

VOLUME 2 AIR OPERATOR AND AIR AGENCY CERTIFICATION AND APPLICATION PROCESS

CHAPTER 6 TITLE 14 CFR PART 125 CERTIFICATION AND OPERATING RULES

Section 2 Conduct Certification of a 14 CFR Part 125 Operator

2-676 PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODE. 1202.

2-677 OBJECTIVE. The objective of this task is to determine an applicant's ability to conduct operations under Title 14 of the Code of Federal Regulations (14 CFR) part 125. Successful completion of this task will result in issuance or denial of a part 125 operating certificate and appropriate operations specifications (OpSpecs).

2-678 GENERAL.

A. Certification Process Phases. This chapter provides the procedures for certifying a part 125 operator. The process allows interaction between the applicant and the Federal Aviation Administration (FAA) from initial inquiry to certificate issuance or denial. It ensures that programs, systems, and intended methods of compliance are thoroughly reviewed, evaluated, and tested. The certification process consists of five phases.

- Preapplication Phase;
- Formal Application Phase;
- Document Compliance Phase;
- Demonstration and Inspection Phase; and
- Certification Phase.

B. Terminating the Certification Process. The applicant may terminate the certification process at any time during any of the phases. Flight Standards Aviation Data Systems Branch, AFS-620, must be notified that the certification process is terminated so that the precertification number can be returned to the centralized certificate number data file. Indicate this action in Section 2 of the Preapplication Statement of Intent (PASI), FAA Form 8400-6. Also notify the regional office that the project is terminated.

C. Job Aids. Figure 2-36 is a flow chart describing the certification process. Figure 2-36A is the certification job aid. These figures are used for planning meetings, activities, and events associated with certification.

D. Definitions.

1) Maximum Payload Capacity. See part 125, § 125.9 (Definitions). If the maximum payload is determined to be 6,000 pounds or more, part 125 is applicable regardless of the number of seats.

2) Private Carriage. Private Carriage is considered noncommon carriage. Part 125 is applicable to large airplane operations in other than common carriage. Part 125, § 125.11(b)

prohibits part 125 certificate holders from conducting any operation which results directly or indirectly from holding out to the general public.

3) **Compensation or Hire.** A term that originated with the regulation of ground transportation under the Interstate Commerce Act which was enacted in the late 1800's. The test is presently contained in the definition of a "Commercial Operator" in 14 CFR part 1, § 1.1 and is essentially the same as the definition adopted in 1949 by the Civil Aeronautics Board.

4) **Commercial Operator.** Section 1.1 means a person who, for compensation or hire, engages in the carriage by aircraft in air commerce of persons or property, other than as an air carrier or foreign air carrier or under the authority of part 375 of this title. Where it is doubtful that an operation is for "compensation or hire," the test applied is whether the carriage by air is merely incidental to the person's other business or is, in itself, a major enterprise for profit.

5) **Common Carriage.** A person is considered to be engaged in "common carriage" when "holding out" to the general public or to a segment of the public as willing to furnish transportation within the limits of its facilities to any person who wants it. Advertising through telephone yellow pages, billboards, television, radio, and individual ticketing are examples that have been legally found to be holding out.

E. Certificate Holders. One part 125 certificate shall be issued to any person. An operating certificate may not be held jointly by two or more persons. A partnership is considered a single person even though the partnership may consist of more than one individual or corporation. For example, where both a parent and a subsidiary corporation exist, only one of the two corporations may be the applicant for any one certificate and that certificate cannot be issued to, or in the name of, both corporations. Regardless of common ownership, the parent and subsidiary corporation are considered by law as separate persons.

F. Deviations. At any point during certification, an applicant may request a deviation from any section of part 125 or a Letter of Deviation Authority (A125 LODA) authorizing a deviation from part 125, § 125.5, the requirement to hold a certificate and OpSpec. See Order 8900.1, Flight Standards Information Management System (FSIMS), Volume 2, Chapter 6, Section 3 for evaluating an application for a LODA, a deviation from a specified section of part 125.

2-679 THE PREAPPLICATION PHASE.

A. Preapplication Statement of Intent. Often, during the initial inquiry which begins the preapplication phase, a person will request information about certification as an air operator. However, the individual is not fully aware of the regulatory requirements and the costs involved. Inspectors should be scheduled to accommodate these informal requests, even though many of these individuals do not pursue certification. Submission of FAA Form 8400-6 indicates intent by the applicant to continue the certification process. It also allows the FAA to plan activities and commit resources. Therefore, a potential applicant submits a copy of the PASI after reviewing the appropriate regulations and advisory material and considering the personnel, facility, equipment, aircraft, and document requirements for certification and operation.

1) The district office manager uses the PASI to evaluate the complexity of the proposed certification, and if it is appropriate for this office to conduct the certification. The office manager ensures that trained and experienced inspectors are available for the certification.

2) The district office will gather and summarize the PASI information and start the Certification Service Oversight Process (CSOP). Order 8000.92, AFS Certification Service Oversight Process (CSOP), contains the CSOP procedures to be followed.

3) The regional office uses the PASI to assess district office workload and to forecast staffing needs.

4) The FAA maintains and assigns certificate and precertification numbers through a central focal point AFS-620. The numbering system is fully automated, providing a data base of operators, air agencies, and the status of each certificate (active, canceled, precertification). (See Order 8900.1, Volume 2, Chapter 1, Section 3.)

B. The Certification Team. The expertise of inspectors from different disciplines is required to certificate a part 125 operator. The district office manager assigns an appropriate certification team after the PASI is submitted. Careful planning and management of the overall project is essential. Therefore, the district office manager designates one member of the team as the certification project manager (CPM). The CPM will be the primary spokesperson for the FAA throughout the certification process. The person selected as CPM for a part 125 certification should have been involved in previous certifications of the same or similar type (e.g., 14 CFR part 121 or 135 certification).

C. The Preapplication Meeting. The CPM shall contact the applicant to arrange a preapplication meeting. The applicant is advised that key management personnel, as shown on the PASI, should attend the meeting and be prepared to discuss specific aspects of the applicant's proposed operation. During the preapplication meeting, the CPM should ensure the applicant is informed about the certification process. The CPM must also discuss the form, content, and documents required for formal application.

1) The applicant is informed that FAA inspectors furnish informal guidance and advice for the preparation of required documents and manuals. It is the responsibility of the applicant to produce acceptable documents and manuals.

2) The applicant should be encouraged to submit required items in draft form before submitting the formal package. Whenever a problem or change occurs in the proposed operation, the applicant should notify the CPM immediately.

D. The Sample Schedule of Events (SOE) Format. The SOE is intended to encourage an applicant to submit material well in advance of the date operations are proposed to begin. If, however, the application is submitted with only the minimum lead time required by the regulation, complete documents (such as procedures and policies manual) may be required at the time of formal application. The SOE, when accepted, represents a commitment on the part of both the applicant and the FAA. It also sets dates for accomplishing or submitting the listed items.

1) When advising the applicant on how to develop the SOE, the applicant must remember the correct sequence of events. For example, airplane conformity inspections must be completed before emergency evacuation demonstrations begin.

2) The number and types of events and activities that occur during certification vary according to the operation proposed. The SOE must include a complete listing of each document to be submitted, activity to be performed, and item to be inspected.

3) Failure to accomplish an item or event in a satisfactory or timely manner in accordance with (IAW) the SOE could delay certification. In addition, if deficiencies are detected during the review of manuals or other documents, they will be returned for amendment or correction, which also may delay final certification.

4) If the applicant plans to petition for deviation, processing time must be considered in developing the SOE. Part 125, § 125.3 requires that a petition for deviation must be submitted to the appropriate FAA Flight Standards District Office (FSDO) at least 60 days before the date of intended operation.

5) When reviewing the SOE, the team must carefully consider the feasibility of the proposed schedule with respect to logic of sequence, timeliness of events, completeness of events, and inspector availability.

2-680 THE FORMAL APPLICATION PHASE.

A. The Formal Application Package. The CPM ensures the formal application package represents a feasible proposal and is of sufficient quality to continue the certification process.

1) If the applicant has been thoroughly briefed and has acquired a thorough understanding of the requirements during the preapplication phase, the formal application should be of sufficient quality that any discrepancies can be resolved during the formal application meeting.

