



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

Aviation Safety
Flight Standards Service

800 Independence Ave
Washington, DC 20591

February 28, 2022

Captain Ronald Renk
Co-Chairman, Performance-based Operations
Aviation Rulemaking Committee (PARC)
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Dear Captain Renk:

Thank you for the final report sent to my office from the Performance-based Operations Aviation Rulemaking Committee (PARC) Exemption 12555 Action Team, containing recommendations associated with the Federal Aviation Administration (FAA) tasking assigned in October 2020. The FAA has considered these recommendations, giving priority to the recommendation regarding change to existing preflight policy for aircraft equipped with Selective Availability (SA)-Aware Global Positioning System (GPS) receivers. These recommendations and FAA responses follow:

Recommendation 1. New aircraft delivered after December 31, 2024 must have (GPS) position sources that are fully compliant with the Rule, and therefore, would not be required to perform a service availability prediction.

FAA Response. Position source availability information presented by avionics and aircraft manufacturers to the PARC Exemption 12555 Action Team indicated that fully compliant options (stand-alone, multi-mode receivers, and multi-constellation/multi-frequency receivers) will be available for new deliveries after December 31, 2024. The FAA encourages operators to equip their aircraft with Automatic Dependent Surveillance-Broadcast (ADS-B) position sources that are fully compliant with §91.227 performance requirements when optioning a new aircraft for service.

Recommendation 2. Remove the requirement for aircraft equipped with SA-Aware GPS receivers to use an acceptable preflight verification tool (e.g., Service Availability Prediction Tool (SAPT)). This ability would remain in effect, unless the FAA determines at a later date that satellite availability is insufficient, or air traffic control services require a higher level of accuracy and/or integrity.

FAA Response. On May 11, 2022, the FAA published new policy to the Federal Register, Docket No. FAA-2022-0619, Statement of Policy on Performance Requirements for Operators of Aircraft That Are Equipped With Automatic Dependent Surveillance-Broadcast (ADS-B) Out, formally adopting this recommendation.

Recommendation 3. The Exemption 12555 deadline should be extended by 2-years for SA-On GPS receivers installed on aircraft covered by the current exemption allowing for continued operation with use of an acceptable preflight verification tool; to avoid potential negative operational impact on the carrier SA-Aware/SBAS or other rule compliant equipment upgrades should be considered after December 31, 2026.

FAA Response. Given the demonstrated performance associated with SA-On receivers, the proposed 2-year exemption extension would not support realization of benefits from ADS-B Out (reference Recommendation 4) and would be contrary to public interest. Benefits impacted by the recommendation include efficiency and capacity gains expected from expansion of 3NM separation into en route airspace and cost savings to the FAA from radar divestiture.

The FAA notes that the ADS-B rule does not prohibit operation of aircraft equipped with SA-On GPS receivers after December 2024. However, those operators will assume any operational risk previously accepted by the FAA per Exemption 12555. Such operations will be expected to conduct preflight availability checks in accordance with the FAA's policy, and may no longer operate in airspace specified in Title 14 Code of Federal Regulations § 91.225 when their ADS-B Out equipment is not predicted to meet the requirements of § 91.227(c)(1)(i) and (iii) along the planned route of flight.

Recommendation 4. FAA should work towards providing promised benefits to operators that have already made significant investments to meet ADS-B Out rule requirements. Additionally, any extension of the 12555-exemption should not inhibit the delivery of proposed capabilities.

FAA Response. The FAA continues to work to provide benefits as part of the ADS-B Mandate, which took effect January 1, 2020. To date, the FAA is utilizing ADS-B as the preferred source of surveillance information. By leveraging ADS-B equipage, the FAA has been working on the first phase of its radar divestiture program. The program has successfully divested the first of the 32 radars identified under this phase on April 7, 2022. The FAA will continue to work on divesting these radars, with the latest decommissioning completed at the end of 2022. Another example of the FAA's work to provide benefits is the deployment of 3NM en route separation below flight level (FL) 230, which requires rule-compliant ADS-B data. The FAA has done significant work to continue deployment of Trajectory-Based Display Mode (TBDM) during the COVID-19 public health emergency, which is the backbone for en route facilities to be able to provide 3NM separation below FL230. TBDM is now fully deployed across all en route facilities in the National Airspace System. Extension of Exemption 12555 for SA-On equipped aircraft would directly hinder the FAA's ability to provide benefits to operators via this reduced en route separation.

In closing, I would like to express my sincere appreciation for the collaborative work accomplished by the Exemption 12555 Action Team.

Attachment:

Final Report Exemption No. 12555 Action Team for the FAA's Performance- based Operations Aviation Rulemaking Committee (PARC).

Sincerely,

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For

Lawrence Fields
Acting Executive Director, Flight Standards Service