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ALLIED PILOTS ASSOCIATION



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OST-98-4043-16

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BY OVERNIGHT DELIVERY

U.S. Department of Transportation
Room PL-401, Docket OST-98-4043
400 Seventh Street, S.W.
Washington, D.C. 20590

DEPARTMENT OF TRANSPORTATION
93 SEP 14 AM 11:39
DOCKET SECTION

Re: Aviation Data Requirements Review and Modernization Program
Docket No. OST-98-4043; Notice No. 98-18; RIN 2105-AC71
Advance Notice of Proposed Rulemaking

Dear Sir or Madam:

The Allied Pilots Association ("APA"), representing the 9,000 pilots of American Airlines, Inc., submits the following comments in support of the Department's position that its aviation data systems do not provide sufficiently reliable data in some areas to ensure that the Department can fully meet its regulatory and statutory responsibilities and that the Department's aviation data requirements should be reviewed and modernized. Through intermediaries, APA uses the Department's aviation data in enforcing the Scope provisions of its collective bargaining agreement with American Airlines and for other collective bargaining purposes. Therefore, APA proffers the following answers to questions posed by the Department:

A. The T-100 System - Report of Traffic, Capacity, and Statistics

[A-1] *Is there a continuing need to collect T-100/T-100(f) data? Explain the usefulness of these data in **satisfying** your requirements.*

APA firmly believes that there is a continuing need for the Department to collect T-100/T-100(f) data. For example, legislation currently pending in Congress mandates the Department to conduct studies assessing the availability of air transportation services to small communities. Such studies can build upon the foundation created by the existing data collection process, but they also require a consistent and reliable source for data in the future. Moreover, APA itself recently reached an agreement with American Airlines predicated upon the assumption that it would have access to T-100 data to supply needed information.

[A-2] *Is there a way to **modify** or restructure T-100/T-100(f) data to make them more functional?*

APA urges the Department to modify and restructure T-100/T-100(f) data to make the

reporting process both uniform and universal among the air carriers covered by the regulations. In addition, the Department needs to validate the data provided by the carriers and to take measures to enforce current and future regulations requiring the reporting of complete and accurate data. For example, the data now reported may show that a carrier did not fly any hours on a particular segment but may also show large numbers of passengers and revenue for the same carrier on the same segment. The Department must prevent such inconsistencies from arising in the future. In addition, a carrier subject to the reporting requirements because it operates aircraft designed with a maximum capacity of more than 60 seats may violate the Department's regulations by not reporting the required data for the aircraft it operates having fewer than 60 seats. The Department must adopt some mechanism whereby it can ensure that it is receiving complete data. Finally, the data reported to the Department must track joint service operations, such as code-sharing and blocked-space arrangements, which are currently reported only as traffic on the operating carrier.

[A-3] *Are there alternate sources of and/or more efficient modes for delivery of these data to the Department?*

The Department needs to reconfigure its forms for reporting data in order to eliminate overlapping categories while preserving the intent of the current regulations. To accomplish this goal, the Department must first review the data reported and determine whether they reflect the reality of the industry as it has evolved to date.

[A-4] *Should the Department require T-100/T-100(f) data from carriers who exclusively operate aircraft with fewer than 60 seats?*

[A-6] *If yes to A-4. . . , what criteria should be used in setting the data reporting threshold (e.g., aircraft size, air carrier operations, annual operating revenues, revenue passenger enplanements, number of flights, some combination of these specified criteria, or other unspecified criteria)?*

The Department should require T-100/T-100(f) data from carriers operating any aircraft designed with a maximum capacity of more than 30 seats. Under the current 60-seat rule, some very large carriers such as Comair do not report T-100 data. The Department is therefore not receiving information about traffic on an important sector of the new and growing so-called "regional" jet market, which utilizes aircraft such as the ERJ-145 and ERJ-135 with 50 and 37 seats, respectively.

In addition, any carrier with more than 100,000 passengers per year should report T-100/T-100(f) data, regardless of the size of aircraft operated. Similarly, all carriers participating in joint service operations, such as code-sharing and blocked-space arrangements, should report T-100/T-100(f) data, regardless of the size of aircraft operated. Code-sharing is a rapidly growing phenomena. Unless the Department gathers complete and accurate data on this activity, it is quite possible, even likely, that other data gathered by the Department would be meaningless or even misleading.

CA-83 *Should the Department amend T-100 and T-100(f) to require that international data include summary citizenship data (e.g., U.S. or non- U.S.) ?*

The Department should require T-100/T-100(f) data to include summary citizenship data.

B. The Origin and Destination Survey of Airline Passenger Traffic

[B-1] *Is there a continuing need to collect O&D data? Explain the usefulness of these data in satisfying your requirements.*

[B-2] *Is there a way to modify or restructure O&D data to make them more functional?*

[B-3] *Are there alternate sources of and/or more efficient modes for delivery of these data to the Department?*

[B-4] *Should the Department require O&D data from carriers who exclusively operate aircraft with fewer than 60 seats?*

[B-5] *If yes to B-4, what criteria should be used in setting the data reporting threshold (e.g., aircraft size, air carrier operations, annual operating revenues, revenue passenger enplanements, number of flights, some combination of these specified criteria, or other unspecified criteria)?*

APA takes the same positions with respect to these questions as it does to questions A-1 through A-4 and A-6.

[B-6] *Should O&D data be collected for U.S. domestic services and international services of U.S. air carriers only, as is the procedure under the current Survey, or should foreign air carrier international O&D data, involving a U.S. point in the flight itinerary, be required and processed in the Survey?*

For foreign air carriers, the Department should collect international O&D data involving a U.S. point in the flight itinerary in order to accurately determine market share for all carriers. In addition reports from foreign carriers should include data regarding passengers they carry through code-sharing arrangements with U.S. carriers. There is no other way this information can be obtained. Monitoring this activity will provide the Department with better information and improve the Department's ability to enter bilateral negotiations armed with all relevant information. It would also enable the Department to monitor carrier compliance with any restrictions imposed by the Department in granting antitrust immunity. U.S. carriers should report similar information regarding the passengers they carry under the code of a foreign carrier.

[B-7] *If it is determined that foreign air carrier international O&D data should be required and processed in the Survey, should those carriers be required to submit information on the full*

flight itineraries or only on those flight segments to/from the US., or some combination thereof/

The Department should require foreign air carriers to submit international O&D data on the MI flight itineraries because through and beyond traffic flow is extremely important in determining the economic impact of foreign carrier service.

[B-8] Should there be confidentiality restrictions imposed for access to international data included in the Survey, and if so, what should be the degree and duration of such access restrictions?

The Department should link confidentiality restrictions to the receipt of reciprocal information from the countries of the foreign carriers.

[B-9] What should be the time-frame for submission to the Department - weekly, monthly, or quarterly?

Carriers should submit O&D data on a monthly basis. The reporting time lags under current regulations have rendered the usefulness of the data somewhat questionable.

C. Form 41, Uniform System of Accounts and Reports of Financial and Operating Statistics for Large Certificated Air Carriers

*[C-1] Is there a continuing need to collect Form 41 data? Explain the usefulness of these data in **satisfying** your requirements.*

*[C-2] Is there a way to **modify** [or] restructure Form 41 data to make them more functional?*

*[C-3] Are there alternate sources of **and/or** more **efficient** modes for delivery of these data to the Department?*

APA takes the same positions with respect to these questions as it does to questions A-1 through A-3 and B-1 through B-3.

Sincerely yours,



Captain Richard T. LaVoy
President