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Docket Operations
US Department of Transportation
West Building, Ground Floor
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1200 New Jersey Avenue, SE
Washington, DC 20590
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Dear Sir,

Re: Docket No. FAA-2008-0036 - DoT PROPOSAL ON REDUCING AIRPORT CONGESTION

This letter forms the response to the docket of the Aviation Assembly, an informal group of 34 embassies* based in Washington DC, plus the delegation of the European Commission.

We have noted the Proposed Amendment to Policy published by the Department of Transport (DoT) in the Federal Register of January 17, 2008 (Vol. 73. No. 12) that would allow airports in the United States to change their structure of rates and charges. We understand the objective behind the

* Argentina, Australia, Austria, Belgium, Brazil, Canada, China, Denmark, Finland, France, Germany, Greece, Indonesia, Iceland, Ireland, Italy, Japan, Korea, Luxembourg, Malaysia, Malta, Mexico, Netherlands, New Zealand, Norway, Poland, Portugal, Singapore, Spain, Sweden, Switzerland, Thailand, Turkey, United Kingdom

proposal is to provide airports with an option to increase fees so as to encourage airlines to consider altering their schedules in a way that reduces congestion.

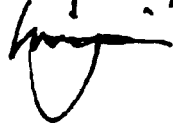
The members of the Aviation Assembly fully recognise that through this proposal and other actions announced at the end of 2007, DoT is attempting to address congestion so that the travelling public can enjoy reduced delays and have its confidence in the value and utility of airline travel restored. This is a laudable objective that can only ultimately benefit the airline industry too.

However, we have to note our concern that this proposal could lead to a situation where domestic and foreign carriers alike will be charged increased landing fees that are not necessarily linked in any way to the services provided for that fee.

The proposal would allow airports in certain circumstances to increase their fee to include infrastructure under construction but not yet benefiting those carriers. One interpretation of the proposal would not confine such infrastructure to a direct link to easing congestion. Indeed, it would allow an operator of multiple airports to use fees raised at one site to fund construction at another. The proposal therefore raises doubts about compliance with ICAO principles on airport charges, which allow for pre-funding of infrastructure investments only in specific circumstances. In any event, we believe that fee increases should be moderate and that any changes to their application should not distort competition.

The Assembly would favour an approach to easing congestion that focuses on some of the issues identified earlier by the DoT, in particular voluntary limited caps on movements at peak hours and the introduction of slot co-ordination at congested airports, as provided for by IATA's Worldwide Scheduling Guidelines. These guidelines provide a harmonised set of rules that govern allocation of

scarce capacity throughout the world. Many of the airports based in the territory of members of the Assembly have suffered from serious congestion. We therefore have considerable experience in trying to alleviate such problems and renew our offer to share this with the DoT if this would be welcome.

Yours faithfully,


Clive Wright
Chairman, Aviation Assembly