



U.S. Department
of Transportation

**Federal Aviation
Administration**

Transport Airplane Directorate
1601 Lind Ave, SW.
Renton, Washington 98057-3356

February 24, 2010

Exemption No. 10008
Regulatory Docket No. FAA-2009-0833

Mr. Robert Carlson
Manager, AEW&C Certification
Program Certification Office, 7-7E1W
Mail Code 84-08
The Boeing Company
PO Box 3707
Seattle, WA 98124-2207

Dear Mr. Carlson:

This letter is to inform you that we have granted your request for exemption from § 26.11 of Title 14, Code of Federal Regulations (14 CFR). Note that § 26.33 does not apply to supplemental type certificates issued after December 25, 2008, and therefore, the relief you requested from this section is not applicable.

This letter transmits our decision, explains its basis, and gives you the conditions and limitations of the exemption.

The Basis for Our Decision

By letter no. 7-7F1W-RIC09-098 dated September 4, 2009, The Boeing Company petitioned the Federal Aviation Administration (FAA) for an exemption from § 26.11 regarding the requirement for design approval holders (DAH) to develop instructions for continued airworthiness (ICA) applicable to an airplane's electrical wiring interconnection systems (EWIS) for design changes. Section 26.11(c) also requires DAHs to submit the EWIS ICA to the FAA Oversight Office for review and approval. You requested that the design changes documented in FAA Supplemental Type Certificate (STC) ST01999SE be exempt from these requirements. This STC modifies Boeing Model 737-700 airplanes configured for military service, with no practical use in commercial operation.

The FAA has determined that good cause exists for not publishing a summary of the petition in the *Federal Register* because the requested exemption would not set a precedent, and any delay in acting on this petition would be detrimental to Boeing.

The FAA has issued a grant of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption no. 9811 (copy enclosed), the FAA found that all of the airplanes shown in Table II of that exemption were heavily modified either for U.S. military use, or for head-of-state or military use by a foreign government, and that these airplanes are still operated under those uses. In exemption no. 9811, the FAA used several methods to verify that the airplanes are not presently operated, nor in the future will be operated, in common carriage.

Having reviewed your reasons for requesting an exemption, I find that—

- they do not differ materially from those presented by the petitioner in the enclosed grant of exemption;
- the reasons stated by the FAA for granting the enclosed exemption also apply to the situation you present; and
- a grant of exemption is in the public interest.

Our Decision

Under the authority contained in 49 U.S.C. 40113 and 44701, which the FAA Administrator has delegated to me, I hereby grant The Boeing Company an exemption from 14 CFR 26.11, subject to the conditions and limitations described below.

Conditions and Limitations

This exemption grants relief to The Boeing Company from having to meet the requirements of § 26.11 for developing Electrical Wiring Interconnection Systems Instructions for Continued Airworthiness for the design changes documented in STC ST01999SE. This exemption does not grant relief from the related operational requirements contained in §§ 121.1111 or 129.111. Should a person choose to operate, under part 121 or part 129, any airplane modified in accordance with this STC, beyond the operational compliance deadlines as stated in §§ 121.1111 and 129.111, that person will be required to comply with those operational requirements.

Sincerely,

/s/

Jeffrey Duven
Acting Manager, Transport Airplane Directorate
Aircraft Certification Service

Enclosure