



U.S. Department
of Transportation
**Federal Aviation
Administration**

Memorandum

Subject: PFC Update, PFC-37-02

Date: November 29, 2001

From: Manager, Passenger Facility Charge
Branch, APP-530

Reply to
Attn. of:

To: All Regional Airports Division Managers
and AMA-620
Attention: PFC Contacts

PFC-02-37.1 Facilitation of PFC Application Closeout. Chapter 14 of FAA Order 5500.1, Passenger Facility Charge, provides guidance on closing out PFC applications. The closeout procedure, necessary for administrative efficiency, is also an excellent opportunity to confirm that PFC revenues have been fully collected and expended in conformance with approved authority. In addition, the public agency's certification that it has completed all projects in the application in conformance with FAA standards offers an opportunity to check public agency compliance with PFC Assurance 9.

To facilitate regional efforts to close out applications, APP-530 will provide to any region that requests it a list of all open PFC applications for which our records indicate collection authority has ended and projects within that application have been physically completed. Of course, regions may rely on their own data sources, at their option. In some instances, these applications must remain open because financing (e.g., debt service) of one or more included projects is not complete. However, when financing has been completed, closeout should be undertaken promptly.

Information required in the closeout document should meet the requirements specified in section 14-18 of the PFC order. Please remember that all required adjustments to PFC accounts necessary to close out the application must conform to regulatory procedures. For instance, if excess PFC collections have occurred, a plan for using the accumulated excess PFC revenue is required under 14 CFR 158.39(d) (see sections 8-35 and 14-20 of the PFC order). Similarly, in reviewing an application for closeout, it may become apparent that insufficient PFC authority exists to complete financing of the project. In such cases, amendment actions under 14 CFR 158.37(a) or (b) would be required before financing can be completed and closeout undertaken.

In a limited number of cases, particularly if closeout of an application has been deferred, it may be found that the public agency neglected to submit a plan under 14 CFR 158.39(d) or take appropriate amendment actions on a timely basis. If this occurs, the public agency must still complete the appropriate actions (e.g., Type B amendment) before the application can be officially closed. In general, prompt closeout actions by the FAA should preclude the need for such after-the-fact actions.

PFC-02-37.2 Electronic Transmittal of PFC Decisions and Amendments. APP-530 is in the process of assembling a comprehensive electronic inventory of all Records of Decisions, Amendments, and other FAA-issued PFC correspondence. We are currently having all of our paper records scanned into Adobe 5 file formats (text under image). To facilitate this effort, it would be very helpful if all further PFC documents issued by your offices be e-mailed to us in Word format so that we may convert them directly to Adobe 5 formats. Electronic submission of such documents would replace the need to fax or mail us copies, as is currently the requirement.

Please send the electronic files to the APP-530 specialist that deals with your region. In sending the files, we would appreciate it if you would type in the date of signature and indicate the document was signed by adding either an electronic signature or, simply, the annotation of "*Original signed by*" above the name in the signature block. If you wish, you can provide this information in the e-mail transmittal and we will add it for you.

Please make sure that the official file, located in either the Regional Office or ADO, contains a copy of the Record of Decision or Amendment as signed.

PFC-02-37.3. Quarterly Report of Project Start and Completion Dates. Attachment #1 is the latest iteration of the project status dates spreadsheet. Projects which were reported as completed on the previous report have been removed from the list. If your previous report indicated that a project had been deleted but the project continues to be listed, this means that APP-530 does not have a copy of the amendment action. In order to have the project removed from this listing, please forward a copy of the appropriate document(s) deleting the project(s) to APP-530. In addition, the list has been updated to include those projects approved between July 1, 2001 and September 30, 2001. APP-530 must have received an amendment action by September 30, 2001, for that action to be reflected on this list. A region specific list will be cc:mailed to each PFC contact for use in compiling your report.

If you choose to use a report generated from a regional tracking system instead of the attached spreadsheet, please make sure that your report is in alphabetical order and contains, at a minimum, the following information: location; application number; project title; implementation date; completion date; and latest approved amount for the project. Also, if you are generating a list from your regional system, please review it to make sure that you do not show projects which start and are completed on the same day and projects with a completion date which is prior to the start date.

Please submit either a marked-up spreadsheet or a region-generated report to Sheryl by December 28, 2001 (cc:mail messages are acceptable – and given the continued physical mail delivery problems, cc:mail submissions are preferable).

PFC-02-37.4 PFC Document formats on the Intranet. The PFC Intranet forms website has been recently updated. The web page has been reorganized so that you may more easily locate each PFC format type. More forms have been added, including the audit checklist. APP-530 will provide notice as formats are updated or added to this site.

PFC-02-37.5 Appropriate Contact for APP-530. As of December 3, 2001, I will no longer be working in the FAA Office of Airports. With my departure, APP-530 staff will report directly to Barry Molar, APP-500.

Eric C. Gabler

Attachment