

Bureau of Transportation Statistics (BTS), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for reinstatement of an expired approved collection. The ICR describes the nature of the information collection and its expected burden. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on January 27, 2011 (76 FR 4992). The Bureau of Economic Analysis at the Department of Commerce submitted comments in support of the continuation of the data collection.

**DATES:** Written comments should be submitted by April 26, 2012.

**FOR FURTHER INFORMATION CONTACT:** Jeff Gorham, Office of Airline Information, RTS-42, Room E34-414, RITA, BTS, 1200 New Jersey Avenue SE., Washington, DC 20590-0001, Telephone Number (202) 366-4406, Fax Number (202) 366-3383 or email [jeff.gorham@dot.gov](mailto:jeff.gorham@dot.gov).

*Comments:* Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street NW., Washington, DC 20503, Attention: RITA/BTS Desk Officer.

**SUPPLEMENTARY INFORMATION:**

**OMB Approval No. 2138-0013**

*Title:* Report of Financial and Operating Statistics for Large Certificated Air Carriers.

*Form No.:* BTS Form 41.

*Type Of Review:* Reinstatement of an expired approved collection.

*Respondents:* Large certificated air carriers.

*Number of Respondents:* 76.

*Estimated Time per Response:* 4 hours per schedule, an average carrier may submit 90 schedules in one year.

*Total Annual Burden:* 27,360 hours.

*Needs and Uses:* Program uses for Form 41 data are as follows:

**Mail Rates**

The Department of Transportation sets and updates mainline Alaska mail rates based on carrier aircraft operating expense, traffic and operational data. Form 41 cost data, especially fuel costs, terminal expenses, and line haul expenses are used in arriving at rate levels. DOT revises the established rates based on the percentage of unit cost

changes in the carriers' operations. These updating procedures have resulted in the carriers receiving rates of compensation that more closely parallel their costs of providing mail service and contribute to the carriers' ability to continue providing service.

**Submission of U.S. Carrier Data to ICAO**

As a party to the Convention on International Civil Aviation, the United States is obligated to provide the International Civil Aviation Organization with financial and statistical data on operations of U.S. air carriers. Over 99 percent of the data filed with ICAO is extracted from the carriers' Form 41 reports.

**Carrier Fitness**

Fitness determinations are made for both new entrants and established U.S. carriers proposing a substantial change in operations. A portion of these applications consists of an operating plan for the first year (14 CFR part 204) and an associated projection of revenues and expenses. The carrier's operating costs, included in these projections, are compared against the cost data in Form 41 for a carrier or carriers with the same aircraft type and similar operating characteristics. Such a review validates the reasonableness of the carrier's operating plan.

Form 41 reports, particularly balance sheet reports and cash flow statements, play a major role in the identification of vulnerable carriers. Data comparisons are made between current and past periods in order to assess the current financial position of the carrier. Financial trend lines are extended into the future to analyze the continued viability of the carrier. DOT reviews three areas of a carrier's operation: (1) The qualifications of its management team, (2) its disposition to comply with laws and regulations, and (3) its financial posture. DOT must determine whether or not a carrier has sufficient financial resources to conduct its operations without imposing undue risk on the traveling public. Moreover, once a carrier is operating, DOT is required to monitor its continuing fitness.

Senior DOT officials must be kept fully informed as to all current and developing economic issues affecting the airline industry. In preparing financial conditions reports or status reports on a particular airline, financial and traffic data are analyzed. Briefing papers may use the same information.

**Pending Rulemaking**

On July 15, 2011, the Department published a Notice of Proposed

Rulemaking (NPRM) proposing to collect certain Form 41 revenue information on airline-imposed fees in a more detailed manner (see 76 FR 41726). Many air carriers have adopted *a la carte* pricing with separate fees for certain optional services that use to be included in the ticket price. Carriers currently report excess baggage fees, reservation cancellation fees and miscellaneous operating revenues. The proposed rule would require carriers to report, (1) itinerary related fees, (2) seating assignment fees, (3) baggage fees broken down between first and second checked bags, carry-on bags and other bags, (4) unaccompanied minor/passenger assistance fees, and (5) other fees. The Department wants to make airline pricing more transparent to consumers and airline analysts.

**Administrative Issues**

The Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note) requires a statistical agency to clearly identify information it collects for non-statistical purposes. BTS hereby notifies the respondents and the public that BTS uses the information it collects under this OMB approval for non-statistical purposes including, but not limited to, publication of both Respondent's identity and its data, submission of the information to agencies outside BTS for review, analysis and possible use in regulatory and other administrative matters.

Issued in Washington, DC on March 20, 2012.

**Patricia Hu,**

*Director, Bureau of Transportation Statistics, Research and Innovative Technology Administration.*

[FR Doc. 2012-7300 Filed 3-26-12; 8:45 am]

**BILLING CODE 4910-HY-P**

**DEPARTMENT OF TRANSPORTATION**

**Research & Innovative Technology Administration**

[Docket ID Number RITA 2008-0002]

**Agency Information Collection; Activity Under OMB Review; Report of Passengers Denied Confirmed Space—BTS Form 251**

**AGENCY:** Research & Innovative Technology Administration (RITA), Bureau of Transportation Statistics (BTS), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, Public Law 104-13, the Bureau of

Transportation Statistics invites the general public, industry and other governmental parties to comment on the continuing need for and usefulness of BTS collecting reports on the number of passengers holding confirmed reservations that voluntarily or involuntarily give up their seats when the airline oversells the flight. Comments are requested concerning whether (a) the collection is still needed by the Department of Transportation, (b) BTS accurately estimated the reporting burden; (c) there are other ways to enhance the quality, utility and clarity of the information collected; and (d) there are ways to minimize reporting burden, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted by May 29, 2012.

