



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

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

July 10, 2015

Exemption No. 11293A
Regulatory Docket No. FAA-2014-0962

Mr. Mark E. McKinnon
Counsel for Erie Insurance Group
McKenna Long & Aldridge LLP
1676 International Drive Penthouse
McLean, VA 22102

Dear Mr. McKinnon:

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 April 30, 2015, you petitioned the Federal Aviation Administration (FAA) on behalf of Erie Insurance Group (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 DJI Phantom 3 Professional and DJI Phantom 3 Advanced.

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(s) 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. 11293 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. 11293 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 DJI Phantom 2 Vision +, DJI Phantom 3 Professional, and DJI Phantom 3 Advanced 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 April 30, 2017, unless sooner superseded or rescinded.

Sincerely,

John S. Duncan
Director, Flight Standards Service

Albany
Atlanta
Brussels
Denver
Los Angeles
Miami
New York

McKenna Long & Aldridge^{LLP}

1676 International Drive • Penthouse
McLean, VA 22102
Tel: 703.336.8800
mckennalong.com

Northern Virginia
Orange County
Rancho Santa Fe
San Diego
San Francisco
Seoul
Washington, DC

Mark E. McKinnon
703.336.8708
Matthew J. Clark
703.336.8714

Email Address
mmckinnon@mckennalong.com
mclark@mckennalong.com

April 30, 2015

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

Re: Petition to Amend Exemption No. 11293 Issued to Erie Insurance Group
Pursuant to Section 333 of the FAA Reform Act (Docket No. FAA-2014-
0962)

Dear Gentlemen:

Erie Insurance Group (Erie) was issued Exemption No. 11293 on April 8, 2015 (hereinafter "the Exemption"), allowing operation of the DJI Phantom 2 Vision+ for aerial data collection. Erie hereby requests an amendment to the Exemption to add an additional UAS vehicle that fully complies with the conditions of the Exemption.

Erie seeks to operate the DJI Phantom 3 Professional and Advanced Models (hereinafter "Phantom 3") under the same conditions and limitations contained in the Exemption. Erie will revise its UAS Operations Manual to include the DJI Phantom 3. If requested, Erie will submit a revised copy of the UAS Operations Manual to the Administrator under separate cover pursuant to 14 C.F.R. § 11.35(b), as the materials contain confidential commercial and/or proprietary information that Erie has not and will not share with others. Additionally, the document contains operating conditions and procedures that are not generally available to the public and are protected from release under the Freedom of Information Act, 5 U.S.C. § 552 *et seq.* All operations of the additional UAS will be in full compliance with the terms of the Exemption.

Erie believes that an amendment adding the DJI Phantom 3 to the Exemption is in the public's interest as it would reduce hazards and emissions associated with alternate use of manned aircraft to conduct similar aerial data collection. Like the DJI Phantom 2 Vision+ authorized for use under the Exemption, the DJI Phantom 3 is light weight and does not carry

any flammable fuel, further reducing the risk from any potential accident. Moreover, the size, weight, design, and performance specifications of the DJI Phantom 3 are substantially similar to those of the DJI Phantom 2 Vision+ in all relevant aspects. Below is a side-by-side comparison chart of DJI Phantom 2 Vision+ and DJI Phantom 3 specifications¹:

Specifications	DJI Phantom 2 Vision+	DJI Phantom 3
Weight (Battery & Props Included)	1242g	1280g
Max Speed	15 m/s	16 m/s
Max Ascent / Max Descent	Ascent: 6 m/s, Descent: 3 m/s	Ascent: 5 m/s, Descent: 3 m/s
Battery Capacity	5200 mAh - 11.1 V	4480 mAh-15.2 V
Controller Operating Frequency	5.728 GHz – 5.85 GHz.	2.4000 GHz -- 2.483 GHz
Diagonal Distance (motor-motor)	350mm	350mm
Failsafe Return-to-Home (RTH) Function	Yes	Yes

As this is an amendment to an existing exemption seeking the addition of supplementary UAS model that is substantially similar to the one currently authorized for use under the Exemption, Erie respectfully submits that good cause exists so that notice does not need to be published in the Federal Register for the requested amendment.

If you have any questions, or need any additional information to process the requested amendment to the Exemption, please do not hesitate to contact the undersigned.

¹ For additional information on DJI Phantom 3 specifications, see the DJI Phantom 3 Advanced User Manual v1.0 included as **Attachment A** and the DJI Phantom 3 Professional user Manual v1.0 included as **Attachment B**

U.S. Department of Transportation
April 30, 2015
Page 3

Very truly yours,

A handwritten signature in blue ink, consisting of a stylized 'M' followed by a horizontal line.

Mark E. McKinnon
Matt Clark

Counsel for Erie Insurance Group

Attachments

Attachment A: DJI Phantom 3 Advanced User Manual v1.0

Attachment B: DJI Phantom 3 Professional User Manual v1.0