2) Rejecting a formal application will be a sensitive issue since the applicant most likely will have expended considerable funds and resources to prepare it. Therefore, it is important for the CPM to document thoroughly the reasons for rejection. The reasons must clearly indicate that to proceed with the certification process would not be productive. Reasons for rejection might include inadequate agreement on appropriate courses of action or evidence that the applicant has a serious lack of understanding of regulatory requirements and the certification process.

B. The Formal Application Meeting. Depending on the complexity of the proposed operation, it may be appropriate to divide into two or more groups to discuss specific aspects of the application. For example, the applicant's key operations management personnel should meet with FAA operations personnel to discuss documents dealing with testing programs or check airmen.

2-681 THE DOCUMENT COMPLIANCE PHASE.

A. In-Depth Review. In the Document Compliance Phase, the applicant's compliance statement, manuals and other documents are thoroughly reviewed for compliance with applicable

regulations and for conformity with safe operating practices. After review by the team, each document is accepted or approved, as applicable, or rejected.

B. OpSpecs. OpSpecs outline the specific operations which a part 125 certificate holder is allowed to conduct and any deviations the certificate holder has been granted. They also supplement the operating rules and contain limitations not addressed in the regulations. Inspectors must evaluate OpSpecs carefully to ensure that they are not used as a regulatory device without benefit of a basic rule and that they do not repeat the rule. Often the regulations require that certain authorizations and limitations be written in the OpSpecs. For example, part 125, § 125.363 states that the minimum requirements for over water operations will be indicated in the OpSpecs. This could include additional requirements for emergency equipment or personnel required for that particular operation but not indicated in the regulation.

C. The Policies and Procedures Manual. Part 125, § 125.71 requires a part 125 air operator to prepare and keep current a manual which describes the operator's procedures and policies. The manual is for use by all the operator's personnel and also indicates to the FAA how the operator intends to conduct business. The manual's complexity depends upon the complexity of the operation. Although the entire manual does not need to be completely developed at the time of formal application, team members must ensure all required material is shown on the SOE and that adequate time is allowed for review. As a general rule, if the applicant submits the formal application only 60 calendar-days before operations are scheduled to begin and draft documents were not previously submitted, the team may require that additional manual material be submitted at the time of formal application.

1) The manual must be distributed IAW § 125.71. It must also contain specific items and information required by part 125, § 125.73. However, any additional items may be incorporated at the discretion of the operator.

2) The manual is reviewed to ensure that it is not contrary to the appropriate regulatory requirements or the proposed OpSpecs. Manuals not acceptable to the certification team will be returned to the applicant for revision and/or correction with a "Letter of Rejection" (see Figure 2-22A).

D. Management Personnel Qualifications. The position of director of operations is the only management position specified by part 125, § 125.25. The chief pilot's position indicated in paragraph 2-688A5b), is only a suggested position. Additionally, § 125.25 only states that the management personnel be enough "to assure that its operations are conducted in accordance with the requirements...."of part 125.

1) The applicant may elect not to have any management positions other than director of operations, or the applicant may have more positions. In that case, qualifications are up to the judgment of the certification team, based on the type of management position and the complexity of the operation.

2) The qualifications outlined in this chapter are not required by 14 CFR. They are examples of acceptable qualifications which may be used as general guidance.

3) With respect to the qualifications of the indicated positions, the district office manager may authorize the employment of a person who does not meet the qualifications. However, the district office manager must find that the person has equivalent aeronautical experience.

E. Weight and Balance Procedures. Acceptable procedures may be found in FAA-H-8083-1, Aircraft Weight and Balance Handbook; or Advisory Circular (AC) 120-27, Aircraft Weight and Balance Control. Material from these publications, which should be cited as resources to an applicant or operator, may be adapted for the operator's procedures, but reference to these publications as a means of compliance is not acceptable.

F. Hazardous Materials Training Program. Although training is not required by part 125, the operator should be encouraged to prepare a hazardous materials training program for all flight crewmembers and ground personnel. Whether or not an operator elects to transport hazardous material, the company manual required by § 125.73 must include certain procedures and instructions relating to hazardous materials. Some form of training in this area should be addressed. There are numerous all-cargo operators, with approved hazardous material training programs, who could be contracted with to provide initial and recurrent training. (The inspector might consider keeping a current list of such operators as a resource.) If the operator uses a training program, it should have provision for regular testing of flight crewmembers on the operator's hazardous materials policies and procedures.

G. Compliance Statement. An applicant may submit an Initial Compliance Statement with the formal application package because methods of compliance may depend on actions by the FAA (i.e., approval of the manual). When the method of compliance is finally formalized, the description can be added to the list in preparation for the Final Compliance Statement. However, the SOE must show when the final compliance statement will be submitted.

2-682 THE DEMONSTRATION AND INSPECTION PHASE. In the demonstration and inspection phase the certification team determines that the applicant's proposed procedures and programs are effective and that facilities and equipment are satisfactory. Emphasis is on compliance with regulations and safe operating practices. Throughout the demonstration and inspection phase the CPM ensures that each required demonstration is observed and approved or disapproved. If at any time during this phase the applicant does not meet the SOE or if an activity or item proves to be deficient, appropriate corrective action is taken. The CPM will schedule meetings with the applicant to review deficiencies in detail. Each deficiency and corrective action must be fully documented and placed in the certification file. If appropriate, the CPM terminates the certification process or agrees to a modified SOE.

A. The Emergency Evacuation Demonstration. (See Order 8900.1, Volume 3, Chapter 30, Section 5.) Effective emergency evacuation procedures have significantly reduced the number of casualties in survivable aircraft accidents. The FAA considers an applicant's or operator's ability to perform these procedures to be an extremely important aspect for aviation safety. The need to conduct full-scale demonstrations depends primarily upon whether such demonstrations have previously been accomplished with a particular type and model airplane used in part 121 or 125 operations. Part 125 operators and applicants for a part 125 certificate must conduct a full-scale aborted takeoff evacuation demonstration for any airplane having a seating

configuration of more than 44 passenger seats. The evacuation must be completed in 90 seconds or less.

1) All part 125 operators and applicants for a part 125 certificate must conduct a full-scale ditching evacuation demonstration for any land airplane intended for use by the operator in extended overwater operations.

2) These demonstrations specifically test the following areas:

- The applicant's or operator's emergency training procedures and crewmember competency.
- The applicant's or operator's emergency evacuation and ditching procedures.
- The reliability and capability of the emergency equipment on the airplane.

B. Records and Recordkeeping. Part 125 subpart L indicates the types of records which must be maintained by a part 125 operator. Part 125, §§ 125.403, 125.405, 125.407, 125.409, 125.411, and the operator's manual contain details about the approval of procedures for flight release forms; disposition of the load manifest, flight release, and flight plans; airplane maintenance logs; reports of defects or unairworthy conditions; and airworthiness release or maintenance record entries. The inspector should refer to those sources to check those records.

1) Part 125 subpart L indicates which records must be carried on the pilot's person or on board the airplane. Crewmember records, aircraft and engine logs, and other maintenance records should be kept at the main base of operations.

2) Records should be kept in a manner easily accessible to inspectors. The method of storage is, of course, the choice of the operator, but retrieval and review should not require an extended or complicated process.

C. Crewmember Requirements. The crewmember qualification and testing requirements go beyond the normal commercial certificate qualifications and have been established to achieve a higher level of safety. Checks and tests must be given by either an inspector or an authorized check airman. The instrument check required by part 125, § 125.291 may be substituted for the competency check required by § 125.287 for the type of airplane used in the instrument check.

D. Resolving Discrepancies. After resolving any discrepancies with any of the documents or the inspections, the applicant must notify the CPM, in writing, detailing the corrective action taken. The demonstration and inspection phase should then be continued.

2-683 THE CERTIFICATION PHASE.

A. Issuance of Certificate and OpSpecs. In the certification phase the certificate and approved OpSpecs are issued after all unsatisfactory items are corrected.

1) No certificate shall be issued until the team determines the applicant is fully capable of fulfilling responsibilities as charged by Title 49 of the United States Code (49 U.S.C.).

2) A certificate is issued to the applicant when the following criteria are met:

- The certification process is completed.
- Each unsatisfactory item has been corrected.
- It is determined that the applicant has met all regulatory requirements and understands all responsibilities under the regulations.
- It has been determined the applicant is capable of complying with the part 125 on a continuing basis.
- The applicant's ability to conduct operations in a safe manner has been demonstrated.

