

**DEPARTMENT OF TRANSPORTATION****Office of the Secretary****Aviation Proceedings, Agreements  
Filed the Week Ending June 4, 2004**

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (formerly Subpart Q) during the Week Ending June 4, 2004. The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* OST-2004-18002.

*Date Filed:* June 2, 2004.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* June 23, 2004.

*Description:* Application of America West Airlines, Inc., requesting an experimental certificate of public convenience and necessity to engage in foreign air transportation of persons, property, and mail between Phoenix, AZ and the following eight points in Mexico: Cabo San Lucas, Puerto Vallarta, Cancun, Mexico City, Mazatlan, Acapulco, Ixtapa, and Manzanillo.

**Andrea Jenkins,**

*Program Manager, Docket Operations,  
Federal Register Liaison, (202) 366-0271.*

[FR Doc. 04-13716 Filed 6-16-04; 8:45 am]

**BILLING CODE 4910-62-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Policy Letter on the Use of Non-Original Equipment Manufacturers' Components in Certified Aviation Obstruction/Antenna Structure Lighting Systems**

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

**ACTION:** Notice of policy.

**SUMMARY:** The FAA has recently learned of a situation that may degrade aviation safety. The United States has approximately 44,375-antenna

structures registered requiring lighting and/or marking. Antenna structures from 200 feet to 500 feet tall number approximately 40,000, and broadcast type antenna structures from 501 feet to 2,000 feet tall number approximately 4,375. All of these structures are subject to maintenance. In some cases, during antenna structure lighting maintenance certified lighting systems are being modified by replacing internal components with untested non-original equipment manufacturers' (non-OEM) parts. Strobe light manufacturers have reported through replacement lamp tracking that at least 8,000 antenna structures in the 200-foot to 500-foot category have untested and unverified lamps in current operation. All obstruction lighting system manufacturers have indicated a similar problem in regard to replacement of critical components through their warranty programs. Original equipment is certified under Advisory Circular 150/5345-53B, the Airport Lighting Equipment Certification Program (ALECP), which ensures the safety of United States airspace by third party laboratory testing of lighting systems and compliance with the requirements of AC 150/5345-43E, Specification of Obstruction Lighting Equipment. AC 150/5345-43E is, by reference, included in Title 47 CFR § 17.23. Production testing and compliance by certified OEM's of obstruction lighting systems and components is a requirement of ALECP. Manufacturers of systems not certified in accordance with AC 150/5345-53B cannot guarantee the compliance of their products or components. Through discussions with obstruction lighting maintenance companies, it is apparent that some antenna structure owners are unaware of these potential violations of Title 47 CFR § 17.23. However, antenna structure owners must keep a record of lighting inspections, which include the date, time, and nature of adjustments, repairs, or replacements made (Title 47 CFR § 17.49(d)). The only way to ensure compliance with AC 150/5345-43E is to utilize original equipment manufacturers' parts or their authorized parts providers. It is FAA policy that aviation obstruction lighting systems that have been serviced using non-original equipment manufacturers' parts are no longer in compliance with FAA specifications of FCC regulations. To ensure United States air navigation safety, this notice is being issued to alert owners of registered antenna structures of required maintenance procedures.

**FOR FURTHER INFORMATION CONTACT:** Rick Marinelli, Manager, Airport Engineering

Division (AAS-100), Federal Aviation Administration, 800 Independence Ave, SW., Washington, DC 20591; telephone (202) 267-7669.

Issued in Washington, DC on June 8, 2004.

**David L. Bennet,**

*Director of Airport Safety and Standards.*

[FR Doc. 04-13718 Filed 6-16-04; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Proposed Technical Standard Order (TSO)-C164, Night Vision Goggles**

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

**ACTION:** Notice of availability and requests for public comment.

**SUMMARY:** This notice announces the availability of and requests comments on a proposed Technical Standard Order (TSO) C-164, Night Vision Goggles. This proposed TSO tells persons seeking a TSO authorization or letter of design approval what minimum performance standards (MPS) their Night Vision Goggles must meet to be identified with the applicable TSO marking.

**DATES:** Comments must be received on or before July 19, 2004.

**ADDRESSES:** Send all comments on the proposed technical standard order to: Federal Aviation Administration (FAA), Aircraft Certification Service, Aircraft Engineering Division, Avionic Systems Branch, AIR-130, 800 Independence Avenue, SW., Washington, DC 20591. ATTN: Mr. Richard Jennings. Or deliver comments to: Federal Aviation Administration, Room 815, 800 Independence Avenue, SW., Washington, DC 20591.

**FOR FURTHER INFORMATION CONTACT:** Mr. Richard Jennings, Federal Aviation Administration, c/o Atlanta Aircraft Certification Office, 1895 Phoenix Blvd., Suite 450, Atlanta, GA 30349. Telephone (770) 703-6090, FAX: (770) 703-6055.

**SUPPLEMENTARY INFORMATION:****Comments Invited**

Interested persons are invited to comment on the proposed TSO listed in this notice by submitting such written data, views, or arguments as they desire to the above specified address. Comments received on the proposed TSO may be examined, before and after the comment closing date, in Room 815, FAA Headquarters Building, 800 Independence Avenue, SW.,