

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Airport

AGENDA DATE: April 20, 2010

CONTACT PERSON NAME AND PHONE NUMBER: Monica Lombraña, A.A.E. – 780-4793

DISTRICT(S) AFFECTED: ALL

SUBJECT:

AUTHORIZE the City Manager to file an amendment with the Federal Aviation Administration (FAA) regarding Passenger Facility Charge (PFC) Application No. 09-05-C-00-ELP at El Paso International Airport (EPIA). This amendment requests an increase in the PFC collection level from \$3.00 per enplaned passenger to \$4.50 per enplaned passenger. All requirements of the PFC application have been met to date, including airline notification and consultation, and public notice.

BACKGROUND / DISCUSSION:

City Council previously approved PFC Application 09-05-C-00 at a collection level of \$3.00 per enplaned passenger, to impose and use PFC funds for the following projects:

1. Reconstruction of Taxiway L (\$15,434,000)
2. Reconstruction of Taxiway Radius Geometry – Taxiways J & K Connectors (\$5,200,000)

The total PFC revenue for the application remains at \$20,634,000.

The request to increase the charge level to \$4.50 is due to a decline in enplanements. PFC collections at the \$3.00 level are not adequate to fund in a timely manner the City's capital projects that are currently authorized to be funded with PFC funds. The proposed effective date for the \$4.50 collection level is August 1, 2010, or 30 days after airline notification of FAA approval of the amendment; the charge expiration is estimated to be March 1, 2013.

PRIOR COUNCIL ACTION:

PFC Application No. 09-05-C-00 was approved by City Council on February 24, 2009

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD: _____

Information copy to appropriate Deputy City Manager

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to file an Amendment to Passenger Facility Charge (PFC) Application No. 09-05-C-00-ELP with the Federal Aviation Administration (FAA), authorizing i) an increase to \$4.50 per eligible enplaned passenger; (ii) submission of all and related documentation contained in the amendment or requested by the FAA; and (iii) designate the Director of Aviation as the authorized representative of the City of El Paso to act in connection with the amendment.

ADOPTED THIS ____ DAY OF _____, 2010.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

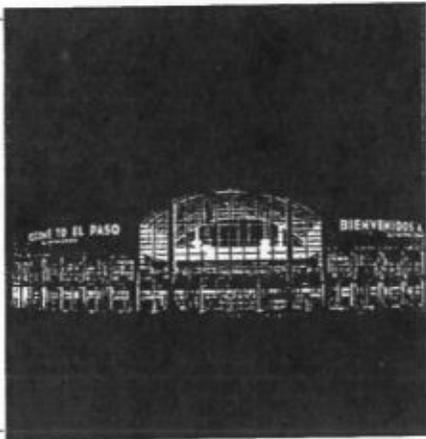
Richarda Duffy Momsen
Municipal Clerk

APPROVED AS TO FORM:

Theresa Cullen
Deputy City Attorney

APPROVED AS TO FORM:

Monica Lombraña, A. A. E.
Director of Aviation



Application to Amend a Passenger Facility Charge at El Paso International Airport

PFC Amendment
No. 09-05-C-01-ELP



April 2010

April 26, 2010

Ms. Kristi Warden
PFC/ACIP/Capacity Program Manager
FAA SW Regional Office
2601 Meacham Blvd.
Fort Worth, TX 76193-0600

RE: Request to Amend Passenger Facility Charge, No. 09-05-C-00-ELP, City of El Paso

Dear Ms. Warden:

The City of El Paso ("City") is pleased to submit, for review and approval by the Federal Aviation Administration (FAA), a request to amend passenger facility charge (PFC) No. 09-05-C-00-ELP at El Paso International Airport (the "Airport" or ELP). The City is seeking an increase in its PFC collection level from \$3.00 per enplaned passenger to \$4.50 per enplaned passenger. Due to a decline in enplanements, PFC collections at the \$3.00 level are not adequate to fund in a timely manner the City's capital projects that are currently authorized to be partially funded with PFCs. The City is not revising the scope, cost or funding source of any projects originally included in PFC No. 09-05-C-00-ELP.

This request includes the following:

- Application Form 5500-1
- Attachment C: Air Carrier Consultation & Public Notice Information
- Attachment D: Request to Exclude Class(es) of Carriers

We have enclosed two copies of this document for FAA review.

The City proposes to change its current PFC Program as follows:

- Increase the PFC collection level from \$3.00 to \$4.50 per eligible enplaned passenger by submitting a PFC application amendment for PFC Application No. 09-05-C-00-ELP to the FAA following (1) the airline consultation meeting and (2) receipt of the airlines' comments on the proposed PFC collection level change
- The City is seeking no change in the total PFC impose and use approval, scope of PFC projects, or cost and funding sources of PFC projects included in PFC Application No. 09-05-C-00-ELP.

PFC level, proposed charge effective dates, estimated charge expiration dates and estimated total PFC revenue

- Proposed PFC Collection level - \$4.50
- Proposed charge effective date for \$4.50 PFC collection level: August 1, 2010, or 30 days after airline notification of FAA approval of this PFC Amendment.
- Total PFC authority to impose and use PFCs for the City remains at \$76,826,242. The attached Table 1 presents the existing PFC authority for the City by application.
- Estimated charge expiration date for the City's PFC Program: March 1, 2013 (or until collected revenues plus interest thereon equal the allowable costs of the total approved PFC projects, as permitted by regulation).

Ms. Warden
FAA SW Regional Office
April 26, 2010
Page 2

These dates are estimated, based on a 1.0 percent annual enplaned passenger growth rate beginning in fiscal year 2011 and a 90 percent collection rate on enplaned passengers.

