

## CHAPTER 72 CONDUCT CERTIFICATION OF A FAR PART 125 OPERATOR

### Section 1 Background

#### 1. WPMS ACTIVITY CODE: 1202

**3. OBJECTIVE.** The objective of this task is to determine an applicant's ability to conduct operations under FAR Part 125. Successful completion of this task will result in issuance or denial of a FAR Part 125 operating certificate and appropriate operations specifications.

#### 5. GENERAL.

**A. Certification Process Phases.** This chapter provides the procedures for certifying a FAR Part 125 operator. The process allows interaction between the applicant and the FAA from initial inquiry to certificate issuance or denial. It ensures that programs, systems, and intended methods of compliance are thoroughly reviewed, evaluated, and tested. The certification process consists of five phases.

- Preapplication Phase
- Formal Application Phase
- Document Compliance Phase
- Demonstration and Inspection Phase
- Certification Phase

**B. Terminating the Certification Process.** The applicant may terminate the certification process at any time during any of the phases. AVN-120 must be notified that the certification process is terminated so that the precertification number can be returned to the centralized certificate number data file. Indicate this action in Section 2 of the PASI. Also notify the regional office that the project is terminated.

**C. Job Aids.** Figure 72-1 is a fold-out flow chart describing the certification process. Figure 72-2 is the certification job aid. These figures are used for planning meetings, activities, and events associated with certification.

#### **D. Definitions.**

(1) Passenger seating capacity: If an airplane has 20 or more passenger seats, FAR Part 125 is applicable. However, the applicant could reconfigure the airplane, i.e., remove seats, so that it has a passenger seating capacity of 19 or less. In this situation, FAR

Part 125 would not apply unless the calculated maximum payload capacity is 6,000 pounds or more.

(2) Maximum payload capacity: If, through calculations in accordance with the definition in FAR § 125.9, the maximum payload is determined to be 6,000 pounds or more, FAR Part 125 is applicable, regardless of the number of seats.

(3) Private Carriage: FAR Part 125 is applicable to large airplane operations in other than common carriage. FAR § 125.11(b) prohibits FAR Part 125 certificate holders from conducting any operation which results directly or indirectly from holding out to the general public. FAR Part 125 operators are permitted to furnish transportation to employees or other persons as long as compensation does not exceed the requirements of FAR § 91.

(4) Common Carriage: A person is considered to be engaged in "common carriage" when "holding out" to the general public or to a segment of the public as willing to furnish transportation within the limits of its facilities to any person who wants it. Advertising through telephone yellow pages, billboards, television, radio, and individual ticketing are examples that have been legally found to be holding out. Further information regarding common carriage vs. private carriage is found in Advisory Circular 120-12, Private Carriage Versus Common Carriage of Persons or Property.

**E. Certificate Holders.** One FAR Part 125 certificate shall be issued to any person. An operating certificate may not be held jointly by two or more persons. A partnership is considered a single person even though the partnership may consist of more than one individual or corporation. For example, where both a parent and a subsidiary corporation exist, only one of the two corporations may be the applicant for any one certificate and that certificate cannot be issued to, or in the name of, both corporations. Regardless of common ownership, the parent and subsidiary corporation are considered by law as separate persons.

**F. Deviations.** At any point during certification, an applicant may request deviation from FAR Part 125 or any of its sections. Inspectors should be prepared to conduct in-depth inspections to substantiate the applicant's claims.

## 7. THE PREAPPLICATION PHASE.

**A. *Preapplication Statement of Intent.*** Often, during the initial inquiry which begins the preapplication phase, a person will request information about certification as an air operator. However, the individual is not fully aware of the regulatory requirements and the costs involved. Inspector resources have been scheduled to accommodate these informal requests, even though many of these individuals do not pursue certification. Submission of FAA Form 8400-6, Preapplication Statement of Intent (PASI), indicates an intent by the applicant to continue the certification process. It also allows the FAA to plan activities and commit resources. Therefore, a potential applicant submits a copy of the PASI after reviewing the appropriate regulations and advisory material and considering the personnel, facility, equipment, aircraft, and document requirements for certification and operation.

(1) The district office manager uses the PASI to evaluate the complexity of the proposed operation and ensure trained and experienced inspectors are available. It is also used to open a file within the Work Program Management System (WPMS) and to obtain a precertification (or final certificate) number. If, after review, the PASI is acceptable, the district office manager determines if it is appropriate for the office to certificate the applicant and that necessary personnel resources are or can be made available.

(2) The regional office uses the PASI to assess district office workload and to forecast staffing needs.

(3) The Aviation Standards National Field Office (AVN) maintains and assigns certificate and precertification numbers through a focal point, AVN-120. The numbering system is fully automated, providing a data base of operators, air agencies, and the status of each certificate (active, canceled, precertification). (Refer to Related Task #203, Obtain Certificate Numbers.)