**FOR FURTHER INFORMATION CONTACT:**

Cecelia Robinson, Office of Airline Information, RTS-42, Room E34, RITA, BTS, 1200 New Jersey Avenue SE., Washington, DC 20590-0001, Telephone Number (202) 366-4405, Fax Number (202) 366-3383 or email [cecelia.robinson@dot.gov](mailto:cecelia.robinson@dot.gov).

*Comments:* Comments should identify the associated OMB approval # 2138-0018 and Docket ID Number RITA 2008-0002. Persons wishing the Department to acknowledge receipt of their comments must submit with those comments a self-addressed stamped postcard on which the following statement is made: Comments on OMB # 2138-0018, Docket-RITA 2008-0002. The postcard will be date/time stamped and returned.

**SUPPLEMENTARY INFORMATION:**

**OMB Approval No. 2138-0018**

*Title:* Report of Passengers Denied Confirmed Space.

*Form No.:* BTS Form 251.

*Type of Review:* Reinstatement of an expired approved collection.

*Respondents:* Large certificated air carriers.

*Number of Respondents:* 14.

*Number of Responses:* 56.

*Total Annual Burden:* 560 hours.

*Needs and Uses:* BTS Form 251 is a one-page report submitted four times per year, on the number of passengers denied seats either voluntarily or involuntarily, whether these bumped passengers were provided alternate transportation and/or compensation, and the amount of the payment. U.S. air carriers that account for at least 1 percent of domestic scheduled-service passenger revenues must report oversales on all operations with 30 seats or larger aircraft that depart a U.S. airport.

Carriers do not report data from inbound international flights to the United States because the protections of 14 CFR Part 250 *Oversales* do not apply to these flights. The report allows the Department to monitor the effectiveness of its oversales rule and take enforcement action when necessary. The involuntarily denied-boarding rate has decreased from 4.38 per 10,000 passengers in 1980 to 0.71 for the quarter ended December 2011. Without Form 251, determining the effectiveness of the Department's oversales rule would be impossible. The publishing of the carriers' individual denied boarding rates has diminished the need for more intrusive regulation. The rate of denied boarding can be examined as a continuing fitness factor. This rate provides an insight into a carrier's customer service practices. A rapid sustained increase in the rate of denied boarding may indicate operational difficulties. Because the rate of denied boarding is released quarterly, travelers and travel agents can select carriers with lower incidences of bumping passengers. This information is available in the *Air Travel Consumer Report* at: <http://airconsumer.ost.dot.gov/reports/index.htm>. The *Air Travel Consumer Report* is also sent to newspapers, magazines, and trade journals. The public availability of this information deters carriers from setting unreasonable overbooking rates—a market-based mechanism that is more efficient than direct regulation of those rates.

The Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note) requires a statistical agency to clearly identify information it collects for non-statistical purposes. BTS hereby notifies the respondents and the public that BTS uses the information it collects under this OMB approval for non-statistical purposes including, but not limited to, publication of both Respondent's identity and its data, submission of the information to agencies outside BTS for review, analysis and possible use in regulatory and other administrative matters.

Issued in Washington, DC on March 20, 2012.

**Patricia Hu,**

*Director, Bureau of Transportation Statistics, Research and Innovative Technology Administration.*

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**DEPARTMENT OF TRANSPORTATION**

**Research & Innovative Technology Administration**

[Docket ID No. RITA 2008-0002]

**Agency Information Collection; Activity Under OMB Review; Airline Service Quality Performance**

**AGENCY:** Research & Innovative Technology Administration (RITA), Bureau of Transportation Statistics (BTS), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, Public Law 104-13, the Bureau of Transportation Statistics invites the general public, industry and other governmental parties to comment on the continuing need for and usefulness of DOT requiring large certificated air carriers to file "On-Time Flight Performance Reports" and "Mishandled-Baggage Reports" pursuant to 14 CFR 234.4 and 234.6. These reports are used to monitor the quality of air service that larger air carriers are providing the flying public. The Federal Aviation Administration uses the On-Time Flight Performance Reports to identify problem areas within the air traffic control system.

**DATES:** Written comments should be submitted by May 29, 2012.

**FOR FURTHER INFORMATION CONTACT:**

Cecelia Robinson, Office of Airline Information, RTS-42, Room E34, RITA, BTS, 1200 New Jersey Avenue SE., Washington, DC 20590-0001, Telephone Number (202) 366-4405, Fax Number (202) 366-3383 or email [cecelia.robinson@dot.gov](mailto:cecelia.robinson@dot.gov).

*Comments:* Comments should identify the associated OMB approval #2138-0041 and Docket ID Number RITA 2008-0002. Persons wishing the Department to acknowledge receipt of their comments must submit with those comments a self-addressed stamped postcard on which the following statement is made: Comments on OMB # 2138-0041, Docket-RITA 2008-0002. The postcard will be date/time stamped and returned.

**SUPPLEMENTARY INFORMATION:**

*OMB Approval No.* 2138-0041.

*Title:* Airline Service Quality Performance Reports—Part 234.

*Form No.:* BTS Form 234.

*Type of Review:* Reinstatement of an expired approved collection.

*Respondents:* Large certificated air carriers that account for at least 1 percent of the domestic scheduled-service passenger revenues.