

EX PARTE OR LATE FILED



AIRCRAFT OWNERS AND PILOTS ASSOCIATION
421 Aviation Way • Frederick, Maryland 21701-4798
Telephone (301) 695-2000 • FAX (301) 695-2375

DOCKET FILE COPY ORIGINAL

October 26, 1993

93-199

RECEIVED

OCT 29 1993

FCC MAIL ROOM

Federal Communications Commission
Office of the Secretary
1919 M Street NW
Washington, DC 20554

Re: PR Docket No. 93-331:
Implementing Technical Requirements
Applicable to ILS and VOR Receivers
Adopted by the ICAO

To the Commission:

In reviewing the comments to PR Docket No. 93-331, it is obvious that there are valid legal, technical, and economic questions which are not addressed in the proposed rule.

We agree with Honeywell, Inc., in questioning the Commissions authority to impose technical standards on aviation receivers. It is apparent that the Federal Communications Commission's (FCC) legal jurisdiction over the technical specifications for avionics equipment operated in the United States is limited by Congress. The Federal Aviation Administration (FAA) regulations and Technical Standard Orders already protect VOR and ILS localizer receiver performance and the FAA, not the FCC, is the appropriate federal entity to promulgate and administer all technical requirements for these receivers.

If this rule were to go into effect Avionics manufacturers themselves have stated that they cannot build the units within the time frame outlined in the docket. The necessary technical development, testing, and FAA approval process makes compliance within the proposed time frame outlined in the rule virtually impossible.

In addition, the proposed standards would still not prevent high power FM broadcasts stations operating in the upper FM band width from interfering with new receivers operating in the lower aeronautical band width. The FCC could prevent many of these problems if it reassigned high power FM broadcast stations frequencies only in the lower region of the FM Broadcast Spectrum.

No. of Copies rec'd 012
List ABCDE

PR Docket No. 93-331
Page 2
October 26, 1993

The bulk of complaints from the broadcasting community are directed at the way the FAA administers its regulations concerning Electromagnetic Interference. They believe that the FAA's Airspace Analysis Model (AAM-1) should be based on a scientifically based standard instead of empirical data gathered from measurements made on actual production receiver equipment. They also believe that the FAA is arbitrary and heavy handed in its evaluation of FM broadcast tower requests. Changing the technical standards for VOR and ILS receivers is not going to address these concerns, nor will it rectify the perceived inadequacies that the broadcast industry outlines in their comments.

Finally, the advent of GPS as a sole means navigation system will eventually make the ILS/VOR system a secondary or redundant system. This system may ultimately be phased out with those frequencies being utilized for other aeronautical navigation and communication purposes. Therefore, it is absurd to require the entire general aviation fleet to spend millions of dollars to upgrade to equipment that they not want, or need, and that will become obsolete in a matter of years.

General Aviation's 200,000 aircraft represent 97 percent of the entire U.S. civilian aircraft fleet and fly 30 million flight hours a year into more than 17,000 U.S. landing facilities. This proposed rule would place an unacceptable and unnecessary financial burden on an industry already struggling under the weight of burgeoning regulation. AOPA insists that the FCC withdraw the proposed rule and that the responsibility for any future proposal on this issue rest with the FAA.

Sincerely,

Melissa Bailey

For Douglas S. Helton
Vice President
Regulatory Policy