



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

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

May 7, 2015

Exemption No. 11147A
Regulatory Docket No. FAA-2014-1010

Mr. Philip Owen
Director of UAS Operations
enrGies, Inc.
7220 Governors West
Huntsville, AL 35806

Mr. L. Steven Pierce
President
enrGies, Inc.
7220 Governors West
Huntsville, AL 35806

Dear Mr. Owen and Mr. Pierce:

This letter is to inform you that we amended Exemption No. 11147. It explains the basis for our decision, describes its effect, and lists any changes to the original conditions and limitations.

The Basis for Our Decision

On April 29, 2015, the Federal Aviation Administration (FAA) issued Exemption No. 11147 to enrGies, Inc. (hereinafter petitioner or operator) for relief 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). That exemption allows the petitioner to perform aerial data collection with the Lockheed Martin Indago aircraft.

In that exemption, the FAA was unable to approve all of the requested aircraft until a further assessment was completed. The FAA is now prepared to act on the petitioner's request for the remaining aircraft.

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

The UAS proposed by the petitioner are the Lockheed Martin Desert Hawk III, DJI Phantom Vision +, Precision Lancaster MK3, Aeromao Talon, Aeromao Aeromapper 300, Aeromao Aeromapper EV-2, and the DJI Inspire.

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. 11147 remains valid with respect to this exemption 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, enrGies, Inc. is granted an amendment to its exemption that adds seven aircraft: Lockheed Martin Desert Hawk III, DJI Phantom Vision +, Precision Lancaster MK3, Aeromao Talon, Aeromao Aeromapper 300, Aeromao Aeromapper EV-2, and the DJI Inspire.

The operator shall add this amendment to the original Exemption No. 11147.

Conditions and Limitations

All conditions and limitations within Grant of Exemption No. 11147 remain in effect, except as follows. Condition No. 1 has been updated to reflect the additional aircraft, and is amended as follows.

In this grant of exemption, enrGies, Inc. is hereafter referred to as the operator.

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 Lockheed Martin Indago, the Lockheed Martin Desert Hawk III, DJI Phantom Vision +, Precision Lancaster MK3, Aeromao Talon, Aeromao Aeromapper 300, Aeromao Aeromapper EV-2, and the DJI Inspire 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,

/s/

John S. Duncan

Director, Flight Standards Service