- As discussed in greater detail in Attachment D: "*Request to Exclude Class(es) of Carriers*" and as approved by the FAA in previous PFC Records of Decision for the Airport, Air Taxi/Commercial Operators (ATCO) – Nonscheduled/On-Demand Carriers that exclusively file FAA Form 1800-31 and enplane less than 2,500 passengers at the Airport - are requested to be excluded from the collection of a PFC. The number of passengers enplaned by these carriers accounted for no more than one percent of the total number of passengers enplaned at the Airport in CY 2008. As a result, it would be administratively burdensome for the City to ensure remittance of the PFC from this class of carrier in compliance with federal requirements, and exempting this class will have virtually no effect on revenues.
- In accordance with 14 CFR § 158.23, the City notified the air carriers on February 5, 2010, of a consultation meeting. This meeting was held on March 18, 2010, at 9:00 a.m. local time in the Board Room located in the administrative offices on the second floor of the Airport at 6701 Convair Road, El Paso, TX 79925. Relevant information regarding the air carrier consultation meeting is included in Attachment C: "*Air Carrier Consultation & Public Notice Information*".
- In accordance with 14 CFR § 158.24, the City posted a public notice of its intent to submit an application to impose and use a PFC at the Airport. This public notice was posted on the Airport's website on February 8, 2010, and provided for a 45-day public comment period. Relevant information regarding the public notice is included in Attachment C: "*Air Carrier Consultation & Public Notice Information*".

We look forward to your favorable review and approval of our amendment to PFC Application No. 09-05-C-00-ELP at the Airport. If you have any questions concerning this application or seek further clarification, please contact me at (915) 780-4793, or our aviation consultant, Bonnie Deger of Ricondo & Associates. Ms. Deger may be reached at (513) 651-4700 extension 211, or by e-mail at b_deger@ricondo.com.

Sincerely,

Monica Lombraña
Director of Aviation

Attachments

 Federal Aviation Administration U. S. Department of Transportation	PASSENGER FACILITY CHARGE (PFC) APPLICATION				
FAA USE ONLY					
1. Application Type (Check all that apply) <input type="checkbox"/> a. Impose PFC Charges <input type="checkbox"/> b. Use PFC Revenue <input checked="" type="checkbox"/> c. Amend PFC No. <u>09-05-C-00-ELP</u>					
	<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; border-bottom: 1px solid black;">Date Received</td> <td style="width:50%; border-bottom: 1px solid black;">PFC Number</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>	Date Received	PFC Number		
Date Received	PFC Number				
PART I					
2. Public Agency Name, Address, and Contact Person Agency Name <u>El Paso International Airport</u> Address <u>6701 Convair Road</u> City, State, ZIP <u>El Paso, TX 79925</u> Contact Person <u>Monica Lombraña 915.780.4793</u>	3. Airport(s) to Use <u>El Paso International Airport</u>				
4. Consultation Dates a. Date of Written Notice to Air Carriers: <u>February 5, 2010</u> b. Date of Consultation Meeting with Air Carriers: <u>March 18, 2010</u> c. Date of Public Notice <u>February 8, 2010</u>					
PART II					
5. Charges					
a. Airport to Impose <u>El Paso International Airport</u>	b. Level <input type="checkbox"/> \$1.00 <input type="checkbox"/> \$2.00 <input type="checkbox"/> \$3.00 <input type="checkbox"/> \$4.00 <input checked="" type="checkbox"/> \$4.50	c. Total Estimated PFC Revenue by Level Impose _____ Use _____ Impose <u>\$20,634,000</u> Use <u>\$20,634,000</u>	d. Proposed Effective Date: <u>Upon Approval of Amendment and Airline Notification</u>	e. Estimated Expiration Date: <u>March 1, 2013</u>	
PART III					
6. Attachments (Check all that Apply)					
Attached	Submitted with Application Number	Document			
a. <input type="checkbox"/>	<input checked="" type="checkbox"/> 09-05-C-00-ELP	Airport Capital Improvement Plan			
b. <input type="checkbox"/>	<input checked="" type="checkbox"/> 09-05-C-00-ELP	Project Information (Attachment B)			
c. <input checked="" type="checkbox"/>		Air Carrier Consultation and Public Notice Information			
d. <input checked="" type="checkbox"/>		Request to Exclude Class(es) of Carriers			
e. <input type="checkbox"/>	N/A	Alternative Uses/Projects			
f. <input type="checkbox"/>	N/A	Competition Plan/Update			
g. <input type="checkbox"/>	<input checked="" type="checkbox"/> 09-05-C-00-ELP	ALP/Airspace/Environmental			
h. <input type="checkbox"/>		Notice of Intent Project Information			
i. <input type="checkbox"/>	<input checked="" type="checkbox"/> 09-05-C-00-ELP	Assurances			
PART IV					
7. With respect to this PFC application I hereby certify as follows: To the best of my knowledge and belief, all data in this application are true and correct; This application has been duly authorized by the governing body of the public agency; The public agency will comply with the assurances (Appendix A to Part 158) if the application is approved; For those projects for which approval to use PFC revenue is requested, all applicable ALP approvals, airspace determinations, and environmental reviews required by the National Environmental Policy Act have been completed. If required, the public agency has submitted a competition plan in accordance with 49 U.S.C. 47106(f); and If required by 49 U.S.C. 40117(d)(4), adequate provision for financing the airside needs, including runways, taxiways, aprons, and gates, has been made by the public agency.					
a. Typed Name of Authorized Representative <u>Monica Lombraña</u>	b. Title <u>Director of Aviation</u>	c. Telephone Number <u>915.780.4793</u>			
	d. E-mail Address <u>monica.lombrana@elpasotexas.gov</u>	e. Fax Number <u>915.779.5452</u>			
f. Signature of Authorized Representative		g. Date Signed			
<p>Paperwork Reduction Act Statement: This form is the FAA's primary source for collecting information for the authority to collect PFC revenue for airport development. The information is used to determine the eligibility and justification of airport development projects regarding safety, security, or capacity of the national air transportation system; or which reduce noise or mitigate noise impacts resulting from an airport; or furnish opportunities for enhanced competition between or among air carriers. It is estimated that it will take approximately 5-80 hours to fill out the application depending on the complexity. The use of the form is required to obtain FAA approval of authority to collect PFC revenue (49 U.S.C. 40117(c)). No assurance of confidentiality is necessary or provided. It should be noted that an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number associated with this collection of information is 2120-0557. Comments concerning the accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW, Washington, DC, 20591, Attn: Information Collections Clearance Officer, AIO-20.</p>					