B. The Certification Report. After an operator is certificated, the CPM prepares a certification report. This report establishes the district office file. It includes the name and title of each inspector who assisted in the certification project and is signed by the CPM. It details any problems with the certification project and their resolutions. If airplanes are to be domiciled outside of the certificating district office's jurisdiction, the principal operations inspector assigned to the operator shall notify the other district office and provide a copy of any portion or the entire certification file to the other district office at its request.

C. Post-Certification Plan. In most cases, the certification team becomes the principal inspectors for the new operator. In the event the district office manager assigns different inspectors as principals, the certification team recommends a post-certification inspection plan for future surveillance of the part 125 operator. The plan emphasizes problem areas noted during certification. The team may recommend scheduling surveillance before it is due in the work program guidelines. During certification and afterwards, inspectors work with the operator to eliminate problems at an early stage. Meaningful recommendations assist the operator in continuing regulatory compliance and in instituting changes needed in the methods or techniques of operation, inspection, or maintenance during this early period of operation.

D. Amendments. If a certificate is amended to reflect an address change or a change of the assigned district office, the date of original issuance shall be shown on the new certificate. A change of official name must be approached with care. Whatever the complexity of the legal name change, it has the effect of a new certification; therefore, a new certificate and certificate number shall be issued. For this situation the issuance date of the new certificate will be entered in the space provided on the certificate.

2-684 PREREQUISITES AND COORDINATION REQUIREMENTS.

A. Prerequisites. This task requires knowledge of regulatory requirements in part 125, FAA policies, and, specifically:

- Knowledge of the certification process.
- Familiarization with task background.
- Qualification as an aviation safety inspector (Operations).

B. Coordination. This task may require coordination with the airworthiness unit, the local Aviation Security Office, the regional office, and the FAA Washington, DC, Headquarters (AFS-800, AFS-300, and/or AIR-1).

2-685 REFERENCES, FORMS, AND JOB AIDS.

A. References (current editions):

- 49 U.S.C.
- 14 CFR parts 1, 43, 45, 47, 61, 63, 65, 67, 91, 119, and 125.
- 49 CFR part 173, Shippers - General Requirements for Shipments and Packages.
- 49 CFR part 175 (HMR), Carriage by Aircraft.
- 49 CFR part 830 (NTSB), Notification and Reporting of Aircraft Accidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records.
- AC 120-12, Private Carriage Versus Common Carriage of Persons or Property.
- AC 125-1, Operations of Large Airplanes Subject to Federal Aviation Regulation Part 125.

B. Forms:

- FAA Form 8400-6, Preapplication Statement of Intent (PASI).
- FAA Form 8430-21, Operating Certificate.

C. Job Aids:

- Figure 2-9, FAA Form 8430-21, Operating Certificate.
- Figure 2-14A, Sample Schedule of Events Format.
- Figure 2-18A, FAA Form 8400-6, Preapplication Statement of Intent.
- Figure 2-21, Questions for Part 125 Applicability Job Aid.
- Figure 2-22, Part 125 Sample Letter Rejecting Formal Application Package.
- Figure 2-22A, Part 125 Sample Letter Rejecting Operator's Manual.
- Figure 2-23, Part 125 Sample Letter Acknowledging Receipt/Acceptance of Formal Application.
- Figure 2-24, Part 125 Sample Formal Application Letter.
- Figure 2-25, Sample Part 125 Letter Denying Certification.
- Figure 2-26, Sample Part 125 Letter Confirming Termination of Certification Process.
- Figure 2-31, Sample Template LODA A125.
- Figure 2-36, Certification Process Flowchart.
- Figure 2-36A, Certification Job Aid.

2-686 PREAPPLICATION PHASE PROCEDURES.

A. Initial Inquiry. Upon initial inquiry from an applicant, and before providing the potential applicant a PASI, the inspector must determine if the proposed operation falls under the applicability requirements of part 125, § 125.1. Use Figure 2-21, Questions for Part 125 Applicability Job Aid, to determine eligibility. To make this initial determination, consider whether the applicant meets the following basic eligibility requirements:

1) The applicant must show proof of use (ownership or written agreement) of a U.S.-registered civil airplane with a seating capacity of 20 or more passengers (based on type certificate (TC) or Supplemental Type Certificate (STC)) or a maximum payload of 6,000 pounds or more. Verify registration with the Aircraft Registration Branch, AFS-750.

2) The airplane must have an appropriate and current airworthiness certificate and instruments and equipment required for the type of operations to be conducted.

3) The following are not eligible for a part 125 Operating Certificate:

- An operating certificate cannot be held by two or more persons.
- Section 125.11 prohibits the holder of an Air Carrier Operating Certificate (part 121, 129, 135) from holding a part 125 operating certificate.

B. Deviation Requests. Explain that the applicant may request a deviation from specified sections of part 125 or request a Letter of Deviation Authority (A125 LODA) authorizing a deviation from the requirements of a Certificate and OpSpecs (§ 125.5).

C. Applicant Resources. Encourage the applicant to obtain a copy of the appropriate, current regulations and their revisions. Provide the applicant with the following:

- FAA Form 8400-6 (Figure 2-18A), and
- AC 125-1.

D. District Office Review of a PASI. Within 5 working days of receipt of a signed PASI, review it to determine if the information is complete, accurate, and acceptable.

1) Section 1A must be completed by all applicants.

a) Company official name and mailing address.

b) The address must be the physical location where primary operating activities are based. It is where the offices of management personnel required by regulation are located. If the address is the same as item 1, the applicant enters, "same."

c) Estimated date when operations or services will begin.

d) The information in this block will be used to assign a company identification number. The applicant may indicate up to three, three-letter identifiers, such as ABC, XYZ, etc.

e) The names, titles, and telephone numbers of required management personnel. This should include the general manager, directors of operations and maintenance, chief pilot, chief inspector, etc., as applicable.

2) Section 1B must be completed by all air operator applicants. The proposed types of operation must be indicated. The applicant may check as many boxes as apply.

3) Section 1C is not applicable to part 125 applicants.

4) Section 1D must be completed by all air operator applicants.

a) The applicant indicates the proposed number and types of airplanes to be operated, as well as the number of passenger seats or cargo payload capacity.

b) The applicant enters the names of the states or geographic areas in which operations are to be conducted. For example, if operations are to be conducted in one or two states, the applicant lists those states. If operations will be within the 48 contiguous states, the applicant indicates, "48 contiguous states." For overseas or international operations, the applicant should enter each country or geographical area, such as Alaska and Canada; Hawaii; Europe; Mexico, Caribbean, and South America.

NOTE: Operations under part 125 can not be conducted outside the United States by a person who is not a citizen of the United States.

5) Section 1E must be completed by all applicants.

a) The applicant shows any information that would assist FAA personnel in understanding the type and scope of operation or services to be performed.

b) The PASI must be signed as follows:

- Individual if owner.
- At least one partner for partnerships.
- At least one authorized officer for the organizations.

6) If the district office assigned certification responsibility is not the one where initial inquiry was made, enter an appropriate remark and the dates when each district office and the applicant was notified.

7) If the PASI is unacceptable, note the reasons. Notify the applicant in writing of any discrepancy and that a new PASI is required.

8) Start the CSOP. Follow the procedures as outlined in Order 8000.92. The order will direct AFS personnel to the referenced Sharepoint Web site at: <http://avssharepoint.faa.gov/afs/Teams/CSOP/default.aspx> for completion of the task.

9) Process the PASI as follows:

a) Obtain a precertification number from AFS-620 (e-mail AFS-620 at 9-AMC-AFS620-Centinfo/AMC/FAA).

b) Check the "Information only" block and enter the date a copy of the PASI was forwarded to the region.

c) In the Remarks section, enter "Proceeding with formal certification" and show the precertification certificate number.

d) Forward one copy of the PASI to the Manager, Flight Standards division. Retain the original in the district office.

E. Preapplication Meeting. As CPM, assure that the following is covered during the Preapplication Meeting:

1) The team reviews the PASI with the prospective operator and verifies that all information is current and correct. Assure that the applicant notes any changes on the PASI.

a) If there are changes which significantly affect the anticipated scope or type of operation, forward a copy of the revised PASI to the regional office.

b) If the changes indicate the need to reassign certification responsibilities, terminate the meeting. Advise the applicant that he or she will be notified of the new certificating office within 15 working days.