**B. *The Certification Team.*** The expertise of inspectors from different disciplines is required to certificate a FAR Part 125 operator. The district office manager assigns an appropriate certification team after the PASI is submitted. Careful planning and management of the overall project is essential. Therefore, the district office manager designates one member of the team as the Certification Project Manager (CPM). The CPM will be the primary spokesperson for the FAA throughout the certification process. The person selected as CPM for a FAR Part 125 certification should have been involved in previous certifications of the same or similar type (for example, a FAR Part 121 or 135 certification).

**C. *The Preapplication Meeting.*** The CPM shall contact the applicant to arrange a preapplication meeting. The applicant is advised that key management personnel, as shown on the PASI, should attend the meeting and be prepared to discuss, in general terms, specific aspects of the applicant's proposed operation. During the preapplication meeting, the CPM should ensure the applicant is informed about the certification process. The CPM must also discuss the form, content, and documents required for formal application.

(1) The applicant is informed that FAA inspectors furnish informal guidance and advice for the preparation of required documents and manuals. It is the responsibility of the applicant to produce acceptable documents and manuals.

(2) The applicant should be encouraged to submit required items in draft form before submitting the formal package. Whenever a problem or change occurs in the proposed operation, the applicant should notify the CPM immediately.

**D. *The Sample Schedule of Events Format.*** The Schedule of Events is intended to encourage an applicant to submit material well in advance of the date operations are proposed to begin. If, however, the application is submitted with only the minimum lead time required by regulation (for example 60 days) complete documents (such as procedures and policies manual) may be required at the time of formal application. The Schedule of Events, when accepted, represents a commitment on the part of both the applicant and the FAA. It also sets dates for accomplishing or submitting the listed items.

(1) When advising the applicant on how to develop the Schedule of Events, the applicant must remember the correct sequence of events. For example, airplane conformity inspections must be completed before emergency evacuation demonstrations begin.

(2) The number and types of events and activities that occur during certification vary according to the operation proposed. The Schedule of Events must include a complete listing of each document to be submitted, activity to be performed, and item to be inspected.

(3) Failure to accomplish an item or event in a satisfactory or timely manner in accordance with the Schedule of Events could delay certification. In addition, if deficiencies are detected during the review of manuals or other documents, they will be returned for amendment or correction, which also may delay final certification.

(4) If the applicant plans to petition for deviation, processing time must be considered in developing the Schedule of Events. FAR § 125.3 requires that a petition for deviation must be submitted to AVS-1 at least 60 days before the date of intended operation.

(5) When reviewing the Schedule of Events, the team must carefully consider the feasibility of the proposed schedule with respect to logic of sequence, timeliness of events, completeness of events, and inspector availability. (Refer to Volume I, Chapter 4, Certifying Organizations.)

## 9. THE FORMAL APPLICATION PHASE.

**A. The Formal Application Package.** The CPM ensures the formal application package represents a feasible proposal and is of sufficient quality to continue the certification process.

(1) If the applicant has been thoroughly briefed and has acquired a thorough understanding of the requirements during the preapplication phase, the formal application should be of sufficient quality that any discrepancies can be resolved during the formal application meeting.

(2) Rejecting a formal application will be a sensitive issue since the applicant most likely will have expended considerable funds and resources to prepare it. Therefore, it is important for the CPM to document thoroughly the reasons for rejection. The reasons must clearly indicate that to proceed with the certification process would not be productive. Reasons for rejection might include inadequate agreement on appropriate courses of action or evidence that the applicant has a serious lack of understanding of regulatory requirements and the certification process.

**B. The Formal Application Meeting.** Depending on the complexity of the proposed operation, it may be appropriate to divide into two or more groups to discuss specific aspects of the application. For example, the applicant's key operations management personnel should meet with FAA operations personnel to discuss documents dealing with testing programs or check airmen.

## 11. THE DOCUMENT COMPLIANCE PHASE.

**A. In-Depth Review.** In the Document Compliance Phase, the applicant's manuals and other documents are thoroughly reviewed for compliance with applicable regulations and for conformity with safe operating practices. After review by the team, each document is accepted or approved, as applicable, or rejected.

**B. Operations Specifications.** Operations specifications outline the specific operations which a FAR

Part 125 certificate holder is allowed to conduct. They also supplement the operating rules and contain limitations not addressed in the regulations. Inspectors must evaluate operations specifications carefully to ensure that they are not used as a regulatory device without benefit of a basic rule and that they do not repeat the rule. In many instances the regulations require that certain authorizations and limitations be written in the operations specifications. For example, FAR §125.363 states that the minimum requirements for over-water operations will be indicated in the operations specifications. This could include additional requirements for emergency equipment or personnel required for that particular operation but not indicated in the regulation. (See Related Task #76, Approve Operations Specifications.)