TABLE 1

*City of El Paso, Texas
El Paso International Airport
PFC Amendment No. 09-05-C-01-ELP*

STATUS OF PFC AUTHORITY

Application	Approved for Impose	Approved for Use
96-01-C-00-ELP	\$40,271,000	\$37,308,000
96-01-C-01-ELP	\$2,539,927	
96-01-C-02-ELP	(\$6,311,001)	(\$3,118,797)
Subtotal 96-01-C-00-ELP (as amended)	\$36,499,926	\$34,189,203
00-02-U-00-ELP	\$0	\$5,502,927
00-02-U-01-ELP		(\$3,192,204)
Subtotal 00-02-U-00-ELP (as amended)	\$0	\$2,310,723
06-03-C-00-ELP	\$15,748,267	\$15,748,267
06-03-C-01-ELP	(\$6,154,172)	(\$6,154,172)
Subtotal 06-03-C-00-ELP (as amended)	\$9,594,095	\$9,594,095
08-04-C-00-ELP	\$10,098,221	\$10,098,221
09-05-C-00-ELP	\$20,634,000	\$20,634,000
Total Authorized	\$76,826,242	\$76,826,242

Source: City of El Paso, Texas, January 2010
Prepared by Ricondo & Associates, Inc., January 2010

TABLE 2

City of El Paso, Texas
 El Paso International Airport
 PFC Amendment No. 09-05-C-01-ELP

PFC CASH FLOW PROJECTION

Fiscal Year	Through Nov 2009	Through Aug 1, 2010	Aug 1 - Aug 30, 2010	2011	2012	2013	2014	Total
Enplanements		1,026,667	128,333	1,555,400	1,571,000	1,586,700	1,602,600	
PFC Enplanements (historically 90% of total)		924,000	115,500	1,399,900	1,413,900	1,428,000	1,442,300	
Net PFC Charge		\$2.89	\$4.39	\$4.39	\$4.39	\$4.39	\$4.39	
PFC Revenue		\$2,670,360	\$507,045	\$6,145,561	\$6,207,021	\$6,268,920	\$6,331,697	
Investment Earnings		77,038	75,023	6,376	21,278	37,325	(0)	
Total PFC Revenue Capacity	\$58,446,374	\$2,747,398	\$582,068	\$6,151,937	\$6,228,299	\$6,306,245	\$6,331,697	
Total PFC Revenue Authorized to be Collected	58,446,374	2,747,398	582,068	6,151,937	6,228,299	2,670,166	0	76,826,242
Expenditures								
96-01-C-00/01/02-ELP								
Terminal Renovation	\$31,462,086							31,462,086
Reconstruct Runway 4/22	630,036							630,036
Reconstruct Terminal Ramp	1,629,000							1,629,000
Airfield Pavement Evaluation Study	468,081							468,081
00-02-U-00/01-ELP								
Extend Runway 4/22	\$2,310,723							2,310,723
06-03-C-00/01-ELP								
Reconstruct Runway 8R/26L	\$7,210,895							7,210,895
Construct Security Checkpoint	2,360,200							2,360,200
Administrative Costs	23,000							23,000
08-04-C-00-ELP								
Extension of Runway 8R-26L	0	\$7,647,221						7,647,221
Pavement Management Study Update	415,813	14,187						430,000
Bag Makeup Expansion	650,877	149,123						800,000
Reconstruction of Portions of Taxiways H, J and K	992,967	207,033						1,200,000
PFC Administrative Costs	20,993	7						21,000
09-05-C-00-ELP								
Reconstruction of Taxiway L			\$3,858,500	\$3,858,500	\$3,858,500	\$3,858,500		15,434,000
Reconstruction of Taxiway Radius Geometry - T/W J & K connectors			1,300,000	1,300,000	1,300,000	1,300,000		5,200,000
Total PFC Expenditures	\$48,174,671	\$8,017,571	\$5,158,500	\$5,158,500	\$5,158,500	\$5,158,500	\$0	76,826,242
Running PFC Balance (shortfall)/excess	\$10,271,703	\$5,001,530	\$425,098	\$1,418,535	\$2,488,334	(\$0)	(\$0)	0

Source: City of El Paso, Texas, January 2010
 Prepared by Ricoondo & Associates, Inc., January 2010

ATTACHMENT C

AIR CARRIER CONSULTATION & PUBLIC NOTICE INFORMATION

Table C-1 presents a list of 1) the air carriers that were notified of the City's intent to submit an application to amend PFC Application No. 09-05-C-01-ELP at the Airport; 2) the air carriers that acknowledged receipt of the written notice; 3) the air carrier attendance at the consultation meeting; and 4) the air carriers that provided the City with a written certification of agreement or disagreement with the projects.

