

exempt the private purchaser or lessee from the requirement to use all airport revenues for airport-related purposes, to the extent necessary to permit the purchaser or lessee to earn compensation from the operations of the airport. (No air carrier approval is necessary for the latter exemption.)

On September 16, 1997, the FAA issued a notice of procedures to be used in applications for exemption under Airport Privatization Pilot Program (62 FR 48693). The notice of procedures and its public comments are available for review in FAA Rules Docket No. 28895.

On March 2, 2000, the Orleans Levee District submitted a preliminary application for participation of the New Orleans Lakefront Airport in the Airport Privatization Pilot Program. On May 17, 2000, the FAA informed the Orleans Levee District that additional information was needed in order for the FAA to accept the application for further review. The Orleans Levee District submitted all information, previously requested by the FAA. The filing date of the Orleans Levee District preliminary application was January 19, 2001, the date the FAA received a completed preliminary application.

On March 8, 2001, the FAA informed the Orleans Levee District that it had accepted New Orleans Lakefront Airport's preliminary application for further review. This action permitted the Orleans Levee District to select a private operator, negotiate an agreement and submit a final application to the FAA for exemption. On April 23, 2002, the Orleans Levee District filed a final application.

In its final application, the Orleans Levee District requested an exemption under 49 U.S.C. 47134(b)(1) from 49 U.S.C. 47107(b) and 47133, to permit the Orleans Levee District to use revenue from the lease of airport property for non-airport purposes; under 49 U.S.C. 47134(b)(2) to forgo the repayment of Federal grants; 49 U.S.C. 47134(b)(1); and under 49 U.S.C. 47134(b)(3) and to allow American Airports Lakefront, LLC to earn compensation from the operation of the airport.

In accordance with the final application, American Airports Lakefront, LLC will operate the airport under a 50-year lease and pay the Orleans Levee District \$300,000 in annual rental payments for the first three years. In the fourth year, American Airports Lakefront, LLC will pay \$300,000 in annual rental payments or 11 percent of the airport's gross income not to exceed \$3,000,000 plus 30 percent of the airport's gross income over \$3,000,000.

On July 2, 2002, in an effort to clarify certain parts of the application, FAA staff requested responses to 26 questions. Three of the questions posed to the American Airports Lakefront, LLC required it to utilize confidential business or financial information in its response. In accordance with the airport privatization pilot program application procedures, 62 FR 48693, 48706 (September 16, 1997), the private operator has requested confidential treatment of this information. As a result, the responses to those three questions have been withheld and will not be available for public comment. Copies of the 26 questions and the 23 responses available for public view and comment are included in the sponsor's application for public review.

On November 7, 2002, the FAA requested responses to four additional questions. The questions and the responses are included in the docket for public review.

The FAA has determined that the application is substantially complete. As part of its review of the final application, the FAA will consider all comments and information submitted by interested parties during the 60-day comment period for this notice.

Issued in Washington, DC, on January 13, 2003.

**David L. Bennett,**

*Director, Airport Safety and Standards.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### [Summary Notice No. PE-2003-01]

#### Petition for Exemption; Summary of Petition Received

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petition 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 a certain petition 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. 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 February 5, 2003.

**ADDRESSES:** Send comments on the petition to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2001-9080 at the beginning of your comments. If you wish to receive confirmation that the FAA received your comments, include a self-addressed, stamped postcard.

You may also submit comments through the Internet to <http://dms.dot.gov>. You may review the public docket containing the petition, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Dockets Office (telephone 1-800-647-5527) is on the plaza level of the NASSIF Building at the Department of Transportation at the above address. Also, you may review public dockets on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Vanessa Wilkins (202 267-8029), 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 January 9, 2003.

**Donald P. Byrne,**

*Assistant Chief Counsel for Regulations.*

#### Petitions for Exemption

*Docket No.:* FAA-2001-9080.

*Petitioner:* BNJ Company LLC (BNJ), doing business as Boeing NetJets .

*Section of 14 CFR Affected:* 14 CFR 43.3(a) and (f), 43.7(a) and (e), and 121.379.

*Description of Relief Sought:* To allow BNJ to use qualified part 121 air carrier certificate holders to perform maintenance, inspections, and return-to-service approvals on all Boeing 737-700 IGW Boeing Business Jet aircraft included in the BNJ-managed fractional ownership program.

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