**C. The Policies and Procedures Manual.** FAR § 125.71 requires a FAR Part 125 air operator to prepare and keep current a manual which describes the operator's procedures and policies. The manual is for use by all the operator's personnel and also indicates to the FAA how the operator intends to conduct business. The manual's complexity depends upon the complexity of the operation. Although the entire manual does not need to be completely developed at the time of formal application, team members must ensure all required material is shown on the Schedule of Events and that adequate time is allowed for review. As a general rule, if the applicant submits the formal application only 60 calendar days before operations are scheduled to begin and draft documents were not previously submitted, the team may require that additional manual material be submitted at the time of formal application.

(1) The manual must be distributed in accordance with FAR § 125.71. It must also contain specific items and information required by FAR §125.73. However, any additional items may be incorporated at the discretion of the operator.

(2) The manual is reviewed to ensure that it is not contrary to the appropriate regulatory requirements or the proposed operations specifications.

**D. Management Personnel Qualifications.** The operations positions of Director of Operations and Chief Pilot indicated in Section 2, paragraph 9B(5) are only suggested positions. FAR § 125.25 requires the applicant to show that it has "... enough management personnel, including at least a director of operations..."

(1) The applicant may elect not to have any management positions other than Director of Operations, or the applicant may have more positions. In that

case, qualifications are up to the judgement of the certification team, based on the type of management position and the complexity of the operation.

(2) The qualifications outlined in Section 2, paragraph 9B(5) of this chapter are not required by FAR. They are examples of acceptable qualifications which may be used as general guidance.

(3) With respect to the qualifications of the indicated positions, the district office manager may authorize the employment of a person who does not meet the qualifications. However, the district office manager must find that the person has equivalent aeronautical experience.

**E. Weight and Balance Procedures.** Acceptable procedures may be found in Advisory Circular 43.13-1A, "Acceptable Methods, Techniques, and Practices - Aircraft Inspection and Repair;" Advisory Circular 91-23A, "Pilots Weight and Balance Handbook;" or Advisory Circular 120-27A, "Aircraft Weight and Balance Control." Material from these publications, which should be cited as resources to an applicant or operator, may be adapted for the operator's procedures, but reference to these publications as a means of compliance is not acceptable.

**F. Hazardous Materials Training Program.** Although training is not required by FAR Part 125, the operator should be encouraged to prepare a hazardous materials training program for all flight crewmembers and ground personnel. Whether or not an operator elects to transport hazardous material, the company manual required by FAR § 125.73 must include certain procedures and instructions relating to hazardous materials. Some form of training in this area should be addressed. There are numerous all-cargo operators, with approved hazardous material training programs, who could be contracted with to provide initial and recurrent training. (The inspector might consider keeping a current list of such operators as a resource.) If the operator uses a training program, it should have provision for regular testing of flight crewmembers on the operator's hazardous materials policies and procedures.

**G. Compliance Statement.** An applicant may submit an Initial Compliance Statement with the formal application package because methods of compliance may depend on actions by the FAA, i.e., approval of the manual. When the method of compliance is finally formalized, the description can be added to the list in preparation for the Final Compliance Statement. However, the Schedule of Events must show when the final compliance statement will be submitted.

**13. THE DEMONSTRATION AND INSPECTION PHASE.** In the demonstration and inspection phase the certification team determines that the applicant's proposed procedures and programs are effective and that facilities and equipment are satisfactory. Emphasis is on compliance with regulations and safe operating practices. Throughout the demonstration and inspection phase the CPM ensures that each required demonstration is observed and approved or disapproved. If at any time during this phase the applicant does not meet the Schedule of Events or if an activity or item proves to be deficient, appropriate corrective action is taken. The CPM shall schedule meetings with the applicant to review deficiencies in detail. Each deficiency and corrective action must be fully documented and placed in the certification file. If appropriate, the CPM terminates the certification process or agrees to a modified Schedule of Events.

**A. The Emergency Evacuation Demonstration.** Effective emergency evacuation procedures have significantly reduced the number of casualties in survivable aircraft accidents. The FAA considers an applicant's or operator's ability to perform these procedures to be an extremely important aspect for aviation safety. The need to conduct full-scale demonstrations depends primarily upon whether such demonstrations have previously been accomplished with a particular type and model airplane used in FAR Part 121 or 125 operations. FAR Part 125 operators and applicants for a FAR Part 125 certificate must conduct a full-scale aborted takeoff evacuation demonstration for any airplane having a seating configuration of more than 44 passenger seats. The evacuation must be completed in 90 seconds or less.

(1) All FAR Part 125 operators and applicants for a FAR Part 125 certificate must conduct a full-scale ditching evacuation demonstration for any land airplane intended for use by the operator in extended overwater operations. (See Related Task #74, Evaluate Emergency Evacuation/Ditching Procedures.)

(2) These demonstrations specifically test the following areas:

- The applicant's or operator's emergency training procedures and crewmember competency.
- The applicant's or operator's emergency evacuation and ditching procedures.
- The reliability and capability of the emergency equipment on the airplane.

