



U.S. Department
of Transportation
**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

July 21, 2015

Exemption No. 11240A
Regulatory Docket No. FAA-2014-0894

Mr. Kenneth R. Beason
CEO, Director of Flight Operations
Aerius Flight, LLC
11742 Cedarbrook Drive
South Lyon, MI 48178

Dear Mr. Beason:

This letter is to inform you that we have granted your petition for an amendment. It explains the basis for our decision, describes its effect, and lists any changes to the original conditions and limitations.

By letters dated April 11 and May 5, 2015 you petitioned the Federal Aviation Administration (FAA) on behalf of Aerius Flight, LLC (hereinafter petitioner or operator) for an amendment to your current exemption. That exemption from §§ 61.23(a) and (c), 61.101(e)(4) and (5), 61.113(a), 61.315(a), 91.7(a), 91.119(c), 91.121, 91.151(a)(1), 91.405(a), 91.407(a)(1), 91.409(a)(1) and (2), and 91.417(a) and (b) of Title 14, Code of Federal Regulations (14 CFR) allows the petitioner to operate a UAS to perform aerial data. You requested an amendment to add the DJI Phantom 3, DYS D800-X8, DJI Inspire, and 3DR Solo.

In your petition, you indicate that there has been no change in the conditions and reasons relative to public interest and safety that were the basis for granting the original exemption.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested amendment to the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to the petitioner. The unmanned aircraft authorized in the original grant are comparable in type, size, weight, speed and operating capabilities to those in this petition.

Airworthiness Certification

In accordance with the statutory criteria provided in Section 333 of Public Law 112–95 in reference to 49 U.S.C. § 44704, and in consideration of the size, weight, speed, and limited operating area associated with the aircraft and its operation, the Secretary of Transportation has determined that this aircraft meets the conditions of Section 333. Therefore, the FAA finds that relief from 14 CFR part 21, *Certification procedures for products and parts, Subpart H—Airworthiness Certificates*, and any associated noise certification and testing requirements of part 36, is not necessary.

Our Decision

The FAA has determined that the justification for the issuance of Exemption No. 11240 remains valid and is in the public interest. Therefore, under the authority contained in 49 U.S.C. 106(f), 40113, and 44701, delegated to me by the Administrator, the operator is granted an amendment to add new aircraft to its UAS operations.

The operator shall add this amendment to its original exemption.

Conditions and Limitations

All conditions and limitations within Grant of Exemption No. 11240 remain in effect except as follows. Condition No. 1 has been updated to reflect the additional aircraft.

Failure to comply with any of the conditions and limitations of this grant of exemption will be grounds for the immediate suspension or rescission of this exemption.

1. Operations authorized by this grant of exemption are limited to the Walkera Scout X4, DJI S900, DJI Phantom 3, DYS D800-X8, DJI Inspire, and 3DR Solo when weighing less than 55 pounds including payload. Proposed operations of any other aircraft will require a new petition or a petition to amend this exemption.

This exemption terminates on March 31, 2017, unless sooner superseded or rescinded.

Sincerely,

/s/

John S. Duncan
Director, Flight Standards Service

U. S. Department of Transportation
Docket Management System
1200 New Jersey Ave, SE
Washington, DC 20590

04/11/15

Re: Amendment to Exemption 11240 issued pursuant to Section 333 of the FAA Reform Act and Part 11 of the Federal Aviation Regulations in Regulatory Docket No. FAA-2014-0353-0001.

Dear Sir or Madam;

Aerius Flight LLC, was issued an Exemption numbered 11240 (hereinafter the Exemption) for the purpose of commercial aerial survey and photography operations. Aerius Flight LLC, hereby requests an amendment to the Exemption to allow an additional type of unmanned aircraft system (UAS) that fully complies with the conditions of the Exemption.

Aerius Flight LLC, wishes to operate a DJI Phantom 3 under the same terms and conditions contained in the Exemption. Attached hereto, and submitted as a confidential document, is the Flight Operations Manual (FOM) for the additional UASs. All operations of the additional UASs will be in full compliance with the terms of the Exemption.

As this is an amendment to an existing exemption asking for only the addition of another type of unmanned aerial vehicle, Aerius Flight LLC respectfully submits that good cause exists so that notice does not need to be published in the Federal Register for the requested amendment.

Please contact the undersigned should you have any question concerning this request for an amendment to the Exemption.

Sincerely yours,
Kenneth Beason
CEO, Aerius Flight LLC
kbeason@aeriusflight.com
1 (248) 767-9092

CC:

Robert Pappas
Jake Troutman

U. S. Department of Transportation
Docket Management System
1200 New Jersey Ave, SE
Washington, DC 20590

05/05/2015

Re: Amendment to Exemption 11240 issued pursuant to Section 333 of the FAA Reform Act and Part 11 of the Federal Aviation Regulations in Regulatory Docket No. FAA-2014-0353-0001.

Dear Sir or Madam;

Aerius Flight LLC, was issued an Exemption numbered 11240 (hereinafter the Exemption) for the purpose of commercial aerial survey and photography operations. Aerius Flight LLC, hereby requests an amendment to the Exemption to allow an additional type of unmanned aircraft system (UAS) that fully complies with the conditions of the Exemption.

Aerius Flight LLC, wishes to operate a DYS D800-X8 under the same terms and conditions contained in the Exemption. Attached hereto, and submitted as a confidential document, is the Flight Operations Manual (FOM) for the additional UASs. All operations of the additional UASs will be in full compliance with the terms of the Exemption.

As this is an amendment to an existing exemption asking for only the addition of another type of unmanned aerial vehicle, Aerius Flight LLC respectfully submits that good cause exists so that notice does not need to be published in the Federal Register for the requested amendment.

Please contact the undersigned should you have any question concerning this request for an amendment to the Exemption.

Regards,
Kenneth Beason
CEO, Aerius Flight LLC
kbeason@aeriusflight.com
1 (248) 767-9092

CC:

James Williams
Robert Pappas
Jake Troutman
John McGraw
Jonathan B. Hill