2) Advise the applicant of all applicable regulations and recommend the applicant review (or re-review) those 14 CFR and any associated ACs.

3) Give the applicant at least the following:

- AC 125-1;
- The applicable certification job aid (Figure 2-36A);
- A sample of appropriate OpSpec; and
- A sample SOE format (Figure 2-14A).

4) Advise the applicant that a formal application must be submitted at least 60 days before the proposed start-up date. Ensure that the application package consists of at least the following:

- A formal application letter;
- An SOE;
- An Initial Compliance Statement;
- Procedures and policies manual;
- Documentation that applicant has or intends to acquire airplanes and facilities; and
- A copy of any deviation authority granted under § 125.3.

5) Ensures that the applicant understands the certification procedures, as well as the form, content, and documents required for formal application.

F. Terminating the Preapplication Phase. Terminate the preapplication phase when the team is satisfied that the applicant is prepared to proceed with formal application. Verify that the applicant intends to continue the certification process. Advise the applicant to contact the CPM regularly on the status of certification efforts. Inform the applicant that if there is no communication within 60 days, certification efforts will be terminated.

2-687 FORMAL APPLICATION PHASE PROCEDURES. Within 5 working days after receiving a formal application package, review it and determine whether each item required for formal application has been submitted. If any required item is missing, reject the entire application and return it to the applicant with a letter stating the reasons for rejection (Figure 2-22). Since the application package is reviewed in depth during the upcoming Document Compliance Phase, ensure only that the following required items are included in the application package:

A. Formal Application Letter. If the Formal Application Letter is unacceptable or incomplete, the CPM will notify the applicant, as soon as practical, of the reasons and request a corrected resubmission. The notification can be telephonically, but must be followed up in writing. The CPM will annotate the certification file noting as to who was notified, time and date.

B. SOE. Check the SOE to ensure it lists items, activities, programs, airplanes, or facility acquisitions required for certification and the applicant's best estimate of the date the item will be acquired or ready for inspection.

C. Initial Compliance Statement. Determine that the initial compliance statement contains a complete listing of all part 125 regulations pertinent to the proposed operation.

- 1) The list should refer to applicable subparts and each relevant section of the subparts.
- 2) Next to each section, the applicant must provide a brief narrative description or, preferably, a specific reference to a manual or other document which describes how the applicant will comply with each regulation, if the method for compliance is known at the time the formal application letter is submitted.

D. Procedures and Policies Manual. Ensure that the procedures and policies manual contains information about the applicant's organization, general policies and procedures, duties and responsibilities of personnel, and operational control procedures.

1) If a partial manual is submitted at this stage, ensure that it shows compliance with at least § 125.73(a), (d) through (m), (o) through (q), and § 125.249(a)(1) and (b).

2) Ensure that the manual indicates sufficient management personnel to conduct operations safely and IAW the requirements of part 125.

a) The procedures and policies manual required by § 125.71 must establish the duties, responsibilities, and authority of management personnel; list the names, addresses, and telephone numbers of each person employed in a management position; and designate the persons responsible for scheduling inspections and for updating the approved weight and balance information on all airplanes operated by the applicant.

b) After certification, operators are required by § 125.25(c) to notify the district office of any change made in the assignment of persons in a management position within 10 days of such a change.

E. Leases, Agreements, Contracts. If any required facilities or services are to be supplied by parties other than the applicant, ensure that copies of the associated contracts are submitted with

the application. If a formal contract has not been completed, accept letters showing agreement between the contracting parties.

F. Request for Deviations. A list of standard deviations can be found in a drop down menu of the automated Operations Safety System (OPSS). These standard deviations have been authorized by FAA Headquarters (AFS-820) and can be approved at the FSDO level. Requests for deviations not listed in OPSS must be forwarded to FAA Headquarters (AFS-820) along with the justification and any supporting documents. FAA Headquarters (AFS-820) will either approve or reject the request.

G. Formal Application Meeting. As CPM, schedule and conduct the formal application meeting. Assure that the following is accomplished during the meeting:

1) Except for unanticipated circumstances, each member of the certification team must be present.

2) During the meeting the team and the applicant reviews each document and resolves each discrepancy.

3) Thoroughly review the upcoming certification process and discuss the effect on the applicant of not meeting the SOE.

4) If any discrepancy cannot be resolved, terminate the meeting and inform the applicant that the formal application is not acceptable. Return the formal application package to the applicant with a letter explaining the reasons for the rejection.

5) Before concluding the meeting, ensure the applicant clearly understands the following:

a) The applicant will receive written notification of acceptance or rejection of the application package within 5 working days after the meeting.

b) Accepting a formal application package does not constitute acceptance or approval of the attachments. Each document must be reviewed further, and the applicant must take corrective action as required. Acceptance or approval of each attachment shall be indicated as the certification process continues.

c) If the applicant is unable to meet the SOE or if the facilities are not ready for inspection as indicated on the transmittal letter, the CPM shall terminate the certification until a revised SOE is submitted and accepted. Consequently, the proposed start-up date could be delayed.

6) If the application package is acceptable enough to begin the in-depth review, prepare a letter accepting the formal application and forward it to the applicant within 5 working days after the meeting (Figure 2-23).

7) If the application package is rejected, the CPM must return the application and attachments within 5 working days with a letter stating specific reasons for rejection (Figure 2-22).

8) If the applicant does not submit a corrected formal application and it becomes apparent that the applicant does not intend to proceed with certification, contact AFS-620 to release the precertification number. Additionally, notify the regional office and the applicant.

2-688 DOCUMENT COMPLIANCE PHASE PROCEDURES. After accepting the formal application package, ensure each document is complete and correct through an in-depth review.

A. Document Review. Review documents by simultaneous reference to 14 CFR, any completed portion of the initial compliance statement, and the appropriate manual or document.

- 1) Ensure that the Formal Application Letter (Figure 2-24) contains at least the following:
 - a) A statement that it is a formal application for a part 125 operating certificate.
 - b) The applicant's mailing address and the physical location of its principal base of operations.
 - c) A list of flight crewmembers and the type of certificates held, including certificate number and ratings.
 - d) The names of key management personnel.
 - e) The names, titles, and signatures of persons authorized to sign OpSpecs on behalf of the operator.
 - f) If a request for deviation from a specified section of part 125 is anticipated, it should be noted in the formal application letter.
 - g) The letter must be signed by the owner, when applying as an individual; each partner, when applying as a partnership; or an authorized officer, when applying as an organization, such as a company or corporation.
- 2) Ensure that the schedule flows in a logical, sequential manner throughout the certification process and provides a reasonable amount of time for the FAA to review and accept or approve each item or event. Figure 2-14A is a sample format for a SOE. Encourage the applicant to use this format. Accept other formats if they provide the information necessary for the team to ensure the applicant is proceeding in an appropriate manner.
- 3) Compliance Statement (Initial or Final).
 - a) Ensure that the applicant has listed specific regulations and subparts in the same sequence as the regulations.
 - b) Where the compliance information has been developed (for example, the manual material submitted with the formal application), ensure that a manual reference or a description of the method of compliance has been included with the applicable regulatory section. If the method

of compliance has not been fully developed, explain that the applicant must submit a final compliance statement which does provide this information.

c) Review and accept the Final Compliance Statement before conducting inspections and demonstrations. Examples of compliance statement entries are:

1. Part 125, § 125.37, Duty Period Limitations. The company manual advises the necessary personnel that flight crewmembers must be relieved from all duties for at least 8 consecutive hours during any 24-hour period.

2. Part 125, § 125.39, Carriage of Narcotic Drugs, Marijuana, and Depressant or Stimulant Drugs or Substances. The company manual advises all company personnel that carriage of any illegal drugs or substances on board any company airplane is a basis for the suspension or revocation of the company's operating certificate.

3. Part 125, § 125.247, Inspection Programs and Maintenance. Procedures and Policies Manual.

4) Procedures and Policies Manual. (See Order 8900.1, Volume 3, Chapter 32, Section 3.)