**B. Records and Recordkeeping.** FAR Part 125, Subpart L indicates the types of records which must be

maintained by a FAR Part 125 operator. FAR §§ 125.403, 125.405, 125.407, 125.409, 125.411, and the operator's manual contain details about the approval of procedures for flight release forms; disposition of the load manifest, flight release, and flight plans; airplane maintenance logs; reports of defects or unairworthy conditions; and airworthiness release or maintenance record entries. The inspector should refer to those sources to check those records.

(1) FAR Part 125, Subpart L indicates which records must be carried on the pilot's person or on board the airplane. Crewmember records, aircraft and engine logs, and other maintenance records should be kept at the main base of operations.

(2) Records should be kept in a manner easily accessible to inspectors. The method of storage is, of course, the choice of the operator, but retrieval and review should not require an extended or complicated process.

**C. Crewmember Requirements.** The crewmember qualification and testing requirements go beyond the normal commercial certificate qualifications and have been established to achieve a higher level of safety. Checks and tests must be given by either an inspector or an authorized check airman. The instrument check required by FAR §125.291 may be substituted for the competency check required by FAR §125.287 for the type of airplane used in the instrument check.

**D. Resolving Discrepancies.** After resolving any discrepancies with any of the documents or the inspections, the applicant must notify the CPM, in writing, detailing the corrective action taken. The demonstration and inspection phase should then be continued.

## 15. THE CERTIFICATION PHASE.

**A. Issuance of Certificate and Operations Specifications.** In the certification phase the certificate and approved operations specifications are issued after all unsatisfactory items are corrected.

(1) No certificate shall be issued until the team determines the applicant is fully capable of fulfilling responsibilities as charged by the Federal Aviation Act.

(2) A certificate is issued to the applicant when the following criteria are met:

- The certification process is completed.
- Each unsatisfactory item has been corrected.

- It is determined that the applicant has met all regulatory requirements and understands all responsibilities under the regulations.
- It has been determined the applicant is capable of complying with the FAR on a continuing basis.
- The applicant's ability to conduct operations in a safe manner has been demonstrated.

**B. The Certification Report.** After an operator is certificated, the CPM prepares a certification report. This report establishes the district office file. It includes the name and title of each inspector who assisted in the certification project and is signed by the CPM. It details any problems with the certification project and their resolutions. (See Volume I, Chapter 4, Certificating Organizations.) If airplanes are to be domiciled outside of the certificating district office's jurisdiction, the principal operations inspector assigned to the operator shall notify the other district office and provide a copy of any portion or all of the certification file to the other district office at its request.

**C. Post-Certification Plan.** In most cases, the certification team becomes the principal inspectors for the new operator. In the event the district office manager assigns different inspectors as principals, the certification team recommends a post-certification inspection plan for future surveillance of the FAR Part 125 operator. The plan emphasizes problem areas noted during certification. The team may recommend scheduling surveillance before it is due in the work program guidelines. During certification and afterwards, inspectors work with the operator to eliminate problems at an early stage. Meaningful recommendations assist the operator in continuing regulatory compliance and in instituting changes needed in the methods or techniques of operation, inspection, or maintenance during this early period of operation.

**D. Amendments.** If a certificate is amended to reflect an address change or a change of the assigned district office, the date of original issuance shall be shown on the new certificate. A change of official name must be approached with care. Whatever the complexity of the legal name change, it has the effect of a new certification; therefore, a new certificate and certificate number shall be issued. For this situation the issuance date of the new certificate will be entered in the space provided on the certificate.



## Section 2 Procedures

### 1. PREREQUISITES AND COORDINATION REQUIREMENTS.

**A. Prerequisites.** This task requires knowledge of regulatory requirements in FAR Part 125, FAA policies, and, specifically --

- Knowledge of the certification process
- Familiarization with task background
- Qualification as an Aviation Safety Inspector (Operations)

**B. Coordination.** This task may require coordination with the airworthiness unit, the Civil Aviation Security Field Office, the regional office, and the Aircraft Certification Office.

### 3. REFERENCES, FORMS, AND JOB AIDS.

#### A. References

- Section 604 of the Federal Aviation Act of 1958, as amended
- FAR Parts 1, 43, 45, 47, 61, 63, 65, 67, and 91
- 46 CFR Part 71, Subpart 71.25, Annual Inspection
- 46 CFR § 162.028, Extinguishers, Fire, Portable, Marine Type
- 49 CFR Part 173, Shippers - General Requirements for Shipments and Packages
- 49 CFR Part 175 (HMR), Carriage by Aircraft
- 49 CFR Part 830 (NTSB), Notification and Reporting of Aircraft Accidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records
- Advisory Circular 120-12, Private Carriage Versus Common Carriage of Persons and Property
- Advisory Circular 125-1, Operations of Large Airplanes Subject to FAR Part 125
- Order 8300.10, Airworthiness Inspector's Handbook

- Order 8700.10, General Aviation Operations Inspector's Handbook, Volume 1, Chapter 4, Certificating Organizations

