Order 8900.1, Volume 12, Chapter 4, Section 2 before this notice expires. Direct questions concerning the information in this notice to the International Program Division, International Operations Branch at 202-267-0962.



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