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Comments on the Notice of Proposed Rulemaking published at 78 Fed. Reg. 6276 (January 30, 2013).

The Aircraft Electronics Association (AEA) appreciates the opportunity to comment on the recent Notice of Proposed Rulemaking (NPRM) on Aviation Communications, as published for public comment at 78 Fed. Reg. 6276 (January 30, 2013).

The Association represents more than 1300 aviation businesses worldwide, including repair stations that specialize in maintenance, repair and installation of avionics and electronic systems in general aviation aircraft. AEA membership also includes instrument facilities, manufacturers of avionics equipment, instrument manufacturers, airframe manufacturers, test equipment manufacturers, major distributors, and educational institutions.

The NPRM is quite confusing and inaccurate in its depiction of Emergency Locator Transmitters. For the sake of clarification in our comments, where the Commission refers to 121 MHz ELTs, we will refer to the legacy Technical Standard Order (TSO) C91a, and where the Commission refers to 406 MHz ELTs, we will refer to the more modern TSO of C-126.

In general the AEA supports the enhanced safety that C126 ELTs provide over C-91a. As such we support shutting down the pipeline for future C91a ELTs. The Association supports the Commission's proposal to no longer approve the importation or manufacturing of legacy C-91a ELTs.

The Association DOES NOT support the Commission's proposal to prohibit the sale of TSO C-91a ELTs. Also, the AEA also DOES NOT support the retroactive decertification of existing TSO C-91/C91a ELTs.

The Federal Aviation Administration has been delegated the responsibility for aviation safety including the requirement for emergency locator transmitters. Title 14 of the Code of Federal Regulations (CFR) requires that there is an approved automatic type emergency locator transmitter attached to the airplane (§ 91.207 Emergency locator

AEA Comments to Aviation Communications

transmitters.) The regulation further states that if an article is required to be approved under the Federal Aviation Regulations, it may be approved under a TSO. (§ 21.8 Approval of articles) TSO C-91a ELTs are produced to a government standard (FAA-TSO) – the Association does not believe it is within the jurisdiction of the FCC to simply negate another Agency’s standard.

The FAA currently holds two Technical Standard Orders (TSOs) for Emergency Locator Transmitters: TSO C-91a and TSO C-126. As such, either product has been deemed by the FAA as an acceptable means of compliance to 14 CFR 91.207

AEA does not support the mandatory replacement of C-91a ELTs. With NextGen on the horizon, General Aviation would be better served with avionics upgrades rather than ELT upgrades with their limited resources.

In closing, the Aircraft Electronics Association generally supports the intent to modernize the resources necessary to improve search and rescue. We do support the cessation of further FCC approvals for the importation and manufacturing of legacy C-91a ELTs. However, we do not support the prohibition of sale of existing ELTs nor the prohibition of use of the existing C-91a ELTs. We consider the prohibition to use existing C-91a approved ELTs to be a retroactive decertification of an FAA approved article.

The Aircraft Electronics Association appreciates the opportunity to comment on this proposed regulation and the opportunity to propose these safety-enhancing additional changes. Should you have any questions, please do not hesitate to contact us at (202) 589-1144 or e-mail at: ricp@aea.net.

Sincerely,



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