
September 20, 2016

Office of the Chief Counsel
Attention: FAA Part 16 Airport Proceedings Docket
AGC-600
Federal Aviation Administration
800 Independence Ave., S.W.
Washington, D.C. 20591

Dear Sir or Madam:

The National Air Transportation Association (NATA) submits this correspondence in support of the Part 16 Complaint filed by our member, Atlantic Aviation (Atlantic). As fully described in the filing submitted by Atlantic, the conduct of the City of Santa Monica, California (City) regarding the Santa Monica Municipal Airport (SMO) violates both federal law and FAA Grant Assurances. We request the agency act immediately to address the concerns raised by Atlantic, including the City's proposal to replace Atlantic with a proprietary Fixed Base Operation (FBO).

NATA represents a broad array of aeronautical service providers requisite for a vibrant general aviation sector. Our member companies provide fuel, on-demand air charter, aircraft rental, storage, flight training, aircraft maintenance, parts sales, line support and business aircraft and fractional ownership fleet management. NATA members range in size from large companies with international presence to smaller, single-location operators that depend exclusively on general aviation for their livelihood.

Despite the significant investment and job creation of Atlantic at SMO, our member company finds itself being used as a catspaw in the City's ongoing effort to close the airport in advance of the 2023 expiration of the current Grant Assurance. We understand the City has signed new leases with non-aviation related businesses at SMO while taking the extreme measure to serve Atlantic with an eviction proceeding on September 15, 2016. This is just the latest in a series of steps by the City to undermine the utility of SMO as an active airport. Atlantic has been forced to operate at times without a lease and, during the negotiation of two holdover agreements, the City has used its dominant bargaining power in an arguably predatory manner.

NATA believes the public is best served when private enterprise provides FBO services where economically viable. We also acknowledge that such a situation may not be feasible at every airport. However, as evidenced by Atlantic's ongoing attempts to negotiate a long-term lease, it is economically viable for private enterprise to provide FBO services at SMO.

Rather, the City's intention to replace Atlantic with a proprietary FBO offering only 'environmentally friendly' fuels that are not commercially viable is simply an underhanded attempt to further strangle the airport. In this instance, the City is acting in an arbitrary and capricious manner and is certainly in violation of the "fair and reasonableness" requirement of FAA Grant Assurances.

Atlantic's use of bio-diesel refueling trucks and electric towing tugs demonstrates its commitment to operating in an environmentally friendly manner at SMO. In fact, the general aviation community is committed to removing the last vestiges of lead in aviation fuel. NATA is an active participant on the joint government/industry Piston Aviation Fuels Initiative (PAFI) Steering Group. While PAFI testing is currently underway toward the development of an unleaded replacement to 100LL, there is not yet a commercially available product at this time with an FAA fleet-wide authorization.

The failure by the City to abide by its requirements under federal law and FAA Grant Assurances strongly suggests that safety at SMO will be compromised. NATA member companies, including Atlantic, are committed to managing safe and efficient FBO operations. This commitment requires companies to make ongoing investments in both safety equipment and training. Beyond the fuel issue noted above, there is no evidence to suggest that the City will take its obligation seriously to operate an FBO with the requisite knowledge of safe ground handling and fueling operations. Given the City's repeated pronouncements that it seeks to end aviation activity at SMO, it is more than reasonable to suspect any City operated FBO will be managed toward the goal of closing SMO in advance of the Grant Assurances expiration in 2023.

The appropriate treatment of aeronautical service providers by landlords is an important one to the entire aviation community and the agency's actions in this matter will no doubt be closely watched. We implore the agency to act swiftly in this matter and grant the relief requested by Atlantic's Part 16 complaint. Thank you for your willingness to consider our views, we welcome the opportunity to participate in any future discussions.

Sincerely,



Martin H. Hiller
President
National Air Transportation Association