



**SOUTHWEST AIRLINES**  
PILOTS' ASSOCIATION

DEPT. OF TRANSPORTATION  
DOCKET SECTION  
98 SEP 24 AM 9:28

September 21, 1998

The Honorable Charles Hunnicutt  
Assistant Secretary of Transportation  
for Policy and International Affairs  
Department of Transportation  
400 Seventh Street S.W.  
Washington, D.C. 20590

Re: Docket OST-98-4363

Dear Assistant Secretary Hunnicutt,

On August 25, 1998, the Department of Transportation issued an order requesting comments on legal arguments stemming out of new federal law which allows an expansion of service points available from Dallas Love Field (DAL). Further, this comment period was extended until September 22, 1998. The Southwest Airlines Pilots' Association (SWAPA) represents all 2800 pilots in the service of Southwest Airlines and as such has an interest in these proceedings. The Association is pleased to offer these comments.

Current litigation is focusing on federal law and commitments between the cities of Dallas and Fort Worth during their joint venture to design, build and operate Dallas-Fort Worth Airport (DFW). Prior to the opening of DFW in 1974, most of the carriers then serving DAL agreed to cease operations at DAL and relocate to DFW. This was to ensure the growth and vitality of DFW as well as protect the capital investment of both Dallas and Fort Worth. Southwest Airlines did not sign these agreements and continued to operate at Love Field. Subsequent to the opening of DFW in 1974, Southwest endured protracted litigation aimed at forcing Southwest either to move to DFW or cease operations at DAL. Fortunately for the citizens of Dallas-Fort Worth and the employees of Southwest Airlines, Southwest won the right to remain at DAL and operated as an intrastate carrier until 1978 when the Airline Deregulation Act was enacted. Subsequently, Congress enacted the Wright Amendment, which limited interstate service out of DAL to states that are contiguous with Texas. In 1997, the Shelby Amendment allowed new service out of DAL to Kansas, Mississippi and Alabama. Hence the root of the current litigation and controversy.

The pilots of Southwest Airlines have extensive experience operating in the skies over North Texas and particularly at Love Field. For over 27 years our pilots have operated in and out of DAL with an excellent safety record and no major accidents at the facility. Currently Southwest pilots operate nearly 300 takeoffs and landings each day at DAL. As long time operators and users of the airspace over North Texas, we are very familiar with the airspace use and design.

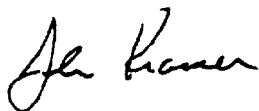
Currently, the Dallas-Fort Worth Terminal Radar Approach Control (TRACON) is operating under a waiver allowing simultaneous operations at DFW Runway 17L and DAL Runway 13L/R. This waiver was necessitated due to the recent construction of the new DFW Runway 17L, which violated the terminal radar separation requirements of 3 miles. As a condition of the waiver, a radar monitor position is mandated to ensure that no aircraft being radar vectored for DAL Runway 13L/R violates the protected waiver airspace. This waiver allows a lateral separation of 2.5 miles. This month we are completing two years of operations under the waiver. To date there have been no transgressions of the protected airspace separating DFW Runway 17L and DAL Runway 13L/R. As a part of the study to determine if this waiver was feasible, a risk assessment was completed and the results to date are consistent with the results of that risk assessment study. We do not believe that increased traffic at DAL with the radar monitor position staffed will place any undue demand on DFW TRACON controllers. In other words, safety has not been compromised, nor do we anticipate any erosion of the safety net with increased traffic at Dallas Love Field.

Approximately one year ago a general aviation aircraft created an in-flight incident for a Southwest aircraft on approach to Runway 31L at DAL by deviating without clearance into the Southwest aircraft flight path. Our crew visually acquired the intruder aircraft and took normal action to avoid a conflict. Per the crew involved, at no time did the Southwest aircraft come within ½ mile lateral separation of the intruder aircraft. While certainly not a normal occurrence, this incident must be viewed as an anomaly, not a systemic problem. When in-flight incident data such as this is normalized and compared to other airports at which we operate around the country, DAL is one of the safest major airports in the nation and the Southwest system.

As you consider the impact of expanded service from Dallas Love Field, we urge the DOT to look at the history of safety performance and rely on the experts in the field to assess any impact on safety. As experienced operators at DAL, we see no degradation in safety with increased traffic as we experience at other airports. As the representative of Southwest Airlines pilots who operate every day at Love Field, if we believed there were a legitimate safety issue with either current or potentially increased levels of service, we would be the first to speak up. We do not believe any legitimate safety issues exist however, with respect to current or reasonably foreseeable levels of operations at Love Field or DFW.

Thank you for the opportunity to submit these comments.

Sincerely,



Captain John Kramer  
President



Captain Carl Kuwitzky  
Chairman – Air Safety