The remainder of this attachment provides the following information:

- A copy of the written notification to the air carriers, dated February 5, 2010, which in accordance with 14 CFR § 158.23 and 158.25, provided the following information:
 - PFC Level.
 - Charge effective date.
 - Estimated charge expiration date.
 - Estimated PFC revenue.
 - Request of exclusion of a class of carriers not be required to collect the PFC, including the designation of such class, names of carriers belonging to such class, estimated number of annual enplanements by such class, and reasons for requested exclusion of such class.
 - The date and location of the airline consultation meeting.
- Documents distributed at the Airline Consultation Meeting
- Minutes
- The public notice was published on the City of El Paso, El Paso International Airport website on February 8, 2010, and provided for a 45-day public comment period; which, in accordance with 14 CFR § 158.24, provided the following information:
 - PFC collection level.
 - Charge effective date.
 - Estimated charge expiration date.
 - Estimated total PFC revenue collected in the application.
 - Name and contact information at the Authority to receive public comments.

- Timely written certifications of agreement or disagreement received from the air carriers. **No letters received**
- Comments received from the public notice. **No public comments received.**
- The City's reasons for proceeding with the project (in the event of any air carrier's certification of disagreement or any opposing public comments). **Not Applicable**

TABLE C-1

**City of El Paso, Texas
El Paso International Airport
PFC Application No. 09-05-C-01-ELP**

AIR CARRIER PARTICIPATION

Air Carrier	Date Consultation Notice Sent	Acknowledgement of Meeting Received (Yes/No)	Attended Consultation Meeting (Yes/No)	Airline Comments Received (Yes/No)
Air Canada	2/5/10	NO		
Air Wisconsin	2/5/10	NO		
Allegiant	2/5/10	NO		
Aloha Airlines	2/5/10	NO		
American Airlines	2/5/10	YES		
American Eagle	2/5/10	NO		
Ameristar Jet Charter	2/5/10	NO		
Boston-Maine Airways	2/5/10	NO		
Continental Airlines, Inc.	2/5/10	YES		
Delta Air Lines, Inc.	2/5/10	YES		
Express Jet Airlines, Inc.	2/5/10	NO		
Falcon Air Express	2/5/10	NO		
Frontier Airlines, Inc.	2/5/10	NO		
Horizon Air Industries	2/5/10	NO		
Lynx Aviation	2/5/10	NO		
Mesa Airlines, Inc.	2/5/10	NO		
Miami Air International	2/5/10	NO		
MN Airlines / Sun Country	2/5/10	NO		
Omni Air	2/5/10	NO		
Pace	2/5/10	NO		
Pacific Wings	2/5/10	NO		
Pinnacle	2/5/10	NO		
Republic / Chautauqua/Shuttle America	2/5/10	NO		
Sky King	2/5/10	NO		
SkyWest Airlines, Inc.	2/5/10	NO		
Southwest Airlines Co.	2/5/10	NO		
Swift Air	2/5/10	NO		
United Airlines	2/5/10	NO		
US Airways/America West Airlines, Inc.	2/5/10	YES		
World Airways	2/5/10	NO		

Source: City of El Paso, Texas
Prepared by: Ricondo & Associates, Inc.

¹ Via Conference Call

February 5, 2010

To: Distribution List

REVISED SINCE JANUARY 29, 2010

Re: City of El Paso notice to air carriers prior to submitting amendments to PFC Application Numbers 08-04-C-00-ELP and 09-05-C-00-ELP.

Dear Air Carrier Representative:

You recently received a letter from the City of El Paso (the "City") in which the City indicated its intention to submit amendments to the following approved PFC Applications for the El Paso International Airport (the Airport): 08-04-C-00-ELP and 09-05-C-00-ELP. The letter did not include a time for the consultation meeting and is therefore, required to re-notify all carriers and hold the meeting at a later date to meet the requirement of airline notification at least 30 days in advance of the consultation meeting. The revised date of the meeting has changed to March 18, 2010. Additionally, the City has arranged a conference call-in number for those wishing to participate via telephone and the call-in number is presented within this letter. We apologize for any inconvenience this may cause. Other than the revised meeting date, all other information included in this letter remains unchanged.

The City is issuing this notice to you as part of the application process under 14 CFR § 158.23 and § 158.37. As required, the City is providing you with the following information:

- Description of the City's proposed amended PFC Program.
- PFC level, proposed charge effective dates, estimated charge expiration dates, and estimated total PFC revenue pursuant to Section 158.23(a)(2).
- Class of carriers not required to collect the PFC pursuant to Section 158.23(a)(3).
- Date and location of air carrier consultation meeting pursuant to Section 158.23(a)(4).
- PFC cash flow projection of collections and payments.

Description of the City's proposed amended PFC Program

The City proposes to change its current PFC Program as follows:

Increase the PFC collection level from \$3.00 to \$4.50 per eligible enplaned passenger by submitting two PFC application amendments to the FAA following (1) the airline consultation meeting and (2) receipt of the airlines' comments on the proposed PFC collection level change to the following PFC applications (as previously amended):

- 08-04-C-00-ELP
- 09-05-C-00-ELP

Due to a decline in enplanements, PFC collections at the \$3.00 level are not adequate to fund in a timely manner the City's capital projects that are currently authorized to be partially funded with PFCs.

The City is seeking no change in the total PFC impose and use approval, scope of PFC projects, or cost and funding sources of PFC projects included in PFC Application Numbers 08-04-C-00-ELP and 09-05-C-00-ELP.

PFC level, proposed charge effective dates, estimated charge expiration dates and estimated total PFC revenue

- Proposed PFC Collection level - \$4.50
- Proposed charge effective date for \$4.50 PFC collection level: August 1, 2010.
- Estimated charge expiration date for the City's entire PFC Program: March 1, 2014 (or until collected revenues plus interest thereon equal the allowable costs of the total approved PFC projects, as permitted by regulation).

