



U.S. Department
of Transportation

**Federal Aviation
Administration**

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

November 24, 2015

Exemption No. 13384A
Regulatory Docket No. FAA-2015-2499

Brian LeRoy
Director of Flight Operations
Conestoga-Rovers & Associates
3075 Breckinridge Boulevard, Suite 470
Duluth, GA 30096

Dear Mr. LeRoy:

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 the revised conditions and limitations.

By letter dated May 29, 2015, you petitioned the Federal Aviation Administration (FAA) on behalf of Conestoga-Rovers & Associates (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 Tempest UAS. In the October 28, 2015 decision letter, the FAA was unable to approve the Tempest UAS. The FAA is now prepared to act on that request.

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. 13384 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. 13384 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, DJI Phantom 3, DJI Inspire 1, DJI S900, DJI S1000, and Tempest UAS 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 October 31, 2017, unless sooner superseded or rescinded.

Sincerely,

/s/

John S. Duncan
Director, Flight Standards Service