



1776 K Street, N.W., 9<sup>th</sup> Floor, Washington, DC 20006  
(202) 719-7420 (Telephone) (202) 719-7049 (Facsimile)  
[epfaberman@acaal.com](mailto:epfaberman@acaal.com)  
[www.acaal.com](http://www.acaal.com)

---

January 22, 2008

Docket Management System  
U.S. Department of Transportation  
1200 New Jersey Ave., S.E.  
Washington, D.C. 20590

**RE: Docket No. DOT-OST-2007-0022 – Enhancing Airline Passenger Protections**

Dear Secretary Peters:

The Air Carrier Association of America (ACAA)<sup>1</sup> appreciates this opportunity to comment on the Department of Transportation's ("Department") "Enhancing Airline Passenger Protections" Advance Notice of Proposed Rulemaking (ANPRM) (Docket No. OST-2007-0022). The ACAA recognizes the importance of protecting passengers and appreciates the Department's efforts to ensure that the aviation industry provides accurate information to its consumers. ACAA's members work hard to better serve passengers by reducing and preventing overbookings on some flights, expanding staffing, and improving communication.

The ACAA endorses the comments by the National Air Carrier Association (NACA) in this docket.

The ACAA also agrees with the Department's proposal that three of the new requirements cover only the largest carriers. For the largest carriers, it is indeed appropriate that the operation of a chronically delayed flight be deemed to be unfair and deceptive, that carriers be required to publish delay data on their websites, and that on-time performance reporting be required for international flights. The largest carriers have far more control over these issues than small carriers because the larger carriers have more flights, more gates, and more rerouting

---

<sup>1</sup> ACAA represents low-fare airlines including AirTran Airways, Frontier Airlines, and Spirit Airlines.

options. It is appropriate that small carriers not be subject to the above-mentioned requirements because delay data is skewed because these carriers have such a small number of flights total and in each market. The ability to compensate for delays or reroute customers varies by airport and airline size. Requiring small carriers to report this data would be misleading and would not serve the overall purpose – to help travelers make informed decisions and protect passengers from being taken advantage of by the operation of chronically delayed flights.

We appreciate the Department's efforts in this regard and look forward to working with you to create enhanced passenger protections that will best serve consumer and carrier needs.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. Faberman". The signature is fluid and cursive, with a large initial "E" and "F".

Edward P. Faberman  
Executive Director