#### B. Forms

- FAA Form 8000-36, WPMS Transmittal Form
- FAA Form 8400-6, Preapplication Statement of Intent
- FAA Form 8400-7, Operations Specifications
- FAA Form 8430-21, Operating Certificate

#### C. Job Aids

- Figure 72-1, FAR Part 125 Certification Process Flow Chart
- Figure 72-2, Certification Job Aid
- Figure 72-5, FAR Part 125 Applicability Job Aid
- Figure 72-7, Sample Schedule of Events Format
- Sample letters and figures

### 5. PREAPPLICATION PHASE PROCEDURES.

**A. Initial Inquiry.** Upon initial inquiry from an applicant, and before providing the potential applicant a PASI, the inspector must determine if the proposed operation falls under the applicability requirements of FAR § 125.1. Use Figure 72-5, Applicability Job Aid, to determine eligibility. To make this initial determination, consider whether the applicant meets the following basic eligibility requirements:

(1) The applicant must show proof of use (ownership or written agreement) of a U.S.-registered civil airplane with a seating capacity of 20 or more passengers (based on type certificate or STC) or a maximum payload of 6,000 pounds or more. Verify registration with the Aircraft Registration Branch, AAC-250.

(2) The airplane must have an appropriate and current airworthiness certificate and instruments and equipment required for the type of operations to be conducted.

(3) The following are not eligible for a FAR Part 125 Operating Certificate:

- Airplanes operated under FAR Part 91 by a person certificated to operate those airplanes under FAR Part 121, FAR Part 129, FAR Part 135, or FAR Part 137
- An operating certificate cannot be held by two or more persons
- FAR § 125.11 prohibits the holder of an Air Carrier Operating Certificate from holding a FAR Part 125 operating certificate
- A person currently holding a FAR Part 125 certificate

**B. Full or Partial Deviations.** explain that the applicant may request deviation from all of FAR Part 125 or any of its sections. If the applicant wishes a deviation, see Related Task #73, Evaluate an Application for Deviation or Special Authorization for FAR Part 125.

**C. Applicant Resources.** Encourage the applicant to obtain a copy of the appropriate, current regulations and their revisions. Provide the applicant with the following:

- FAA Form 8400-6, Preapplication Statement of Intent (PASI) (Figure 72-6)
- Advisory Circular 125-1, Operations of Large Airplanes Subject to FAR Part 125

**D. District Office Review of PASI.** Within 5 working days of receipt of a signed PASI, review it to determine if the information is complete, accurate, and acceptable.

(1) Section 1A must be completed by all applicants.

(a) Company official name and mailing address

(b) The address must be the physical location where primary operating activities are based. It is where the offices of management personnel required by regulation are located. If the address is the same as item 1, the applicant enters, "same."

(c) Estimated date when operations or services will begin.

(d) The information in this block will be used to assign a company identification number. The applicant may indicate up to three, three-letter identifiers, such as ABC, XYZ, etc.

(e) The names, titles, and telephone numbers of required management personnel. This should include the General Manager, Directors of Operations and

Maintenance, Chief Pilot, Chief Inspector, etc., as applicable.

(2) Section 1B must be completed by all air operator applicants. The proposed types of operation must be indicated. The applicant may check as many boxes as apply.

(3) Section 1C is not applicable to FAR Part 125 applicants.

(4) Section 1D must be completed by all air operator applicants.

(a) The applicant indicates the proposed number and types of airplanes to be operated, as well as the number of passenger seats or, for all-cargo airplanes, payload capacity.

(b) The applicant enters the names of the states or geographic areas in which operations are to be conducted. For example, if operations are to be conducted in one or two states, the applicant lists those states. If operations will be within the 48 contiguous states, the applicant indicates, "48 contiguous states." For overseas or international operations, the applicant should enter each country or geographical area, such as Alaska and Canada; Hawaii; Europe; Mexico, Caribbean, and South America.

(5) Section 1E must be completed by all applicants.

(a) The applicant shows any information that would assist FAA personnel in understanding the type and scope of operation or services to be performed.

(b) The PASI must be signed as follows:

<b>Type of Organization</b>	<b>Authorized Signature</b>
Individual	Owner
Partnership	At least one partner
Company, corporation association, etc.	At least one authorized Officer

(6) If the district office assigned certification responsibility is not the one where initial inquiry was made, enter an appropriate remark and the dates when each district office and the applicant was notified.

(7) If the PASI is unacceptable, note the reasons in Section 2. Notify the applicant in writing of any discrepancy and that a new PASI is required.

(8) Process the PASI as follows:

(a) Obtain a precertification number from AVN-120. (See Related Task #203, Obtain Certificate Numbers)

(b) Check the “Information only” block and enter the date a copy of the PASI was forwarded to the region.

(c) In the Remarks section, enter “Proceeding with formal certification” and show the precertification certificate number.

(d) Forward one copy of the PASI to the Manager, Flight Standards Division. Retain the original in the district office.

**E. Preapplication Meeting.** As CPM, assure that the following is covered during the Preapplication Meeting:

(1) The team reviews the PASI with the prospective operator and verifies that all information is current and correct. Assure that the applicant notes any changes on the PASI.

