



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

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

July 21, 2015

Exemption No. 11256A  
Regulatory Docket No. FAA-2014-0908

Mr. Paul Caskey  
VP of Technology  
SkyPhilly, Inc.  
4059 Steeplechase Drive  
Collegeville, PA 19426

Dear Mr. Caskey:

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 letter dated May 5, 2015, you petitioned the Federal Aviation Administration (FAA) on behalf of SkyPhilly, Inc. (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 collection. You requested an amendment to add the SkyPhilly M1, and to conduct closed-set motion picture and television filming<sup>1</sup>.

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.

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<sup>1</sup> The petitioner also requested relief from Condition No. 15 regarding nighttime operations. At this time, the FAA is unable to approve operations during night hours, as defined in 14 CFR § 1.1. All operations must be conducted under visual meteorological conditions (VMC). Flights under special visual flight rules (SVFR) are not authorized. When the FAA completes its review, we will proceed accordingly, and no further action will be required by the petitioner.

## **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. 11256 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 closed-set motion picture and television filming, and 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. 11256 remain in effect except as follows. Condition No. 1 has been updated to reflect the additional aircraft, and Condition No. 2 has been updated to permit closed-set motion picture and television filming.

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 DJI S900 and SkyPhilly M1 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.
2. Operations for the purpose of closed-set motion picture and television filming are permitted.

This exemption terminates on April 30, 2017, unless sooner superseded or rescinded.

Sincerely,

/s/

John S. Duncan

Director, Flight Standards Service

Enclosures

## **SkyPhilly, Inc.**

Request for amendments to FAA 333 UAS exemption

Exemption No. 11256

Regulatory Docket No. FAA-2014-0908

Contact:

Paul Caskey

VP Technology

SkyPhilly, Inc.

215.680.2808

[www.SkyPhilly.com](http://www.SkyPhilly.com)

To whom it may concern:

Date: May 5, 2015

Re: Exemption No. 11256  
Regulatory Docket No. FAA-2014-0908

SkyPhilly is requesting amendments to their existing 333 exemption as listed and described below. The purpose for the amendments is to be able to offer the services as listed in the existing 333 exemption. Each amendment will serve to increase the functionality and usefulness of UASs and the increased functionality will serve to create safer working environments in the industries in which they are deployed.

1. Additional Aircraft

SkyPhilly would like to add an additional UAS to the existing exemption. The new craft is a quadrotor designed in-house using commercial off-the-shelf (COTS) components.

Manufacturer: SkyPhilly

Model No.: M1,

By using a collection of best-in-class components, SkyPhilly was able to construct a very reliable vehicle, with additional features and longer air time than the DJI S-900 listed on the 333 exemption. The M1 meets all weight, speed and other criteria spelled out in the 333 exemption.

The M1 UAS was designed primarily for agricultural applications. The proprietary pilot operating handbook (POH) will be emailed directly to [333exemptions@faa.gov](mailto:333exemptions@faa.gov).

2. Relief from restriction #2 for filming in closed set movie or television production

SkyPhilly has extensive video and film production experience and would like to be able to use UASs for such purposes as called out in the 333 exemption. It is therefore requesting relief from restriction #2 on the 333 exemption for operation in closed set environments for movie and television production.

SkyPhilly's proprietary Motion Picture and Television Flight Operations for Unmanned Aerial Systems will be mailed directly to [333exemptions@faa.gov](mailto:333exemptions@faa.gov).

3. Relief from restriction #15 prohibiting night flight.

SkyPhilly would like the ability to perform roof inspections on large commercial buildings with flat roofs. In warmer seasons/climates, spots of a roof that are leaking have collected water that retains the day's heat for a few hours longer than the rest of the roof that has not been compromised. The traditional method for locating leaks, or wet spots on large flat roofs is to use a handheld thermal imaging camera shortly after nightfall and have the technician walk the roof to identify leaks. While many safety features are in place, every year, several people become distracted and accidentally walk off an edge in the dark resulting in serious injury or death.

This is a very dangerous job that commercial roofing companies would like to make much safer and even save lives by using UASs. Since the thermal imaging needs to be done shortly after sunset, and after several hours does not yield results, SkyPhilly is requesting only partial relief from limitation #15 and seeking permission to operate up to 4 hours after sunset. SkyPhilly will still maintain visual flight rules and only fly under VFR conditions.