

explained why it is ill-advised to increase the number of peak-hour arrival authorizations in the context of extending the voluntary scheduling reduction order.⁴ The City cites several recent operational changes at O'Hare to support an upward change in the prescribed hourly limits. In the order in which the City raises them: (1) The implementation of runway usage Hybrid Plan B; (2) implementation of Domestic Reduced Vertical Separation Minima (DRVSM) between Flight Levels 290 and 410; (3) reclassification of certain MD-80-series aircraft that would enable their use of land and hold short operations (LAHSO) procedures at O'Hare under additional runway configurations; and (4) new Category II/III approaches to Runways 27 Left and 27 Right.

Our analysis indicates that the average airport acceptance rate has not materially changed since the FAA addressed the City's similar arguments to increase the hourly limits in March 2005. In the case of the MD-80 LAHSO-related changes, which are also integral to Hybrid Plan B, there has not been any significant increase in the use of the permitted LAHSO procedures by air carriers to date, so potential capacity gains have not materialized. Although we are optimistic that those gains will materialize in the future, it is premature at this time to base an operational increase on those projections. DVRSM has increased high altitude flight options and the operational flexibility of the system, as the City notes. While en route capacity is important, the constraints at O'Hare are primarily driven by terminal airspace and runway limits. The ability to conduct Category II/III approaches on Runways 27 Left and 27 Right reduces overall aircraft delay and the number of flight cancellations experienced at O'Hare during inclement or poor weather conditions. At present, however, the FAA must continue to monitor the effect of these operational initiatives to assess their practical effect on scheduling limits.

With regard to the ten arrival authorizations previously operated by Independence Air, the FAA explained in the March 13 show cause order why those arrival authorizations are not excess capacity. Independence Air ceased all operations on January 6, and because arrival authorizations cannot be sold, leased, or transferred except on a one-for-one basis under the August 2004 order,⁵ they have been dormant since

that date. The FAA does not consider the Independence Air arrival authorizations to be excess capacity, because when negotiating schedule reductions in anticipation of the August 2004 order, the FAA had to allocate arrival authorizations in some peak afternoon and evening hours at levels that exceed the peak-hour target of eighty-eight scheduled arrivals per hour. The Independence Air arrival authorizations, particularly in the peak afternoon and evening hours, if unused, would help to offset these periods of continued scheduling over the operational target.

Despite the fact that some peak afternoon and evening hours continue to exceed our preferred scheduling limits, the City and the Airports Council International—North America assert that the FAA should reallocate Independence Air's arrival authorizations to other air carriers. However, the August 2004 order does not contain a usage requirement that would require Independence Air or any other air carrier to surrender any arrival authorization after a period of non-use.⁶ In addition, the August 2004 order lacks an agreed upon reallocation mechanism for any arrival authorization that might be voluntarily surrendered. By contrast, the pending rulemaking to reduce congestion and delay at O'Hare includes proposed use-or-lose standards and allocation procedures that, if adopted, could permit the allocation of unused and underutilized arrivals.

Therefore, in order to permit the FAA the flexibility to recover unused arrival authorizations and to reallocate them if appropriate, the FAA reserves the right to terminate the August 2004 order before October 28, 2006, to coincide with an earlier date on which the final rule might take effect. At the same time, the FAA is cognizant of the scheduling practicalities and seasonal scheduling changes that are endemic to air carrier operations, and in considering whether to terminate early the August 2004 order, the FAA will primarily consider the potential operational burden such a decision might have.

The City also asks the FAA to modify the August 2004 order to forgo all limitations on international operations at O'Hare. The City previously raised this issue at several junctures in this docket, and the FAA addressed the matter in detail when extending the August 2004 order in March 2005.⁷ The City also filed similar comments in the public docket associated with the related rulemaking proceeding, which is

a forum more suited to addressing the policy questions that the City raises. Because the present proceeding is limited to the contemplated short-term extension of the August 2004 order, and because the FAA will address the merits of the City's comments in the rulemaking process, the FAA declines to alter the August 2004 order as the City requests at this time.

Conclusion

The FAA proposed to extend the August 2004 order through October 28, 2006, on the basis of its tentative finding that such an extension is necessary to prevent a recurrence of overscheduling at O'Hare. After considering the responses, the FAA has determined to make this finding final and to extend the order through October 28, 2006, reserving the right to terminate the August 2004 order earlier if a final rule on congestion and delay reduction at O'Hare takes effect before October 28, 2006.

Accordingly, with respect to scheduled flight operations at O'Hare, it is ordered that:

1. Ordering paragraph seven of the FAA's August 18, 2004, order limiting scheduled operations at O'Hare International Airport is amended to state that the order shall expire at 9 p.m. on October 28, 2006, unless earlier terminated by the Administrator.