5) Management Personnel. Each applicant for a certificate under this part must show that it has enough management personnel to assure that its operations are safely and in compliance with the requirements of this part. Only the director of operations is required by § 125.25, however all management personnel must be listed by name and address in the Operations Manual along with their duties and title set forth by the operator. Although the qualifications for operations personnel are not described in § 125.25, the following qualifications for the director of operations and chief pilot are deemed minimum desirable:

a) Director of Operations:

- Hold an Airline Transport Pilot Certificate with type rating for airplane(s) similar to those being operated.
- Have at least three years of experience as pilot in command (PIC) of a large airplane operated under part 121, 125, or 135.
- Have at least three years of supervisory or managerial experience in a position that exercised operational control over any operations conducted with large airplanes under part 121, 125, or 135.

b) Chief Pilot:

- Hold an airline transport pilot certificate with appropriate ratings for at least one of the types of airplane to be used in the operation.
- Have at least three years of experience as PIC of a large airplane operated under part 121, 125, or 135.

6) Ensure that minimum equipment lists (MEL), cockpit checklists, and airplane performance documents are contained in the policies and procedures manual or approved Aircraft Flight Manual (AFM).

7) Approve OpSpecs.

8) Approve the noise emission control plan.

a) If the Airworthiness Certificate is dated after January 1, 1985, no action is required.

b) If the Airworthiness Certificate is dated before January 1, 1985, determine if the applicant:

- Has submitted a specific showing of compliance or a compliance plan to the FAA Office of Environment and Energy (AEE-1) through the regional flight standards division; or
- Has an exemption issued under 14 CFR part 11 or part 91, § 91.805. Ensure that this exemption is carried on board the aircraft during flight operations.

9) Ensure that the weight and balance control program is contained in the policies and procedures manual.

10) Examine proof of crewmember qualifications.

a) Ensure that pilots designated as PIC meet the requirements of part 125, §§ 125.281, 125.285, 125.287, and 125.291.

b) Ensure that pilots designated as second in command (SIC) meet the requirements of 14 CFR part 61, § 61.55, and part 125, §§ 125.283 and 125.287.

c) Ensure that pilots designated as Flight Engineers (FE) hold current FE certificates and meet the recent experience requirements in part 125, § 125.265(b).

d) Ensure that all pilots have passed a written or oral test, IAW the requirements of § 125.287(a), and a competency check required by § 125.287(b).

e) Ensure that all flight attendant crewmembers have passed a written or oral test, IAW the requirements of part 125, § 125.289.

11) Approve inspection programs and maintenance procedures (Airworthiness).

12) Inspect aircraft leases IAW the related paragraph of, Process an Aircraft Lease Agreement for Regulatory Compliance under part 91, § 91.54.

13) Review any previously granted deviations or special authorizations.

14) Review the emergency evacuation demonstration plan, if applicable.

15) Review any other document referenced in the procedures and policies manual.

B. EIS/AIDS Profile. If not already accomplished, obtain a profile of the applicant and personnel using the Enforcement Information System (EIS) and the Accident/ Incident Data Subsystem (AIDS).

C. Unacceptable Documents. If deficiencies are found in any document submitted by the applicant, note the deficiencies in writing for the district office files. Be prepared to offer suggestions on how to improve the product but avoid “writing” the applicant’s documents. If the documents are not of sufficient quality to warrant further review, schedule a meeting with the applicant to review each deficiency in detail. If appropriate, advise the applicant of either the impracticability of continuing the certification project or agree to a modified SOE that allows time to correct deficiencies.

2-689 DEMONSTRATION AND INSPECTION PHASE PROCEDURES. During the demonstration and inspection phase, the CPM shall ensure the following is accomplished:

A. Maintenance Personnel. Observe company or contract maintenance personnel as they perform scheduled and unscheduled airplane maintenance and inspections (Airworthiness).

B. Review Airplane Records. Review airplane records with the principal inspector (PI) to ensure there is a clear understanding between the operator’s operations personnel and maintenance personnel on what record entries must be made and who should make them (Airworthiness).

C. Airplane Conformity Inspection. Inspect airplanes for conformity with appropriate TCs and regulations (Airworthiness).

D. Evaluate Maintenance Facilities. This evaluation should be made by the principle airworthiness inspectors (principal maintenance inspector (PMI) and principal avionics inspector (PAI)). Concurrence with the POI is helpful but not necessary (Airworthiness).

E. Conduct a Base Inspection. (See Order 8900.1, Volume 6, Chapter 3, Section 4.)

F. Evaluate Record Keeping System. (See Order 8900.1, Volume 3, Chapter 20, Section 3.)

G. Conduct or Observe Pilot Qualification Functions. (See Order 8900.1, Volume 5, Chapter 2, Section 10.)

H. Approve Check Airmen. As applicable, designate a check airman, check FE, or check navigator. (See Order 8900.1, Volume 3, Chapter 20, Section 3.)

I. Observe Emergency Evacuation and/or Ditching Demonstration. (See Order 8900.1, Volume 3, Chapter 30, Section 5.)

2-690 CERTIFICATION PHASE PROCEDURES. When the applicant has met all regulatory requirements for certification, the CPM shall do the following:

A. Prepare and Issue the Operating Certificate. Use FAA Form 8430-21 for an Operating Certificate (see Figure 2-9). Type the following information on the form when preparing the certificate for issuance.

1) Enter the certificate holder's full, legal name directly below the words "This certifies that . . ." Include other names (such as "doing business as" (DBA) on the certificate. If necessary, list DBAs in a separate letter bearing the certificate number (see Order 8900.1, Volume 2, Chapter 1, Section 4).

2) Enter the address of the certificate holder's principal base of operations directly below the certificate holder's name. Do not use a post office box address unless it also reflects the physical location of the principal base of operations.

3) Do not modify the pre-printed certification statement of authority. Complete the statement by typing, "part 125 Operations" in the space provided.

4) Obtain the final certificate number from AFS-620.

5) Enter the date when the certification was complete or a later date if requested by the applicant.

6) Enter the four-character, alpha-numeric designator and city and state of the certificate-holding district office into the "Issued at" space of the form (e.g., EA18, Richmond, VA).

7) In the space provided, enter the full title of the person signing the certificate. Enter the region's acronym and the FSDO acronym and number in the "region/office" space (e.g., ASW FSDO 18).

8) Submit the operating certificate to the district office manager for signature.

B. Certification Report. Assemble a certification report containing the following:

- A copy of the PASI;
- The certification job aid;
- The letter of application;
- The SOE;
- The Final Compliance Statement;
- The Emergency Evacuation Demonstration Evaluation;
- A copy of the Operating Certificate issued;
- A copy of each OpSpec issued;
- A copy of the procedures and policies manual;
- A summary of any difficulty encountered during certification and its resolution; and
- A copy of any deviation or waiver issued.

1) Retain the original certification report in the district office.

2) Forward any portion or all of the certification report to other district offices where the operator's airplanes will be domiciled.

C. MEL. Issue OpSpec D095 to operate with a MEL, if applicable.

D. OpSpecs. Issue the OpSpecs approved in the Document Compliance Phase.

E. Vital Information Subsystem (VIS). Enter all appropriate information in the VIS, Air Operator Basic File, and Air Operator Aircraft Auxiliary File.

F. District Office File. Establish an official office file after certification is complete. The file shall contain at least the following:

- The certification report and attachments;
- EIS/AIDS profile on applicant and personnel, including a negative report if applicable;
- Approved MELs, if applicable;
- Future surveillance reports; and
- General correspondence relevant to the operator or agency.

G. PTRS. Complete PTRS, entering the appropriate information.

2-691 TASK OUTCOMES. Completion of this task results in either:

A. Issuance of a certificate and OpSpecs authorizing operations under part 125.

B. A record on file consisting of the following:

- 1) Written notification to the applicant denying the certificate (Figure 2-25).
- 2) Indication of the return of all original documents to the applicant.
- 3) Notification to the regional office and AFS-620 to cancel the precertification number.

C. A letter to the applicant confirming termination of the certification process (Figure 2-26).

2-692 FUTURE ACTIVITIES.

A. Develop Post-Certification Plan. When developing a post-certification plan, the inspector should perform additional surveillance or inspections during the first 90 days the organization is in business. This may require assistance from other district offices.

B. Conduct Surveillance. According to the established post-certification plan, conduct surveillance at appropriate intervals.