(a) If there are changes which significantly affect the anticipated scope or type of operation, forward a copy of the revised PASI to the regional office.

(b) If the changes indicate the need to reassign certification responsibilities, terminate the meeting. Advise the applicant that he or she will be notified of the new certifying office within 15 working days.

(2) Advise the applicant of all applicable regulations and recommend the applicant review (or re-review) those FAR and any associated advisory circulars.

(3) Give the applicant at least the following:

- Advisory Circular 125-1, Operations of Large Airplanes Subject to FAR Part 125
- The applicable certification job aid (Figure 72-2)
- A sample of appropriate operations specifications
- A sample Schedule of Events format (Figure 72-7)

(4) Advise the applicant that a formal application must be submitted at least 60 days before the proposed start-up date. Ensure that the application package consists of at least the following:

- A formal application letter
- A Schedule of Events
- An Initial Compliance Statement

- Procedures and policies manual
- Documentation that applicant has or intends to acquire airplanes and facilities
- A copy of any deviation authority granted under FAR § 125.3

(5) Ensures that the applicant understands the certification procedures, as well as the form, content, and documents required for formal application.

**F. Terminating the Preapplication Phase.** Terminate the preapplication phase when the team is satisfied that the applicant is prepared to proceed with formal application. Verify that the applicant intends to continue the certification process. Advise the applicant to contact the CPM regularly on the status of certification efforts. Inform the applicant that if there is no communication within 60 days, certification efforts will be terminated.

## 7. FORMAL APPLICATION PHASE PROCEDURES.

Within 5 working days after receiving a formal application package, review it and determine whether each item required for formal application has been submitted. If any required item is missing, reject the entire application and return it to the applicant with a letter stating the reasons for rejection (Figure 72-8). Since the application package is reviewed in depth during the upcoming Document Compliance Phase, ensure only that the following required items are included in the application package:

### A. Formal Application Letter

**B. Schedule of Events.** Check the Schedule of Events to ensure it lists items, activities, programs, airplanes, or facility acquisitions required for certification and the applicant’s best estimate of the date the item will be acquired or ready for inspection.

**C. Initial Compliance Statement.** Determine that the initial compliance statement contains a complete listing of all FAR Part 125 regulations pertinent to the proposed operation.

(1) The list should refer to applicable subparts and each relevant section of the subparts.

(2) Next to each section, the applicant must provide a brief narrative description or, preferably, a specific reference to a manual or other document which describes how the applicant will comply with each regulation, if the method for compliance is known at the time the formal application letter is submitted.

**D. Procedures and Policies Manual.** Ensure that the procedures and policies manual contains information

about the applicant's organization, general policies and procedures, duties and responsibilities of personnel, and operational control procedures.

(1) If a partial manual is submitted at this stage, ensure that it shows compliance with at least FAR § 125.73(a), (d) through (m), and (o) through (q) and FAR § 125.249(a) (1) and (b).

(2) Ensure that the manual indicates sufficient management personnel to conduct operations safely and in accordance with the requirements of FAR Part 125.

(a) The procedures and policies manual required by FAR § 125.71 must establish the duties, responsibilities, and authority of management personnel; list the names, addresses, and telephone numbers of each person employed in a management position; and designate the persons responsible for scheduling inspections and for updating the approved weight and balance information on all airplanes operated by the applicant.

(b) After certification, operators are required by FAR § 125.25(c) to notify the district office of any change made in the assignment of persons in a management position within 10 days of such a change.

**E. Leases, Agreements, Contracts.** If any required facilities or services are to be supplied by parties other than the applicant, ensure that copies of the associated contracts are submitted with the application. If a formal contract has not been completed, accept letters showing agreement between the contracting parties.

**F. Deviation Authority.** Examine any partial deviation or special authorization issued to the applicant.

**G. Formal Application Meeting.** As CPM, schedule and conduct the formal application meeting. Assure that the following is accomplished during the meeting:

(1) Except for unanticipated circumstances, each member of the certification team must be present.

(2) During the meeting the team and the applicant review each document and resolves each discrepancy.

(3) Thoroughly review the upcoming certification process and discuss the effect on the applicant of not meeting the Schedule of Events.

(4) If any discrepancy cannot be resolved, terminate the meeting and inform the applicant that the formal application is not acceptable. Return the formal application package to the applicant with a letter explaining the reasons for the rejection.

(5) Before concluding the meeting, ensure the applicant clearly understands the following:

(a) The applicant will receive written notification of acceptance or rejection of the application package within 5 working days after the meeting.

(b) Accepting a formal application package does not constitute acceptance or approval of the attachments. Each document must be reviewed further, and the applicant must take corrective action as required. Acceptance or approval of each attachment shall be indicated as the certification process continues.

