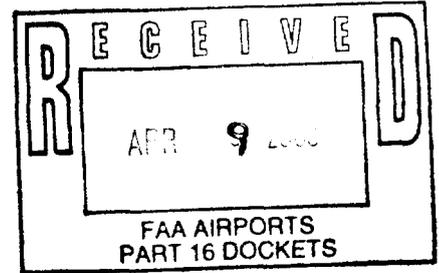


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FAA-02-13068-13

BEFORE THE
UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC



Skydance Helicopters, Inc.
d/b/a Skydance Operations, Inc.

Complainant

vs.

Sedona Oak-Creek Airport Authority
and
Yavapai County, Arizona

Respondents

FAA Docket No. 16-02-02

MOTION FOR EXTENSION OF TIME TO FILE APPEAL

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April 3, 2003

**BEFORE THE
UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC**

Skydance Helicopters, Inc.)	
d/b/a Skydance Operations, Inc.)	
)	
Complainant)	
)	FAA Docket No. 16-02-02
vs.)	
)	
Sedona Oak-Creek Airport Authority)	
and)	
Yavapai County, Arizona)	
)	
Respondents)	
)	

MOTION FOR EXTENSION OF TIME TO FILE APPEAL

Respondents Sedona Oak Creek Airport Authority d/b/a the Sedona Airport Administration (“SAA”) and Yavapai County, Arizona (“Yavapai”), by counsel and pursuant to 14 C.F.R. § 16.19(a) submit this Motion for Extension of Time to File Appeal.

I. INTRODUCTION

On March 7, 2003 the Federal Aviation Administration (“FAA”) issued a Director’s Determination in accordance with 14 C.F.R. § 16.31 and found SAA and Yavapai in violation of certain Federal grant obligations. The Director’s Determination was mailed to Respondent SAA more than two weeks after it was mailed to Respondent Yavapai, and as a result, Respondents have not had sufficient time to coordinate their joint appeal. In addition, Respondents recently engaged new counsel to handle its appeal of the Director’s Determination, and additional time is necessary to address fully the issues raised in the Director’s Determination. By this Motion,

Respondents SAA and Yavapai respectfully request that the FAA grant an extension of time, until April 28, 2003, to file their appeal of the Director's Determination. The FAA is authorized to extend "any time period prescribed where necessary or appropriate for a fair and complete hearing of matters before the agency." 14 C.F.R. § 16.11(a).

II. A TIME EXTENSION IS NECESSARY TO ASSURE A FAIR AND COMPLETE HEARING OF THE FACTS

Pursuant to 14 C.F.R. § 16.31(c) and § 16.33(b), Respondents have 30 days after the "date of service of the initial determination" to file an appeal with the Associate Administrator.¹ The Director's Determination was dated and sent to Respondent Yavapai on March 7, 2003. However, Respondent SAA's copy of the Director's Determination was not postmarked until more than two weeks later – on March 21, 2003. (Exhibit 1). Accordingly, Yavapai's appeal is due on April 10, 2003, but SAA's appeal pursuant to Part 16 is not due until April 23, 2003.

Because of the relationship between SAA and Yavapai – as airport sponsor and operator, respectively – the Respondents have chosen to consolidate their joint appeal of the Director's Determination, and additional time is necessary for the Respondents to coordinate their joint appeal.

In addition, because Respondents recently hired new counsel to handle their Part 16 appeal, additional time is necessary to prepare an appeal that fully addresses the numerous complex issues raised in the Director's Determination, and thereby, to assure a fair and complete hearing of the matter.

¹ The date of service is "determined in the same manner as the filing date under § 16.13(b)." Section 16.13(b) states that "documents... shall be deemed to be filed on the...date shown on the postmark if there is no certificate of service...(provided filing has been confirmed through one of the foregoing methods.)" Finally, three days shall be added to "the prescribed period after service of a document upon the party" where the document "is served on the party by mail." 14 C.F.R. § 16.17(c).

Complainant will not be prejudiced by this extension of time as Complainant is not currently operating at Sedona Oak-Creek Airport. Counsel for Respondents has contacted Complainant's counsel with respect to this motion, but as of the time of this filing, has not received a response as to whether Complainant has any objection to this Motion.

WHEREFORE, for the foregoing reasons, Respondents respectfully request an extension of time, until April 28, 2003, within which to file their appeal.

Respectfully submitted,





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WA Form 1360-23 (1-90)

EXHIBIT

100-100000

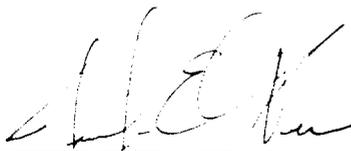
CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing Notice of Appearance and Motion for Extension of Time to File Appeal on the following persons at the following addresses and facsimile numbers by facsimile and certified mail delivery:

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Dated this 3rd day of April, 2003.



Jennifer E. Trock