Figure 2-9, FAA Form 8430-21, Operating Certificate



Operating Certificate

This certifies that

Atlantis Aviation, Inc.
 7705 Airport Road
 Hangar 13
 Chantilly, VA 22435

has met the requirements of the Federal Aviation Act of 1958, as amended, and the rules, regulations, and standards prescribed therein, for the issuance of this certificate and is authorized to operate as an Air Operator and conduct FAR Part 125 Operations

in accordance with said Act and its rules, regulations, and standards:

This certificate is not transferable and, unless canceled, suspended, superseded, surrendered or revoked, shall continue in effect indefinitely.

By Direction of the Administrator.

Certificate number AAI-L-012-B

Effective date: March 15, 1989

Issued at: EAD6, Washington, DC

Fred Pearson
 (Signature)
Manager, FSOP NS
 (Title)

Figure 2-14A, Sample Schedule of Events Format

PART 125 SCHEDULE OF EVENTS – CERTIFICATION				
OFFICIAL NAME OF COMPANY		LOCATION ADDRESS		
MAILING ADDRESS (if different)		PRECERTIFICATION NO.		
DATE READY FOR FAA INSP.	FORMAL APPLICATION PHASE	Date Received	Date Returned	Date Approved/ Accepted
	Formal Application Letter			
	Schedule of Events			
	Policies/Procedures Manual			
	Documents of Purchase, Contracts, Leases, and/or Letters of Intent			
	Initial Compliance Statement			
DOCUMENT COMPLIANCE PHASE				
	Training Programs:			
	Maintenance Personnel			
	Inspection Personnel			
	Ground Handling/Serviceing			
	Manuals:			
	Completed Policies/Procedures Manual			
	FAA-Approved Airplane Flight Manual			
	Maintenance Technical Manuals:			
	Airframe/Powerplant			
	Structural Repair			

Figure 2-14A, Sample Schedule of Events Format – Continued

DATE READY FOR FAA INSP.	FORMAL APPLICATION PHASE	Date Received	Date Returned	Date Approved/ Accepted
	Parts Catalogue			
	Inspection Procedures			
	Manufacturer’s or Vendor’s Manual			
	Wiring Manual			
	Overhaul Manual			
	Aircraft Checklists			
	Training Contracts			
	Maintenance Contracts/Agreements			
	Aircraft Leases			
	Environmental Assessment			
	Final Compliance Statement			
	Emergency Evacuation Demonstration Plan			
	OpSpecs			
	Flight Release Procedures			
	MEL			
	CDL			
DEMONSTRATION AND INSPECTION PHASE				
	Training Facilities			
	Training/Testing			
	Flight Crewmembers			
	Check Airmen			
	Flight Attendants			

Figure 2-14A, Sample Schedule of Events Format – Continued

DATE READY FOR FAA INSP.	FORMAL APPLICATION PHASE	Date Received	Date Returned	Date Approved/ Accepted
	Flight Locating			
	Hazardous Materials			
	Maintenance Training			
	Aircraft Conformity Inspection			
	Main Operations Base			
	Main Maintenance Base			
	Flight Locating Facilities			
	Recordkeeping:			
	Operations			
	Maintenance			
	Inspections			
	Emergency Evaluation Demonstration			
REMARKS				

Figure 2-18A, FAA Form 8400-6, Preapplication Statement of Intent—Continued

Section 1A. To Be Completed By All Applicants		
10. Additional information that provides a better understanding of the proposed operation or business (attach additional sheets, if necessary)		
11. The statements and information contained on this form denote an intent to apply for FAA certification.		
Signature	Date	Name and Title
Section 2. To Be Completed By FAA District Office		
Received by (district office):		Date forwarded to Region:
Date:		For: <input type="checkbox"/> Action <input type="checkbox"/> Information only
Remarks		
Section 3. To Be Completed By Regional Office		
Received by:		Precertification Number:
Date:		Date coordinated with AFS-620:
District office assigned responsibility:		Date forwarded to district office:
Remarks		

Figure 2-21, Questions for Part 125 Applicability Job Aid

(1) Question 1. Do you plan to operate at least one civil airplane with a seating capacity of 20 or more passengers or a maximum payload capacity of 6,000 pounds or more? If no, Title 14 of the Code of Federal Regulations (14 CFR) part 125 does not apply. [Reference: § 125.1(a).] If yes, move to question 2.

(2) Question 2. Is your large airplane registered in the United States? If no, part 125 does not apply. [Reference: § 125.1(a).] If yes, move to question 3.

(3) Question 3. Will your U.S.-registered airplane be operated in any portion of the United States or territory, commonwealth, or possessions of the United States? If not, and you are not a U.S. citizen, you are only required to comply with the inspection program and maintenance requirements of § 125.247. [Reference: § 125.1(c).] If yes, move to question 4. Foreign-based U.S. citizens also move to question 4.

(4) Question 4. Is your airplane operated on restricted, limited, or provisional airworthiness certificate, special flight permit, or experimental certificate? If yes, part 125 does not apply. [Reference: § 125.1(b)(2).] If no, move to question 5.

(5) Question 5. Do you conduct common carriage as the holder of an operating certificate under the provisions of 14 CFR parts 121 or 135? The key is common carriage. If yes, then you must continue to operate under the commercial operator requirements of part 121 or 135 [Reference: §§ 121.(a)(5) or 135.1(a)(3).] If no, move to question 6. All other commercial operators must convert to part 125 requirements.

(6) Question 6. Do you presently hold an Air Carrier Operating Certificate issued under parts 121 or 135? If yes, then you are not eligible for a part 125 operating certificate. [Reference: § 125.11(a).] If no, move to question 7.

(7) Question 7. Are you presently required to operate your airplanes under part 121, 135, or 137? If yes, part 125 does not apply. [Reference: § 125.1(b)(1).] If no, part 125 is applicable to your operation.

Figure 2-22, Part 125 Sample Letter Rejecting Formal Application Package

FAA Letterhead

[Date]

[Applicant's Name and Address]

Dear [Name of appropriate official]:

Enclosed is the formal application package you submitted for a Title 14 of the Code of Federal Regulations (14 CFR) part 125 air operator's certificate. It does not contain several of the fundamental elements needed to continue the certification process. We have noted the following problems: [Indicate discrepancies in detail.]

- 1.
- 2.
3. (etc)

If we do not receive a corrected formal application package within 60 days, you will be notified that this certification project is terminated.

Sincerely,

John L. Lewis
Certification Project Manager

Figure 2-22A, Part 125 Sample Letter Rejecting Operator's Manual

FAA Letterhead

[Date]

[Applicant's Name and Address]

Dear [name of authorized official]:

The certification team assigned to your application for a Title 14 of the Code of Federal Regulations (14 CFR) part 125 air operator certificate has reviewed the proposed operator's manual, required by 14 CFR § 125.71. The manual is unacceptable and is being returned for the following reasons:

- 1.
- 2.
3. (etc.)

A review of the manual's required contents, found in § 125.73 should provide sufficient guidance for you in correcting the above discrepancies. Issuance of your certificate will be withheld until a corrected manual has been submitted in an acceptable form. Please call this office with any questions you may have.

Sincerely,

John L. Lewis
Certification Team Leader

Figure 2-23, Part 125 Sample Letter Acknowledging Receipt/Acceptance of Formal Application

FAA Letterhead

[Date]

[Applicant's Name and Address]

Dear [Name of appropriate official]:

- This is to acknowledge receipt on January 15, 2004, of your application for a Title 14 of the Code of Federal Regulations (14 CFR) part 125 air operator's certificate and the associated schedule of events. After cursory examination we have determined that your application package is of satisfactory quality for us to continue with the certification process. Acceptance of the application package does not constitute a determination of acceptability of individual documents. This will be determined during an in-depth examination for compliance, which is currently being conducted. Unless we discover problems with compliance, the certification team will be ready to conduct inspections in accordance with your schedule of events.

Sincerely,

John L. Lewis
Certification Project Manager

Figure 2-24, Part 125 Sample Formal Application Letter

June 1, 2008

Manager

Flight Standards District Office
300 Lindberg Drive
Tulsa, Oklahoma 57692

Dear Sir:

Avalon Aviation, Inc. hereby makes application for a certificate to conduct operations in accordance with the provisions of Title 14 of the Code of Federal Regulations (14 CFR) part 125.

Avalon Aviation, Inc. intends to conduct flight operations in and between any state of the United States of America or in the District of Columbia and to points in Canada, Mexico, and Central and South America.

