



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

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

February 18, 2016

Exemption No. 12123A
Regulatory Docket No. FAA-2015-1589

Mr. Joseph R. Heidelberg
Rise Above Images LLC
6401 Lakerun Court
Hamilton, OH 45011

Dear Mr. Heidelberg:

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 posted to the public docket on October 16, 2015, you petitioned the Federal Aviation Administration (FAA) on behalf of Rise Above Images 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 collection. You requested an amendment to conduct closed-set motion picture and television filming to your operations¹.

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.

Our Decision

The FAA has determined that the justification for the issuance of Exemption No. 12123 remains valid and is in the public interest. Therefore, under the authority contained

¹ The petitioner also requested authority to conduct nighttime operations. At this time, the FAA is unable to authorize UAS operations for nighttime operations until a further assessment is completed. When the FAA completes its review, we will proceed accordingly and no further action will be required by the petitioner.

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 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. 12123 remain in effect except as follows. 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.

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

This exemption terminates on July 31, 2017, unless sooner superseded or rescinded.

Sincerely,

/s/

John S. Duncan
Director, Flight Standards Service