These dates are estimated, based on a 1.0 percent annual enplaned passenger growth rate beginning in fiscal year 2011 and a 90 percent collection rate on enplaned passengers.

- Total PFC authority to impose and use PFCs for the City remains at \$76,826,242. The attached **Table 1** presents the existing PFC authority for the City by application.

Class of carriers not required to collect the PFC pursuant to Section 158.23(a) (3)

The City plans to request the exclusion of PFC collection from Air Taxi/Commercial Operators (ATCO) filing FAA Form 1800-31. The most recent official enplanement figures, for the year-end December 31, 2008, show that these carriers enplaned a total of four hundred sixty-six (466) passengers. The known carriers in this class and their enplanement levels consist of the following:

Aero Jet Services LLC (J7EA)	26
American Jet International Corporation (ABJA)	47
Enchantment Aviation, Inc. (NEGA)	200
Executive Flight, Inc. (EPDA)	2
Executive Jet Management, Inc. (EJM)	29
Gallup Flying Service, Inc. (GNMA)	9
Jet Solutions LLC (J7SA)	33
Schaefer Ambulance Service, Inc. (BKGA)	1
Westwind Aviation, Inc. (WIWA)	112
Wild Blue Yonder of Oklahoma LLC (WBYA)	7
Total	466

The number of passengers enplaned annually by this class of carriers represents an amount less than one percent of the total enplaned passengers at the Airport. In accordance with 14 CFR § 158.25 this class of carriers may be requested to be exempted based on their enplanement levels and cost to the City to collect PFCs from this class of carrier.

Date and location of air carrier consultation meeting pursuant to Section 158.23(a) (4)

The City will hold a meeting to discuss the amendments to the PFC Program described in this notice to all air carriers at the City offices. The meeting will be held on **Thursday, March 18, 2010, at 9:00 am in the Board Room located in the administrative offices on the second floor of the Airport at 6701 Convair Road, El Paso, TX 79925.** A conference call line has been arranged for those air carrier representatives who prefer to participate via telephone with the following call-in information:

Call-In Number: 888-566-5976
Password: 23058

Projection of PFC cash flow

A PFC cash flow projection of collections and payments is attached to this letter in **Table 2.**

If you have any questions concerning this notice or the air carrier consultation meeting, please call me or our aviation consultant, Bonnie Deger of Ricondo & Associates, Inc. Ms. Deger can be reached at (513) 651-4700 (extension 211) or by e-mail at bdeger@ricondo.com. Additionally, I would appreciate your acknowledging receipt of this notice pursuant to 14 CFR § 158.23(c)(1) by signing a copy of this notification and returning it to me.

If you have any questions or require additional information regarding the approved PFC Application for the Airport, please contact me at (915) 780-4793.

Sincerely,

Monica Lombrafia, A.A.E.
Director of Aviation

Attachments

cc: Ms. Bonnie A. Deger, Ricondo & Associates, Inc.
Attached List of Air Carriers

**City of El Paso
El Paso International Airport**

Acknowledgement of Receipt of Air Carrier Notification of PFC Meeting

Proposed PFC Amendments:

- 08-04-C-01-ELP
- 09-05-C-01-ELP

I will attend the meeting on March 18, 2010 _____

I will not attend the meeting on March 18, 2010 _____

By: _____

Airline Representative

Airline Name

Date

Please return by March 4, 2010, to:

Monica Lombraña, A.A.E.
Director of Aviation
City of El Paso
6701 Convair Rd.
El Paso, TX 79925-1091

**City of El Paso
El Paso International Airport**

Acknowledgement of Receipt of Air Carrier Notification of PFC Meeting

Proposed PFC Amendments:

- 08-04-C-01-ELP
- 09-05-C-01-ELP

I will attend the meeting on March 18, 2010 _____

I will not attend the meeting on March 18, 2010 XX

By: Hal Fahrenbruch
Airline Representative

US Airways Inc Feb 12, 2010
Airline Name Date

Please return by March 4, 2010, to:

Monica Lombraña, A.A.E.
Director of Aviation
City of El Paso
6701 Convair Rd.
El Paso, TX 79925-1091

**City of El Paso
El Paso International Airport**

Acknowledgement of Receipt of Air Carrier Notification of PFC Meeting

Proposed PFC Amendments:

- 08-04-C-01-ELP
- 09-05-C-01-ELP

I will attend the meeting on March 18, 2010 _____

I will not attend the meeting on March 18, 2010 call in

By: Keith Sketh
Airline Representative

American 2/8/10
Airline Name Date

Please return by March 4, 2010, to:

Monica Lombraña, A.A.E.
Director of Aviation
City of El Paso
6701 Convair Rd.
El Paso, TX 79925-1091

City of El Paso
El Paso International Airport

Acknowledgement of Receipt of Air Carrier Notification of PFC Meeting

Proposed PFC Amendments:

- 08-04-C-01-ELP
- 09-05-C-01-ELP

I will attend the meeting on March 18, 2010

VIA PHONE *

I will not attend the meeting on March 18, 2010 _____

By: Michael Anastos
Airline Representative

DELTA AIR LINES INC. 3/1/10
Airline Name Date

Please return by March 4, 2010, to:

Monica Lombraña, A.A.E.
Director of Aviation
City of El Paso
6701 Convair Rd.
El Paso, TX 79925-1091

* Please note that having a meeting @ 0900 is too early. Please consider having future meetings later in the morning so we can make a day trip.