The attached pages outline how Avalon Aviation, Inc. intends to comply with appropriate sections of part 125. We intend to commence flight operations on December 1, 2008.

Mr. John Edwim has been appointed as Director of Flight Operations. All correspondence relative to this application and future activities of Avalon Aviation, Inc. should be addressed to his attention.

Sincerely,

Smith Ballon
President

Figure 2-25, Sample Part 125 Letter Denying Certification

FAA Letterhead

[Date]

[Applicant's Name and Address]

Dear [Name of appropriate official]:

Enclosed are the various documents submitted during the attempt to certificate you as a Title 14 of the Code of Federal Regulations (14 CFR) part 125 air operator. Your application for this certificate is denied for the following reasons: [Provide detailed reasons and supportive material.]

- 1.
- 2.
3. (etc.)

If, after the noted problems have been corrected, you wish to attempt certification again, the process will be initiated from the beginning as a new certification project.

Sincerely,

Raymond E. Loves
District Office Manager

Figure 2-26, Sample Part 125 Letter Confirming Termination of Certification Process

FAA Letterhead

[Date]

[Applicant's Name and Address]

Dear [Name of appropriate official]:

This is to confirm the termination of the project to certificate you as a Title 14 of the Code of Federal Regulations (14 CFR) part 125 air operator. [Indicate whether the termination was at the instigation of FAA or at the request of the applicant.] Enclosed are all documents you submitted for review.

Sincerely,

Thomas W. Duley
Aviation Safety Inspector

Figure 2-31, Sample Template LODA A125

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

14 CFR Part 125M Operations**Letter of Deviation Authority (LODA)**

1. Letter of Deviation Authority (LODA). The operator/company listed at the bottom of this document is hereby issued a LODA from the requirements of Title 14 of the Code of Federal Regulations (14 CFR) § 125.5 to hold a part 125 operating certificate and operations specifications (OpSpecs), as provided by 14 CFR § 119.23(a), § 125.3(a) and as authorized in A005, Letter of Authorization, Exemptions and Deviations.
2. This LODA is issued for the purpose of conducting noncommercial operations. Noncommercial operations are operations in which persons or cargo are transported without compensation or hire (including reimbursement for operating costs), or operations that do not involve the transportation of persons or cargo. The LODA authorizes the company/operator to transport its personnel, property, and guests. Guests may only travel on flights for which the company/operator has a business purpose.
3. Any operations, other than those authorized by this LODA, will result in the termination of this deviation authority. This LODA must be surrendered upon the request of the Administrator or an authorized representative. A copy of this LODA must be carried in the airplane(s) as required by 14 CFR § 125.7 and presented for inspection upon the request of the Administrator or an authorized representative.
4. This LODA is issued with the understanding that the company/operator shall:
 - a. Operate its airplane (make/model and registration number) authorized in A003, Airplane Authorization, in compliance with 14 CFR §§ 125.91 and 125.93 notwithstanding specific deviations as authorized in A005, Letter of Authorization, Exemptions and Deviations.
 - b. Conduct operations in accordance with 14 CFR §§ 125.25, 125.37, 125.39, 125.45, 125.47 (A001, Issuance and Applicability), 125.49, 125.51, and 125.53, of subpart B, notwithstanding specific deviations authorized in A005, Letter of Authorization, Exemptions and Deviations. A007, Letter of Authorization, Agent for Service must be issued to show compliance or equivalent level of safety to 14 CFR § 125.25.
 - c. Comply with the Manual Requirements of 14 CFR part 125 subpart C, notwithstanding specific deviations authorized in A005, Letter of Authorization, Exemptions and Deviations.
 - d. Comply with the Airplane Requirements of 14 CFR part 125 subpart D, notwithstanding specific deviations authorized in A005, Letter of Authorization, Exemptions and Deviations.
 - e. Comply with the Special Airworthiness Requirements of 14 CFR part 125, subpart E, notwithstanding specific deviations authorized in A005, Letter of Authorization, Exemptions and Deviations.
 - f. Comply with the Instrument and Equipment Requirements of 14 CFR part 125 subpart F, notwithstanding specific deviations authorized in A005, Letter of Authorization, Exemptions and Deviations.
 - g. Comply with the Maintenance Requirements of 14 CFR part 125 subpart G, notwithstanding specific deviations authorized in A005, Letter of Authorization, Exemptions and Deviations.
 - h. Comply with the airmen and flight crewmember requirements of 14 CFR part 125 subparts H and I, and provide initial and/or recurrent training for flightcrew and flight attendant emergency training as authorized in A031,

Figure 2-31, Sample Template LODA A125 – Continued

Letter of Authorization for Flight Crewmember Requirements, notwithstanding specific deviations authorized in A005, Letter of Authorization, Exemptions and Deviations.

i. Conduct flight operations in accordance with 14 CFR part 125 subparts J, K and L, notwithstanding specific deviations authorized in A005, Letter of Authorization, Exemptions and Deviations. These operations shall be described in A008, Letter of Authorization, Flight Release Authority.

j. Comply with the requirements of 14 CFR part 125, Appendices A, B, C, D, and E, notwithstanding specific deviations authorized in A005, Letter of Authorization, Exemptions and Deviations.

k. Comply with the Special Area of Authorization requirements contained in, but not limited to, LOA’s B034, B036, B039, B046, B050, and D098, as applicable, if issued.

l. Comply with the requirements of 14 CFR § 125.201 by the issuance of a letter of authorization (LOA) for a minimum equipment list (MEL) (LOA D095).

m. Notify the manager of the Flight Standard District Office (FSDO) of any material change in the facts stated in your letter of compliance for this LODA and/or any changes in the original authorizations and deviations herein.

5. This LODA will remain in effect until superseded, withdrawn, or rescinded.

TEXT99

HQ Control: 08/08/06

HQ Revision: 000

This Authorization is Issued by the Federal Aviation Administration and approved by direction of the Administrator.

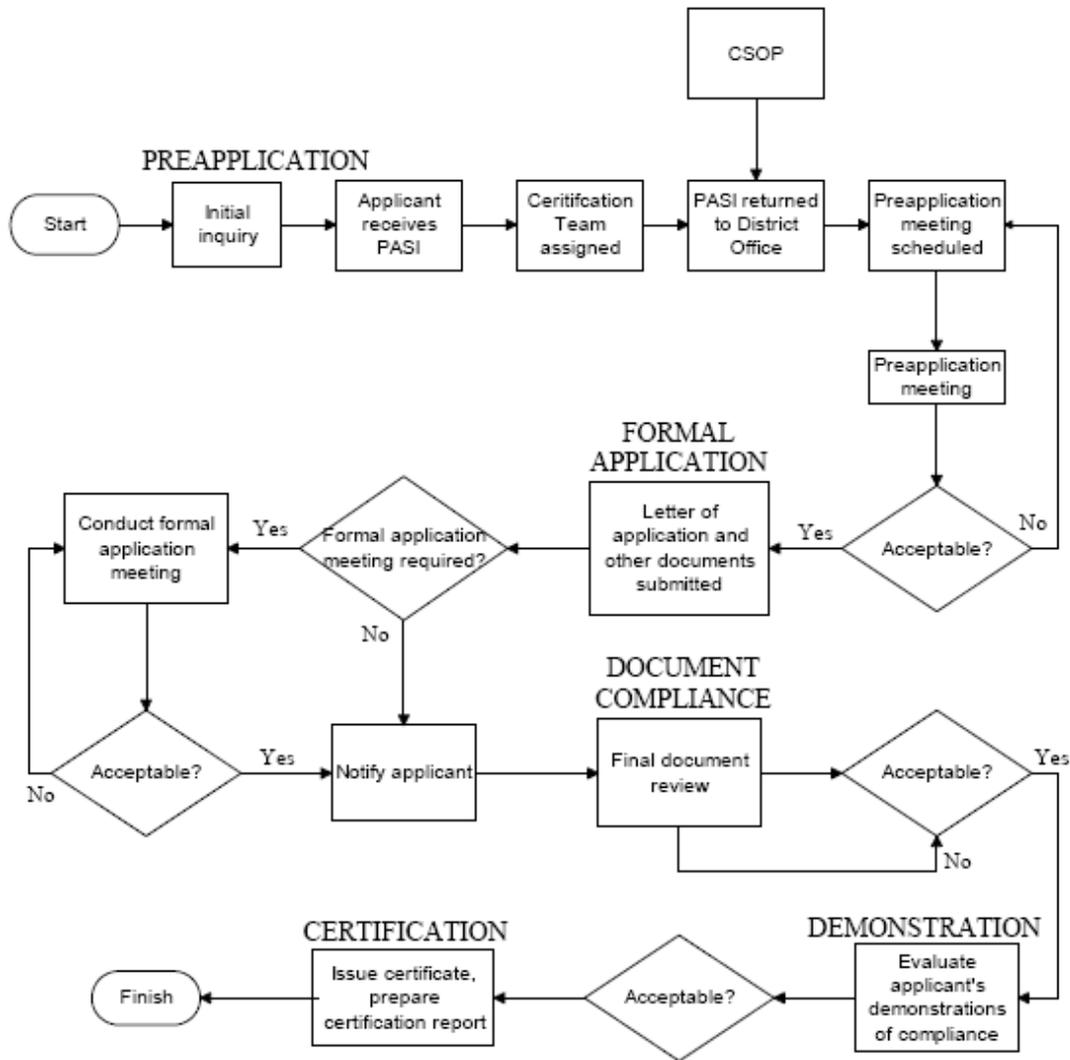
Date Approval is effective:

