



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

Transport Airplane Directorate
1601 Lind Avenue, S.W.
Renton, Washington 98057-3356

December 17, 2013

Exemption No. 10193A
Regulatory Docket No. FAA-2010-0496

Mr. Douglas Lane
Director, Commercial Airplanes
The Boeing Company
P. O. Box 3707 MC 03-56
Seattle, WA 98124-2207

Dear Mr. Lane:

This letter is to inform you that we have amended Exemption No. 10193. It explains the basis for our decision and describes its effect.

The Basis for Our Decision

By letter RA-13-04134 dated September 12, 2013, you petitioned the Federal Aviation Administration (FAA), on behalf of The Boeing Company, for an amendment to Exemption No. 10193. That exemption, from § 25.1535, as specified in Appendix K, K25.1.4(a)(3), of Title 14, Code of Federal Regulations (14 CFR), allows Boeing temporary relief from the low-fuel alerting requirements for certain Boeing Model 777 series airplanes. The amendment you request would extend the exemption expiration date of January 11, 2014, to January 11, 2015 for condition 1 as specified in Exemption No. 10193.

In November 2013, Boeing shared data showing the circumstances that delayed their ability to comply with the low-fuel-alert requirements of 14 CFR 25.1535, as specified in Appendix K, K25.1.4(a)(3). The circumstances included unforeseen additions to the Airplane Information Management System software to address specific in-service issues, not specifically related to ETOPS, encountered during the original exemption period.

Your petition includes no request for substantive change in the conditions, and reasons relative to public interest and safety, that were the basis for granting the original exemption.

***Federal Register* Publication**

The FAA has determined that good cause exists for not publishing a summary of the petition in the *Federal Register* because the requested amendment to the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to operators utilizing extended operations (ETOPS) beyond 180 minutes.

Our Decision

The FAA has determined that the justification for the issuance of Exemption No. 10193 remains valid with respect to this amendment and is in the public interest. As noted by Boeing, the relief allows airlines currently operating greater-than-180-minute ETOPS routes,

and airlines pursuing greater-than-180-minute ETOPS operational approval, to continue without interruption. The number of airlines and airplanes operating in greater-than-180-minute ETOPS routes is well below that anticipated in the risk assessment Boeing produced in support of their original petition submitted in 2010. Therefore, under the authority provided by 49 U.S.C. 40113 and 44701, which the FAA Administrator has delegated to me, I grant Boeing's extension of time-limited exemption.

The Effect of Our Decision

All conditions and limitations of Exemption No. 10193 remain the same. This letter must be attached to, and is a part of, Exemption No. 10193.

Sincerely,

/s/ Jeffrey E. Duven

Jeffrey E. Duven
Manager, Transport Airplane Directorate
Aircraft Certification Service