

To: U.S. Department of Transportation
Docket Management System
400 7th Street, SW
Room PL 401
Washington, DC 20591-0001

PETITION FOR THE EXTENSION OF EXEMPTION NO. 8713 DATED MAY 3, 2006
FOR THE CONTINUED OPERATION OF TULSA AIR & SPACE CENTER
AIRSHOWS, INC.'S NORTH AMERICAN B-25 AIRCRAFT

Petitioner: TULSA AIR & SPACE CENTER AIRSHOWS, INC.
6130 South Maplewood
Suite B
Tulsa, Oklahoma 74136-2128

PETITION SUMMARY AND HISTORY

On August 31, 1999, the Tulsa Air & Space Center Airshows, Inc. (hereinafter referred to as "Tulsa Air & Space Center"), petitioned the FAA to allow them to operate a North American B-25 aircraft, which is certificated in the limited category to provide flight experiences in the aircraft to its members and the general public. Thereafter, Exemption No. 7126 was granted exempting the Tulsa Air & Space Center from the provisions of Federal Aviation Regulations §§ 91.315, 119.5 (g), and 119.21(a) of Title 14, Code of Federal Regulations. This Exemption permitted the Tulsa Air & Space Center to operate its North American B-25 aircraft for the purpose of carrying passengers for compensation or hire on local flights for educational and historic purposes.

Thereafter, on January 25, 2002, the Tulsa Air & Space Center was issued Exemption No. 07126A to continue flight activities in its North American B-25 aircraft. The current Exemption (No. 8713) expires on November 30, 2007.

REASON FOR PETITION

This Petition for Extension requests that Exemption No. 8713 be extended so that the Tulsa Air & Space Center may continue to utilize its limited category North American b-25 aircraft to provide flight experiences to individuals who are members of the Center, as well as the general public. The historical background of the operation of the North American B-25 aircraft has been thoroughly stated in PETITION FOR EXEMPTION FROM FEDERAL AVIATION REGULATIONS §§91.315, 119.5(g) AND 119.21(a) FOR THE OPERATION OF THE TULSA AIR & SPACE CENTER

AIRSHOWS B-25 AIRCRAFT dated August 31, 1999. The reasons for the extension of Exemption No. 8713 are the same today as when originally requested.

For the reasons previously stated, the historical background will not be restated here.

INTEREST OF PETITIONER

The Tulsa Air & Space Center continues to operate under 501(c)(3) status granted by the United States Internal Revenue Service. The operation of its North American B-25 aircraft is a fundamental portion of its mission to provide aeronautical education to its members, as well as to members of the general public. Clearly, the operation of its North American B-25 aircraft is essential to its educational outreach activities.

SAFETY ISSUES

All of the elements which illustrate the equivalent level of safety relative to the grant of the Tulsa Air & Space Center's original Exemption are still present in this program. Further, all of the initial and recurrent training activities, as well as the FAA-mandated new conditions and limitations contained in Exemption 8713 continue to be effectively utilized in its North American B-25 operations.

In order to assure an equivalent level of safety, the North American B-25 aircraft is maintained and inspected in accordance with FAA Aircraft Inspection Procedures and Inspection and Maintenance Procedures prescribed by the aircraft manufacturer. An FAA-approved inspection program, which meets the requirements of FAR 91.409, previously approved by the FAA are followed and complied with. Pursuant to the approved inspection program, the aircraft undergoes all required periodic and annual

inspections specified. In addition, the aircraft is maintained in accordance with the United States Air Force Technical Orders applicable to the North American B-25 aircraft.

PUBLIC INTEREST ISSUES

The original grant of Exemption, as well as the subsequent modification and reissuances, have provided an opportunity for the Tulsa Air & Space Center to furnish its members and the general public with an opportunity to appreciate the historical significance and importance of the North American B-25 aircraft. Additionally, the financial support, which is derived from the operation of the aircraft, produces a funding which will allow the continued operation of the aircraft.

Clearly, those who participate in the flight experience of the North American B-25 are not aboard the aircraft for transportation. They are there to participate in the educational and historical experiences that are available to them. The operation of the North American B-25 aircraft does not present any manner of competition to those air carriers possessing either a Part 121 or Part 135 certificate. Further, the Tulsa Air & Space Center is not in the business of holding itself out for transportation for compensation or hire. Further, no rational argument can be made that the operation of the North American B-25 aircraft presents any type of competition to air carriers at all.

It is further important to note that the high level of training and background experience of the North American B-25 pilots and the excellent safety record in the operation of the aircraft demonstrate that the very highest level of safety and concern for the public is paramount. Based on the multi-engine capabilities of the North American B-25, the extensive crew experience and training, the highly visible nature of

the aircraft while in flight, and the fact that there have been no accidents involving the operation of the aircraft, maintaining the very highest level of safety is a primary objective.

DESCRIPTION OF RELIEF SOUGHT

The Tulsa Air & Space Center requests that Exemption No. 8713 be extended for an additional two year period time. The Tulsa Air & Space Center has implemented and developed the flight and ground training programs required in Exemption 7126A dated January 25, 2002. In all other respects, the Tulsa Air & Space Center has complied with and is continuing compliance with the remaining provisions of Exemption 7126A.

In exemption 8713, the FAA found that "preserving historic U.S. Aircraft is in the public interest, in the same manner that preserving historic buildings, landmarks, and neighborhoods has been determined to be in the public interest. While aviation history can be represented in museums, the public has shown a willingness to support the preservation and operation of historic aircraft and a desire to experience flights in them." These same reasons exist today.

The FAA has also previously determined that good cause exists for not publishing a summary of grant of exemption in the Federal Register because this action would not set a precedent. The Tulsa Air & Space Center requests therefore that the same reason for not publishing a summary of this Petition for Extension in the Federal Register exists as existed previously and requests that this extension be granted without delay.

Tulsa Air & Space Center Airshows, Inc.

Dated: August 13, 2007

By: _____

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