

The Honorable Read Van de Water
May 16, 2003
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designated as the flight department manager to operate the airplane for each of the joint owners, again on a cost-sharing basis.

3. Time Sharing (Section 91.501(b)(6), (c)(1) and (d))

This is an arrangement whereby a company can use its airplane to carry other persons on a *limited* cost reimbursable basis. The charges that may be recovered are essentially limited to the out-of-pocket expenses associated with the particular flight plus an additional charge equal to 100% of the fuel.³ Even with this add-on the company will generally *not* recover the fully-allocated cost of a particular flight.

In the context of business aviation, companies utilize time sharing arrangements to carry executive officers traveling on personal business where the company requires payment, or the officers insist on paying, for the transportation to the extent permitted by FAA rules. Again, as noted above, the FAA permits these operations only when "*common carriage is not involved*" so as a legal matter – as well as for practical business considerations – companies only allow a few executives to utilize the company airplane on a time sharing basis.

Thanks again for the opportunity to address the Part 375 of concern to our membership. If you have any questions regarding the NBAA proposal or the FAA Subpart F options incorporated therein, please feel free to contact me at (202) 783-9262 or NBAA's regulatory counsel Gary B. Garofalo at (202) 776-3970 and Frank Costello (202) 298-8660.

Sincerely,



Pete West
Senior Vice President
Government & Public Affairs

³ This is also the measure of cost recovery for demonstration flights under Section 91.501(b)(3) which DOT, by virtue of its 1986 interpretation, views as non-commercial for purposes of Part 375.

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

**Environmental Impact Statement for
North-South Rail Link in Boston, MA**

AGENCY: Federal Transit Administration,
DOT.

ACTION: Notice of EIS cancellation.

SUMMARY: Notice is hereby given that the Federal Transit Administration (FTA) is canceling its preparation of an Environmental Impact Statement (EIS) for a rail-in-tunnel connection between North and South Stations in downtown