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RSPA-1999-6568-12



April 7, 2000

Associate Administrator for Hazardous Materials Safety  
Research and Special Programs Administration, Exemptions DHM 31  
U.S. Department of Transportation  
400 7th Street, SW, Washington, DC 20590-0001

Attn Ryan Posten and Audrey Breeding

**RE: Amendment to DOT E 12378**

Per the discussion with Ryan Posten on April 6<sup>th</sup>.

Federal Express originally applied for Exemption on November 19, 1999. DOT E 12378 was granted and issued February 4<sup>th</sup>. At that time, Federal Express' understanding was that the Exemption would apply to aircraft owned and operated by Federal Express as well as those "feeder aircraft" owned by Federal Express but operated exclusively on behalf of Federal Express by other carriers. Recent discussions with FAA suggest this may not be correct.

Federal Express respectfully asks that the Exemption be modified to indicate applicability to "Federal Express and companies under subcontract operating under exclusive use for Federal Express."

These other "companies" whom Federal Express refers to as Federal Express Feeder Operators, have all agreed to abide by the requirements of DOT E 12378.

It is important to note that Federal Express has also applied on behalf of these operators to become "Party to Exemption DOT E 12378". This Party status is an interim basis only as the carriers do not wish to maintain the Exemption "ownership" once the language is changed.

Discussions with FAA Washington suggest no problems with this modification.

Thank you for your help in this critical operation area.

Sincerely,

Pat Oppenheimer  
Corporate Safety Manager/ DGADMIN/ ADFWP  
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APPROVED FOR TRANSPORTATION  
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