(c) If the applicant is unable to meet the Schedule of Events or if the facilities are not ready for inspection as indicated on the transmittal letter, the CPM shall terminate the certification until a revised Schedule of Events is submitted and accepted. Consequently, the proposed start-up date could be delayed.

(6) If the application package is acceptable enough to begin the in-depth review, prepare a letter accepting the formal application and forward it to the applicant within 5 working days after the meeting (Figure 72-9).

(7) If the application package is rejected, the CPM must return the application and attachments within 5 working days with a letter stating specific reasons for rejection.

(8) If the applicant does not submit a corrected formal application and it becomes apparent that the applicant does not intend to proceed with certification, contact AVN-120 to release the precertification number. Also notify the regional office.

**9. DOCUMENT COMPLIANCE PHASE PROCEDURES.** After accepting the formal application package, ensure each document is complete and correct through an in-depth review.

**A. Document Review.** Review documents by simultaneous reference to the FAR, any completed portion of the initial compliance statement, and the appropriate manual or document.

(1) Ensure that the Formal Application Letter (Figure 72-10) contains at least the following:

(a) A statement that it is a formal application for a FAR Part 125 operating certificate.

(b) The applicant's mailing address and the physical location of its principal base of operations.

(c) A list of flight crewmembers and the type of certificates held, including certificate number and ratings.

(d) The names of key management personnel.

(e) The names, titles, and signatures of persons authorized to sign operations specifications on behalf of the operator.

(f) If a request for deviation from any requirement is anticipated, it should be noted in the formal application letter. The request and justification for the deviation, however, must be made under separate cover and submitted to AVS-1. (Refer to Related Task #73, Evaluate an Application for Deviation or Special Authorization for FAR Part 125.)

(g) The letter must be signed by the owner, when applying as an individual; each partner, when applying as a partnership; or an authorized officer, when applying as an organization, such as a company or corporation.

(2) Ensure that the schedule flows in a logical, sequential manner throughout the certification process and provides a reasonable amount of time for the FAA to review and accept or approve each item or event. Figure 72-7 is a sample format for a schedule of events. Encourage the applicant to use this format. Accept other formats if they provide the information necessary for the team to ensure the applicant is proceeding in an appropriate manner.

### (3) Compliance Statement (Initial or Final).

(a) Ensure that the applicant has listed specific regulations and subparts in the same sequence as the regulations.

(b) Where the compliance information has been developed (for example, the manual material submitted with the formal application), ensure that a manual reference or a description of the method of compliance has been included with the applicable regulatory section. If the method of compliance has not been fully developed, explain that the applicant must submit a final compliance statement which does provide this information.

(c) Review and accept the Final Compliance Statement before conducting inspections and demonstrations. Examples of compliance statement entries are:

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#### **FAR § 125.37 Duty Time Limitations.**

The company manual advises the necessary personnel that flight crewmembers must be relieved from all

duties for at least 8 consecutive hours during any 24-hour period. Page 18, paragraph 92.

#### **FAR § 125.39 Carriage of Narcotic Drugs . . .**

The company manual advises all company personnel that carriage of any illegal drugs or substances on board any company airplane is a basis for the suspension or revocation of the company's operating certificate. Page 14, paragraph 35.

#### **FAR § 125.247 Inspection Programs and Maintenance.** Procedures and Policies Manual, Chapter 8, paragraph 18.

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(4) Procedures and Policies Manual. (See Related Task #75, Evaluate a Manual)

(5) Management Personnel Qualifications (Operations).

(a) Director of Operations --

- Hold an Airline Transport Pilot Certificate
- Have at least three years experience as pilot-in-command of a large airplane operated under FAR Parts 121, 125, or 135
- Have at least three years supervisory or managerial experience in a position that exercised operational control over any operations conducted with large airplanes under FAR Parts 121, 125, or 135

(b) Chief Pilot --

- Hold an airline transport pilot certificate with appropriate ratings for at least one of the types of airplane to be used in the operation
- Have at least three years of experience as pilot in command of a large airplane operated under FAR Parts 121, 125, or 135

(6) Ensure that minimum equipment lists, cockpit checklists, and airplane performance documents are contained in the policies and procedures manual or approved airplane flight manual.

(7) Approve operations specifications. (See Related Task #76, Approve Operations Specifications)

(8) Approve the noise emission control plan.

(a) If the airworthiness certificate is dated after January 1, 1985, no action is required.

(b) If the airworthiness certificate is dated before January 1, 1985, determine if the applicant --

- Has submitted a specific showing of compliance or a compliance plan to the FAA Office of Environment and Energy (AEE-1) through the regional flight standards division or
- Has an exemption issued under FAR Part 11 or FAR § 91.307. Ensure that this exemption is carried on board the aircraft during flight operations.

(9) Ensure that the weight and balance control program is contained in the policies and procedures manual.

(10) Examine proof of crewmember qualifications.

(a) Ensure that pilots designated as pilot-in-command meet the requirements of FAR §§ 125.281, 125.285, 125.287, 125.289, and 125.291.