Mike Anastos

February 17, 2010

Ms. Monica Lombrana, A.A.E.
Director of Aviation
El Paso International Airport
6701 Convair Rd.
El Paso, TX 79925-1091

Re: ELP – Air Carrier Consultation Meeting Notice Response

Dear Ms. Lombrana:

Continental Airlines, Inc. acknowledges receipt of the El Paso International Airport Authority's Notice to Air Carriers to Amend two existing PFC applications as required by 14 CFR, 158.23, dated February 5, 2010. This acknowledgment is provided pursuant to the Rule and shall not constitute agreement with the proposed amendments. This acknowledgement is provided without prejudice to any position that Continental Airlines, Inc. may take in the future relative to the appropriateness of the proposed amendments.

Continental Airlines, Inc. appreciates the opportunity to comment and plans to be represented at the consultation meeting scheduled for March 18, 2010 in the Board Room.

Sincerely,



Kenneth Gregg
Senior Manager – Airport Affairs
Corporate Real Estate
Continental Airlines, Inc.

cc: Warren Hull
ELP PFC Correspondence File

**The City of El Paso
El Paso International Airport
PFC Application Number 09-05-C-01-ELP
Airline Consultation Meeting Agenda
March 18, 2010**

1. Discussion of Projects – No change
2. PFC Amount Increase to \$4.50
3. Estimated total PFC Authority to Impose and Use under this application: \$20,634,000
(no change)
4. Total Amount of all PFC Applications including this application (no change):
 - a. Impose: \$72,826,242
 - b. Use: \$72,826,242
5. Proposed charge effective date: N/A
6. Estimated charge expiration date: March 1, 2013
7. PFC Status: Table 1
8. Cash Flow – Table 2
9. Carriers Excluded
10. Airline comments: Due 30 days – April 17, 2010

VIA U. S. MAIL and EMAIL

March 30, 2010

Ms. Monica Lombraña, A.A.E.
Director of Aviation
El Paso International Airport
6701 Convair Rd.
El Paso, TX 79925-1091

RE: ELP - Certification of Agreement / Disagreement to the Proposed
Amendments of Passenger Facility Charge (PFC) Applications 08-04-C-00-ELP and 09-
05-C-00-ELP

Dear Ms. Lombraña:

Pursuant to 14 CFR Part 158, Section 158.23, please accept this letter and the attachment hereto as Continental Airlines, Inc. ("Continental"), written Certification of Agreement and Disagreement with respect to the proposed amendments to two existing PFC applications at the El Paso International Airport as discussed at an Airline consultation meeting on March 18, 2010.

It is our understanding that PFC eligible projects, by statute, are those projects that preserve or enhance the safety, capacity or security of the national air transportation system, reduce airport noise or mitigate airport noise impacts or enhance competition among air carriers. In addition, we interpret the requirement that PFC funded projects also qualify as AIP-eligible projects, mandating that PFC-funded projects be limited to those programs for which an immediate and justifiable need can be demonstrated. Projects that cannot be justified based upon substantiated current need should be eliminated from the proposed PFC application and deferred until a time when the need can be substantiated.

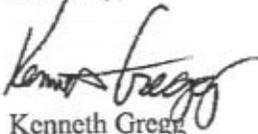
As a consequence, Continental cannot recommend for approval those projects, which are based on long term projections of growth or projects that do not fit the criteria established by statute.

In the event specific elements of a proposed project or projects are eliminated or changed prior to the filing by the Airport of the PFC application with the FAA, Continental requests that the El Paso International Airport notify Continental of such changes.

Ms. Monica Lombraña
March 30, 2010
Page 2

Again, we appreciate the opportunity to comment on these projects and look forward to working with the El Paso International Airport in developing and maintaining an airport facility that will meet the needs of the traveling public and the carriers serving the El Paso area.

Sincerely,



Kenneth Gregg
Sr. Manager
Corporate Real Estate
Continental Airlines, Inc

Attachment

cc: B. Bley, ATA (via email)
G. Villalobos, FAA Southwest Regional Office (via fax 817-222-5989)
B. Deger, Ricondo & Associates (via email)
M. Pearson, Continental (via email)
W. Hull, Continental (via email)
ELP AAAC Chair (via email)
Lease File – ELP PFC

CONTINENTAL AIRLINES, INC.
RESPONSE TO PROPOSED PFC AMENDMENTS
EL PASO INTERNATIONAL AIRPORT
ATTACHMENT A
March 30, 2010

AMENDMENT of EXISTING PFC PROJECTS

Application 08-04-C-00-ELP: Increase in PFC collection level to \$4.50

Position: Agreement

Comments: None

Application 09-05-C-00-ELP: Increase in PFC collection level to \$4.50

Position: Agreement

Comments: None

This concludes Continental's Certification of Agreement/Disagreement.

American Airlines®

CORPORATE REAL ESTATE

March 25, 2010

Ms. Monica Lombrana
Director of Aviation
El Paso International Airport
6701 Convair Road,
El Paso, TX 79925-1091

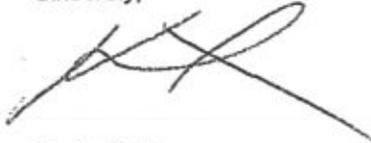
SUBJECT: Airline response to the notice from El Paso International Airport to amend PFC Application #08-04-C-00-ELP and #09-05-C-00-ELP

Dear Ms. Lombrana:

Pursuant to FAA's CFR, Part 158, Section 23, American Airlines, Inc. submits its certification with respect to the amended PFC applications noted above.

In the event that specific elements of the proposed amendments to PFC Application #08-04-C-00-ELP and PFC Application #09-05-C-00-ELP are modified prior to the filing to the FAA, American requests to be notified by the Airport of such modifications. If American determines that the modifications are significant, American reserves the right to amend this letter of certification.