Issued in Washington, DC, on March 27, 2006.

Joseph A. Conte,

Acting Assistant Chief Counsel, Regulations Division.

[FR Doc. 06-3113 Filed 3-28-06; 11:20 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-2006-08]

Petitions for Exemption; Summary of Petitions Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains a summary of certain petitions seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities.

⁴ Mar. 21, 2005, Order at 5-8.

⁵ Aug. 18, 2004, Order at 43-44 (ordering paragraph six).

⁶ Aug. 18, 2004, Order at 35-36.

⁷ Mar. 21, 2005, Order at 9-10.

Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before April 20, 2006.

ADDRESSES: You may submit comments identified by DOT DMS Docket Number FAA-2006-24203 by any of the following methods:

- *Web site:* <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic docket site.

- *Fax:* 1-202-493-2251.
- *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001.
- *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Docket: For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

FOR FURTHER INFORMATION CONTACT: Susan Lender (202) 267-8029 or John Linsenmeyer (202) 267-5174, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85 and 11.91.

Issued in Washington, DC, on March 27, 2006.

Anthony F. Fazio,

Director, Office of Rulemaking.

Petitions For Exemption

Docket No.: FAA-2006-24203.

Petitioner: AFT Group d/b/a Southwest Airframe.

Section of 14 CFR Affected: 14 CFR 145.109(d).

Description of Relief Sought: This exemption, if granted, would exempt the AFT Group from the requirement to maintain a library of data under 14 CFR 145.109(d). The AFT Group performs work at customers' facilities and has access to appropriate data that has been maintained current by the customer and

that is made available to AFT Group for AFT Group's use on a particular project.

[FR Doc. E6-4724 Filed 3-30-06; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Executive Committee of the Aviation Rulemaking Advisory Committee; Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of the Executive Committee of the Aviation Rulemaking Advisory Committee.

DATES: The meeting will be on May 17, 2006, at 10 a.m.

ADDRESS: The meeting will take place at the Federal Aviation Administration, 700 Independence Avenue, SW., Washington, DC 20591, 4th floor, Southeast Town Center Suite.

FOR FURTHER INFORMATION CONTACT:

Gerri Robinson, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-9678; fax (202) 267-5075; e-mail Gerri.Robinson@faa.gov.

SUPPLEMENTARY INFORMATION: Under section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. 2), we are giving notice of a meeting of the Executive Committee of the Aviation Rulemaking Advisory Committee taking place on November 9, 2005, at the Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591. The agenda includes:

- ISO Feedback.
- Future of ARAC.
- Presentation.
- Nominations to the vacant "Assistant Chair" positions.
- Issue Area Status Reports from Assistant Chairs.
- Remarks from other EXCOM members.

Attendance is open to the interested public but limited to the space available. The FAA will arrange teleconference service for individuals wishing to join in by teleconference if we receive notice by May 5. Arrangements to participate by teleconference can be made by contacting the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Callers outside the Washington metropolitan area are responsible for paying long-distance charges.

The public must arrange by May 5 to present oral statements at the meeting. The public may present written statements to the executive committee by providing 25 copies to the Executive Director, or by bringing the copies to the meeting.

If you are in need of assistance or require a reasonable accommodation for this meeting, please contact the person listed under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Washington, DC, March 28, 2006.

Anthony F. Fazio,

Executive Director, Aviation Rulemaking Advisory Committee.

[FR Doc. E6-4714 Filed 3-30-06; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RTCA Special Committee 205/ EUROCAE Working Group 71: Software Considerations in Aeronautical Systems Second Joint Plenary Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of RTCA Special Committee 205/EUROCAE Working Group 71 meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of RTCA Special Committee 205/ EUROCAE Working Group 71: Software Considerations in Aeronautical Systems.

DATES: The meeting will be held April 24-28, 2006 starting at 8:30 a.m.

ADDRESSES: The meeting will be held at The Boeing Company, 3855 Lakewood Blvd, Long Beach, California 90808.

FOR FURTHER INFORMATION CONTACT:

RTCA Secretariat, 1828 L Street, NW., Suite 805, Washington, DC 20036; telephone (202) 833-9339; fax (202) 833-9434; Web site <http://www.rtca.org>.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., Appendix 2), notice is hereby given for a Special Committee 205/EUROCAE Working Group 71 meeting.

Note: On arrival at Boeing please have photo identification available (either a passport, a drivers license bearing a photograph or an identity card) to assist in your badge being issued.

- April 24:
- Sub-group Meetings—Times per sub-group leaders
- New Member Orientation