

applicant. Note 2 of that paragraph states:

An applicant may determine that protection is not required for one or more of these areas or components. If so, the applicant should include supporting data and rationale in the analyses for allowing those areas or components to go unprotected. The applicant should show that the lack of protection does not adversely affect the handling characteristics or performance of the airplane. If there is uncertainty about the effects of the lack of protection, the effects should be determined by flight test demonstration.

Several questions regarding the meaning of this note have been raised. Several applicants have erroneously thought this note allowed adequate analysis and testing to preclude the requirement for flight test demonstrations. However, 14 CFR 25.1419(b) at amendment level 25-72 requires flight testing in natural icing conditions as a means to verify the analyses required by paragraph (a) to check for icing anomalies, and to demonstrate that the ice protection system and its components are effective. Guidance material may not supersede the rule and, therefore, Note 2 does not preclude the need for flight testing in natural icing conditions.

As part of a new type certification program, flight in natural icing conditions is required to show compliance with § 25.1419(b). In addition to flight in natural icing conditions, additional wind tunnel, laboratory, and other flight tests may be required to verify the analyses required by § 25.1419(a). However, under some circumstances, flight test data acquired on a previous certification program may be found to be applicable to a new or modified airplane (such a derivative model). To use the previous flight test data, the applicant is required to provide supporting data and rationale that show:

- a. The original flight test data is applicable (similarity)
- b. The applicant possesses the flight test data
- c. The new or modified configuration is safe for flight in icing conditions.

Because of the erroneous interpretations, the following clarification is provided.

Proposed Revision to AC 25.1419-1

Replace the existing Note 2, paragraph 3a, with the following:

Note 2: An applicant may determine that protection is not required for one or more of these areas or components. If so, the applicant should include supporting data and rationale in the analyses for allowing

those areas or components to go unprotected. The applicant should show that the lack of protection does not adversely affect the handling characteristics or performance of the airplane. Section 25.1419(b) of part 25 at amendment level 25-72 requires certain flight testing. However, flight test data from previous certification programs may be used to show partial compliance with § 25.1419(b) if it can be shown that the data is applicable to the airplane in question. This would generally require a similarity analysis. If a similarity analysis is used, the guidelines of paragraph 3(f) of this AC are applicable. If there is uncertainty about the effects of the lack of protection, or the similarity analysis, the manufacturer should conduct flight test demonstrations.

Issued in Renton, Washington, on May 12, 2003.

Ali Bahrami,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 03-13049 Filed 5-22-03; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application 03-05-C-00-LEB To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Lebanon Municipal Airport, Lebanon, NH

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Lebanon Municipal Airport under the provisions of the 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before June 23, 2003.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Ms. Priscilla Scott, PFC Program Manager, Federal Aviation Administration, Airports Division, 12 New England Executive Park, Burlington, Massachusetts 01803.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Timothy J. Edwards, Airport Manager of the Lebanon Municipal Airport at the following address: 5 Airpark Road, West Lebanon, New Hampshire 03784.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the City of

Lebanon under section 158.23 of part 158.

FOR FURTHER INFORMATION CONTACT: Priscilla Scott, PFC Program Manager, Federal Aviation Administration, Airports Division, 12 New England Executive Park, Burlington, Massachusetts 01803, (781) 238-7614. The application may be reviewed in person at 16 New England Executive Park, Burlington, Massachusetts.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Lebanon Municipal Airport under the provisions of the 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

On May 12, 2003, the FAA determined that the application to impose and use the revenue from a PFC submitted by City of Lebanon was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than August 12, 2003.

The following is a brief overview of the application.

Proposed charge effective date: October 1, 2003.

Proposed charge expiration date: April 1, 2006.

Level of the proposed PFC: \$4.50.

Total estimated PFC revenue: \$63,774.

Brief description of proposed project(s):

Purchase Snow Removal Equipment (Loader)

Hazard Beacon Winch Acquisition

Security System Upgrade

Environmental Assessment

Purchase Snow Removal Equipment (Plow Truck)

Airport Terminal Building Renovations
PFC Administration

Class or classes of air carriers, which the public agency has requested, not be required to collect PFCs: ATCO—Nonscheduled/On-Demand Air Carriers.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the City of Lebanon, Lebanon Municipal Airport.

Issued in Burlington, Massachusetts on May 13, 2003.

Vincent A. Scarano,

Manager, Airports Division, New England Region.

[FR Doc. 03-13050 Filed 5-22-03; 8:45 am]

BILLING CODE 4910-13-M