

April 1, 2013

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW., Room CY-B402  
Washington, DC 20554

Re: WT Docket No. 01-289, Aviation Communications

The National Business Aviation Association (NBAA) represents the aviation interests of over 9,000 Member companies that use business aircraft to support their company travel needs. We appreciate the opportunity to offer these comments to the FCC's Third FNRPM.

The Emergency Locator Transmitters (ELTs) installed in some of the aircraft operated by NBAA Members have been upgraded to those capable of transmitting on 406 MHz. These upgrades have mainly occurred because International Civil Aviation Organization (ICAO) Standards and Recommended Practices specify that aircraft operated internationally be equipped with a 406 MHz ELT. In many cases, operators of these aircraft are flying to locations outside of the United States and/or are operating the aircraft en route over remote locations and/or large bodies of water so the benefits of the technology, such as more accurate position locating in the event of an accident which leads to reduced search and rescue response times becomes a very tangible benefit to the operator, thus supporting the decision to upgrade the ELT.

However, a significant number of business aviation aircraft are operated solely within the United States where there is good radar and communications coverage with air traffic control to provide timely notification of an emergency situation. The operations are not impacted by the ICAO Standards and Recommended Practices that require a 406 MHz ELT and would be adversely affected by the FCC's proposal if it were to move forward.

NBAA Members, many of whom qualify as small entities per the FCC's definition, have indicated a strong desire to make equipment upgrades when the cost-benefit analysis for the operator makes financial sense. While there are benefits to the 406 MHz ELT technology when compared to the 121.5 MHz ELT technology, the upgrade costs are significant while the benefits potentially very small with the reliability of aircraft in service today.

NBAA recommends that the FCC grandfather the use of 121.5 MHz ELTs indefinitely so that the equipment in service may be used to the end of its useful life without unnecessarily grounding aircraft that would otherwise be airworthy in accordance with Federal Aviation Regulations. This approach lets operators make the decision to upgrade the ELT on their aircraft when the benefits of having a 406 MHz ELT are greater than or in line with the cost of the upgrade.

Thank you for the opportunity to submit these comments. Please contact me if we can provide any additional information.

Sincerely,



Douglas Carr  
Vice President, Safety, Security, Operations & Regulation