Amendment Number:

I hereby accept and receive this Authorization.

Date:

Figure 2-36, Certification Process Flowchart



NOTE: If any of the demonstrations are determined to be unacceptable notify the applicant.

Figure 2-36A, Certification Job Aid

NAME OF APPLICANT:	INSP. INITIAL	DATE																					
I. PREAPPLICATION PHASE																							
A. INITIAL ORIENTATION: INSPECTOR _____																							
1. DETERMINE ELIGIBILITY																							
2. ADVISORY CIRCULARS (AC 125-1 AND AC 120-12) PROVIDED TO APPLICANT																							
3. PREAPPLICATION STATEMENT OF INTENT:																							
a. Copy of regional office																							
b. Precertification number _____																							
B. CERTIFICATION TEAM DESIGNATED (at least one operations, one maintenance, and one avionics inspector) <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 40%;">Name</th> <th style="text-align: left; width: 40%;">Specialty</th> <th style="width: 20%;"></th> </tr> </thead> <tbody> <tr> <td>CPM _____</td> <td>_____</td> <td></td> </tr> <tr> <td>_____</td> <td>_____</td> <td></td> </tr> </tbody> </table>			Name	Specialty		CPM _____	_____		_____	_____		_____	_____		_____	_____		_____	_____		_____	_____	
Name	Specialty																						
CPM _____	_____																						
_____	_____																						
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_____	_____																						
_____	_____																						
_____	_____																						
C. CONDUCT PREAPPLICATION MEETING																							
1. VERIFY PASI INFORMATION																							
2. OVERVIEW OF CERTIFICATION PROCESS																							
3. PROVIDE CERTIFICATION PACKAGE																							
a. Certification Job Aid																							
b. Schedule of Events																							
c. Advisory Circular																							
d. Sample Operations Specifications																							

Figure 2-36A, Certification Job Aid – Continued

PREAPPLICATION PHASE (CONT'D)	INSP. INITIAL	DATE
4. EXPLAIN FORMAL APPLICATION SUBMISSIONS		
REMARKS:		
II. FORMAL APPLICATION PHASE		
A. REVIEW APPLICANT'S SUBMISSIONS		
1. FORMAL APPLICATION LETTER		
a. Mailing address		
b. Principal base of operations		
c. List of Flight Crewmembers		
o Certificate numbers		
o Ratings		
d. Key Management Personnel		
e. Persons authorized to sign operations specifications		
o Name		
o Title		
o Signature		
f. Deviations		
2. SCHEDULE OF EVENTS		
3. INITIAL COMPLIANCE STATEMENT		
4. POLICIES AND PROCEDURES MANUAL		

Figure 2-36A, Certification Job Aid — Continued

II. FORMAL APPLICATION PHASE (CONT'D)		INSP. INITIAL	DATE
5. CONTRACTS, LEASES, ETC.			
6. AGREEMENTS			
7. LETTERS OF INTENT			
B. EVALUATE FAA RESOURCE CAPABILITY BASED ON SCHEDULE OF EVENTS			
REMARKS:			
C. FORMAL APPLICATION MEETING			
1. SCHEDULE MEETING Date: _____ Time: _____			
2. DISCUSS EACH SUBMISSION			
3. RESOLVE DISCREPANCIES/OPEN ITEMS			
4. REVIEW CERTIFICATION PROCESS			
5. REVIEW IMPACT ON SCHEDULE OF EVENTS			
D. ISSUE LETTER ACCEPTING/REJECTING APPLICATION			
REMARKS:	INSP. INITIAL	DATE RET'D	DATE RESUB'D
			DATE APP. ACC.
III. DOCUMENT COMPLIANCE PHASE			
A. EVALUATE FINAL COMPLIANCE STATEMENT			
B. EVALUATE MANAGEMENT QUALIFICATIONS			
1. GENERAL MANAGER			
2. DIRECTOR OF OPERATIONS			
3. INSPECTION SCHEDULER			
4. CHECK AIRMEN			
5. OTHER			

Figure 2-36A, Certification Job Aid – Continued

III. DOCUMENT COMPLIANCE PHASE (CONT'D)	INSP. INITIAL	DATE RET'D	DATE RESUB'D	DATE APP. ACC.
C. EVALUATE APPLICABLE DOCUMENTS, CONTRACTS, LEASES, AND AGREEMENTS				
1. AIRCRAFT LEASES				
2. MAINTENANCE CONTRACTS/AGREEMENTS				
3. SERVICING CONTRACT/AGREEMENT				
D. EVALUATE POLICIES/ PROCEDURES MANUAL				
E. AIRPLANE FLIGHT MANUAL				
F. MAINTENANCE TECHNICAL MANUALS				
G. OPSPECS				
H. EMERGENCY EVALUATION PLAN				
I. BRIEFING CARDS				
J. ENVIRONMENTAL ASSESSMENT				
1. NOISE				
2. EMISSIONS				
K. MINIMUM EQUIPMENT LIST				
IV. DEMONSTRATION & INSPECTION PHASE	INSP. INITIAL	DATE BEGUN	DATE COMPL'D	DATE APP. ACC.
A. EVALUATE APPLICANT CONDUCTING TRAINING				
1. MAINTENANCE				
2. SERVICING				
3. INSPECTION				
B. AIRMAN TESTING/ CERTIFICATION				
1. FLIGHTCREW				

Figure 2-36A, Certification Job Aid – Continued

IV. DEMONSTRATION & INSPECTION PHASE (CONT'D)	INSP. INITIAL	DATE BEGUN	DATE COMPL'D	DATE APP. ACC.
2. FLIGHT ATTENDANTS				
C. INSPECT AIRCRAFT FOR CONFORMITY				
D. INSPECT BASE				
E. INSPECT MAINTENANCE FACILITY				
F. INSPECT RECORDKEEPING PROCEDURES				
1. AIRCRAFT MAINTENANCE RECORDS				
2. TRAINING RECORDS				
3. AIRMAN RECORDS				
4. FLIGHTCREW DUTY RECORDS				
5. MAINTENANCE CREW DUTY RECORDS				
6. FLIGHT ATTENDANT RECORDS				
7. INSPECTION RECORDS				
G. EVALUATE EMERGENCY EVACUATION				
H. INSPECT FLIGHT LOCATING FACILITIES				
REMARKS				

Figure 2-36A, Certification Job Aid – Continued

V. CERTIFICATION PHASE	INSP. INITIAL	DATE COMPL'D
A. APPROVE OPERATIONS SPECIFICATIONS		
B. PRESENT CERTIFICATE & OP SPECS TO CERTIFICATE HOLDER		
C. PREPARE CERTIFICATION REPORT		
1. ASSEMBLE ATTACHMENTS		
2. OUTLINE PROBLEMS		
3. SUGGESTIONS TO IMPROVE CERTIFICATION PROCESS		
4. DISTRIBUTE REPORT		
D. DEVELOP SURVEILLANCE PLAN		
1. WITHIN GEOGRAPHICAL AREA		
2. OUTSIDE GEOGRAPHICAL AREA		
REMARKS:		

RESERVED. Paragraphs 2-693 through 2-710.