Sincerely,



Kevin Sheth
Principal, Corporate Real Estate
American Airlines

Application #08-04-C-00-ELP

Certification: Agreement

Comments: None

Application #09-05-C-00-ELP

Certification: Agreement

Comments: None



El Paso International Airport



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[Contact Us](#)

Flight Information

Welcome to the El Paso International Airport

**Flightview
Air Traffic Map**

Links

El Paso International Airport (ELP) is the gateway to West Texas, Southern New Mexico and Northern Mexico. It provides airline passenger services, air cargo, and general aviation services.

The Airport is favored with abundant land (nearly 7,100 acres) and beautiful flying weather.

The Airport is located 6 miles east of downtown El Paso and 1.7 miles north of Interstate 10 Exit 25 (Airway Blvd).

For a map showing the location of the Airport, [click here](#).



[Click on image for larger version](#)

Weather

February 8, 2010
PUBLIC NOTICE OF PASSENGER FACILITY CHARGE FILING - CLICK FOR DETAILS

Our Address:
6701 Convair Road, El Paso TX 79925

24 Hour Switchboard Telephone Number:
(915) 780-4749

Our 24 Hour Switchboard will assist you with Lost & Found, Paging, Airport Operations, Airport Police, and Skycap Assistance.

Airline Reservations and Flight Information
Please call individual [Airline Companies](#).

[Site Map / Contact US](#)

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February 8, 2010

The City of El Paso
Notice for Public Comment
Intention to Amend Existing Passenger Facility Charge Applications
06-03-C-00-ELP and 08-04-C-00-ELP
at the El Paso International Airport

The City of El Paso (the City) is posting this public notice as part of the passenger facility charge (PFC) application process under 14 CFR § 158.24 for the El Paso International Airport (Airport). The City will be notifying the Federal Aviation Administration of its intent to submit amendments to the following approved PFC Applications: 06-03-C-00-ELP and 08-04-C-00-ELP. The City is providing the following information regarding the proposed amendments.

Description of the City's proposed amended PFC Program

The City proposes to change its current PFC Program as follows:

Increase the PFC collection level from \$3.00 to \$4.50 per eligible enplaned passenger by submitting two PFC application amendments to the FAA following (1) the airline consultation meeting and (2) receipt of the airlines' comments on the proposed PFC collection level change to the following PFC applications (as previously amended):

- 08-04-C-00-ELP
- 09-05-C-00-ELP

Due to a decline in enplanements, PFC collections at the \$3.00 level are not adequate to fund in a timely manner certain capital projects at the Airport that are currently authorized to be partially funded with PFCs.

The City is seeking no change in the total PFC impose and use approval, scope of PFC projects, or cost and funding sources of PFC projects included in PFC Application Numbers 08-04-C-00-ELP and 09-05-C-00-ELP.

PFC level, proposed charge effective dates, estimated charge expiration dates and estimated total PFC revenue

- Proposed PFC Collection level - \$4.50
- Proposed charge effective date for \$4.50 PFC collection level: August 1, 2010.
- Estimated charge expiration date for the City's entire PFC Program: March 1, 2014 (or until collected revenues plus interest thereon equal the allowable costs of the total approved PFC projects, as permitted by regulation).

These dates are estimated, based on a 1.0 percent annual enplaned passenger growth rate beginning in fiscal year 2011 and a 90 percent collection rate on enplaned passengers.

- Total PFC authority to impose and use PFCs for the City remains at \$76,826,242.

Class of carriers not required to collect the PFC pursuant to Section 158.23(a) (3)

The City plans to request the exclusion of PFC collection from Air Taxi/Commercial Operators (ATCO) filing FAA Form 1800-31. The most recent official enplanement figures, for the year-end December 31, 2008, show

that these carriers enplaned a total of four hundred sixty-six (466) passengers. The known carriers in this class and their enplanement levels consist of the following:

Aero Jet Services LLC (J7EA)	26
American Jet International Corporation (A8JA)	47
Enchantment Aviation, Inc. (NE6A)	200
Executive Flight, Inc. (EPDA)	2
Executive Jet Management, Inc. (EJM)	29
Gallup Flying Service, Inc. (GNMA)	9
Jet Solutions LLC (J7SA)	33
Schaefer Ambulance Service, Inc. (BKGA)	1
Westwind Aviation, Inc. (WIWA)	112
Wild Blue Yonder of Oklahoma LLC (W6YA)	7
Total	466

The number of passengers enplaned annually by this class of carriers represents an amount less than one percent of the total enplaned passengers at the Airport. In accordance with 14 CFR § 158.25 this class of carriers may be requested to be exempted based on their enplanement levels and cost to the City to collect PFCs from this class of carrier.

Point of Contact:

As required under 14 CFR § 158.24, the City will be accepting public comments on the proposed PFC Application No. 08-04-C-00-ELP up to forty-five (45) days after the date of posting this public notice on our Internet Web site. Any comments should be sent to:

Monica Lombraña, A.A.E.
Director of Aviation
El Paso International Airport
6701 Convair Road
El Paso, TX 79925

ATTACHMENT D

REQUEST TO EXCLUDE CLASS(ES) OF CARRIERS

1. Request to Exclude Class(es) of Carriers

As stated in its February 5, 2010, letter notifying the air carriers of its intent to impose and use PFC revenue at the Airport (contained in the preceding Attachment C: *Air Carrier Consultation & Public Notice Information*), the City hereby requests to exclude the following class of carriers from collecting a PFC for the stated reasons:

- All air taxi/commercial operators (ATCO) are requested to be excluded from the collection of a PFC. The ATCO carriers filing or required to file FAA Form 1800-31, to the extent known from CY 2008 filings (the last year for which such filings are currently available) consist of the following:

Aero Jet Services LLC (J7EA)
American Jet International Corporation (A8JA)
Enchantment Aviation, Inc. (NE6A)
Executive Flight, Inc. (EPDA)
Executive Jet Management, Inc. (EJM)
Gallup Flying Service, Inc. (GNMA)
Jet Solutions LLC (J7SA)
Schaefer Ambulance Service, Inc. (BKGA)
Westwind Aviation, Inc. (WIWA)
Wild Blue Yonder of Oklahoma LLC (W6YA)

- As shown in the following table, the number of passengers enplaned by these carriers constituted less than one percent of the total number of passengers enplaned at the Airport in CY 2006. These carriers typically have only de minimis enplanements and are not required by the City to report them, and they do not operate pursuant to an agreement with the City. These small carriers typically are not in competition with carriers providing more extensive service. It would be administratively burdensome for the City to ensure remittance of the PFC from this class of carrier in compliance with federal requirements, and exempting this class will have virtually no effect on revenues.

Aero Jet Services LLC (J7EA)	26
American Jet International Corporation (A8JA)	47
Enchantment Aviation, Inc. (NE6A)	200
Executive Flight, Inc. (EPDA)	2
Executive Jet Management, Inc. (EJM)	29
Gallup Flying Service, Inc. (GNMA)	9
Jet Solutions LLC (J7SA)	33
Schaefer Ambulance Service, Inc. (BKGA)	1
Westwind Aviation, Inc. (WIWA)	112
Wild Blue Yonder of Oklahoma LLC (W8YA)	7
Total	466

2. **Carrier Comments to Exclude this Class of Carrier from PFC Collection**

None

3. **Response to Opposing Comments**

Not Applicable

SOURCE CY 2008 FAA ACAIS

ENPLANEMENTS BY INDIVIDUAL CARRIERS FOR CALENDAR YEAR 2008

TEX

El Paso International (ELP)

ELP

Monica Lombrana 6701 Convair Rd, El Paso, TX 79925

SCHEDULE TYPE CARRIER NAME (CARRIER CODE)	-----ENPLANEMENTS-----		
	SCHEDULED	NONSCHEDULED	TOTAL
ATCO - Nonscheduled/On-Demand Air Carriers, filing FAA Form 1800-31.			
Aero Jet Services LLC (J7EA)	0	26	26
American Jet International Corporation (A8JA)	0	47	47
Enchantment Aviation, Inc. (NEBA)	0	200	200
Executive Flight, Inc. (EPDA)	0	2	2
Executive Jet Management, Inc. (EJM)	0	29	29
Gallup Flying Service, Inc. (GNMA)	0	9	9
Jet Solutions LLC (J7SA)	0	33	33
Schaefer Ambulance Service, Inc. (BKGA)	0	1	1
Westwind Aviation, Inc. (WVWA)	0	112	112
Wild Blue Yonder of Oklahoma LLC (W6YA)	0	7	7
ATCO Total:	0	466	466
CAC - Commuters or Small Certificated Air Carriers, filing T-100.			
Chautauqua Airlines, Inc. (RP)	37,727	0	37,727
Pacific Wings LLC (LW)	311	0	311
CAC Total:	38,038	0	38,038
CRAC - Large Certificated Air Carriers, filing T-100.			
ATA Airlines, Inc. (TZ)	0	55	55
AirTran Airways, Inc. (FL)	0	111	111
Alaska Airlines, Inc. (AS)	0	77	77
Allegiant Air LLC (G4)	0	1,255	1,255
American Airlines, Inc. (AA)	356,107	10	356,117
American Eagle Airlines, Inc. (MQ)	1,152	0	1,152
Continental Airlines, Inc. (CO)	70,166	162	70,328
Delta Air Lines, Inc. (DL)	66,933	0	66,933
Expressjet Airlines Inc. (XE)	31,626	220	31,846
Frontier Airlines, Inc. (F9)	83	350	433
Lynx Aviation (0IQ)	34,051	0	34,051
MN Airlines LLC (SY)	382	109	491
Mesa Airlines, Inc. (YV)	69,713	0	69,713
Miami Air International, Inc. (GL)	0	3,080	3,080
North American Airlines (NA)	0	61	61
Pace Airlines, Inc. (PCQ)	0	79	79
Primaris Airlines, Inc. (FE)	0	40	40
Republic Airlines (RW)	4,208	0	4,208
Ryan International Airlines, Inc. (RD)	0	848	848
Shuttle America Corporation (S5)	6,639	0	6,639
Sky King, Inc. (SLQ)	0	72	72
SkyWest Airlines, Inc. (OO)	49,686	0	49,686
Southwest Airlines Co (WN)	805,035	831	805,866
Swift Air, Llc (09Q)	0	126	126

SOURCE: CY 2008 FAA ACAIS

ENPLANEMENTS BY INDIVIDUAL CARRIERS FOR CALENDAR YEAR 2008

TEX

El Paso International (ELP)

ELP

SCHEDULE TYPE CARRIER NAME (CARRIER CODE)	-----ENPLANEMENTS-----		
	SCHEDULED	NONSCHEDULED	TOTAL
CRAC - Large Certificated Air Carriers, filing T-100.			
TEM Enterprises, Inc. (XP)	0	959	959
US Airways, Inc. (US)	70,260	303	70,563
USA Jet Airlines, Inc. (U7)	0	46	46
World Airways Inc (WO)	0	607	607
CRAC Total:	1,586,041	9,401	1,575,442
SITE TOTAL:	1,604,079	9,867	1,613,946



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& ASSOCIATES

HEADQUARTERS

CHICAGO

20 North Clark Street
Suite 1500
Chicago, IL 60602
312.606.0611

CINCINNATI

36 East Fourth Street
Suite 1206
Cincinnati, OH 45202
513.651.4700

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