(b) Ensure that pilots designated as second-in-command meet the requirements of FAR §§ 61.55, 125.283, and 125.287.

(c) Ensure that pilots designated as flight engineers hold current flight engineer certificates and meet the recency of experience requirements in FAR § 125.265(b).

(d) Ensure that all pilots have passed a written or oral test, in accordance with the requirements of FAR § 125.287(a), and a competency check required by FAR § 125.287(b).

(11) Approve inspection programs and maintenance procedures (Airworthiness).

(12) Inspect aircraft leases in accordance with Related Task #57, Process an Aircraft Lease Agreement for Regulatory Compliance under FAR § 91.54.

(13) Review any previously granted deviations or special authorizations.

(14) Review the emergency evacuation demonstration plan, if applicable. (Refer to Related Task #74, Evaluate Emergency Evacuation/Ditching Procedures.)

(15) Review any other document referenced in the procedures and policies manual.

**B. EIS/AIDS Profile.** If not already accomplished, obtain a profile of the applicant and personnel using the Enforcement Information System (EIS) and the Accident/Incident Data Subsystem (AIDS).

**C. Unacceptable Documents.** If deficiencies are found in any document submitted by the applicant, note the deficiencies in writing for the district office files. Be prepared to offer suggestions on how to improve the product but avoid "writing" the applicant's documents. If the documents are not of sufficient quality to warrant further review, schedule a meeting with the applicant to review each deficiency in detail. If appropriate, advise the applicant of either the impracticability of continuing the certification project or agree to a modified Schedule of Events that allows time to correct deficiencies.

**11. DEMONSTRATION AND INSPECTION PHASE PROCEDURES.** During the demonstration and inspection phase, the CPM shall ensure the following is accomplished:

**A. Maintenance Personnel.** Observe company or contract maintenance personnel as they perform scheduled and unscheduled airplane maintenance and inspections. (Airworthiness)

**B. Review Airplane Records.** (Airworthiness)

**C. Airplane Conformity Inspection.** Inspect airplanes for conformity with appropriate type certificates and regulations. (Airworthiness)

**D. Evaluate Maintenance Facilities.** (Airworthiness)

**A. Conduct a Base Inspection.** (See Related Task #77, Conduct a FAR Part 125 Base Inspection.)

**E. Evaluate Record Keeping System.** (See Related Tasks #82, Inspect Crewmember Records, and Task #83, Inspect Trip Records.)

**F. Conduct or Observe Pilot Qualification Functions.** (See Related Tasks #79, Conduct a FAR Part 125 Pilot Competency or Instrument Proficiency Check and/or #80, Conduct a Flight Engineer Proficiency Check.)

**G. Approve Check Airmen.** As applicable, designate a check airman, check flight engineer, or check navigator. (See Related Task #78, Approve a Check Airman for FAR Part 125 Operations)

**H. Observe Emergency Evacuation and/or Ditching Demonstration.** (See Related Task #74, Evaluate an Emergency Evacuation/Ditching Demonstration.)

**13. CERTIFICATION PHASE PROCEDURES.** When the applicant has met all regulatory requirements for certification, the CPM shall do the following:

**A. Prepare and Issue the Operating Certificate.** Use FAA Form 8430-21 for an Operating Certificate (see

Figure 72-11). Type the following information on the form when preparing the certificate for issuance.

(1) Enter the certificate holder's full, legal name directly below the words "This certifies that . . ." Include other names (such as "doing business as") on the certificate. If necessary, list d/b/a's in a separate letter bearing the certificate number. (Refer to Volume I, Chapter 5, Preparing FAA Operating Certificates.)

(2) Enter the address of the certificate holder's principal base of operations directly below the certificate holder's name. Do not use a post office box address unless it also reflects the physical location of the principal base of operations.

(3) Do not modify the pre-printed certification statement of authority. Complete the statement by typing, "Part 125 Operations" in the space provided.

(4) Obtain the final certificate number from AVN-120. (See Related Task #203, Obtain Certificate Number.)

(5) Enter the date when all requirements for certification were met in the space provided or any other date requested by the applicant.

(6) Enter the four-character, alpha-numeric designator and city and state of the certificate-holding district office into the "Issued at" space of the form (for example, EA18, Richmond, VA).

(7) In the space provided, enter the full title of the person signing the certificate. Enter the region's acronym and the Flight Standards district office (FSDO) acronym and number in the "region/office" space (for example, ASW FSDO 18).

(8) Submit the operating certificate to the district office manager for signature.

**B. Certification Report.** Assemble a certification report containing the following:

- A copy of the PASI
- The certification job aid
- The letter of application
- The Schedule of Events
- The Final Compliance Statement
- The Emergency Evacuation Demonstration Evaluation
- A copy of the Operating Certificate issued

- A copy of each operations specifications issued
- A copy of the procedures and policies manual
- A summary of any difficulty encountered during certification and its resolution
- A copy of any deviation or waiver issued

(1) Retain the original certification report in the district office.

(2) Forward any portion or all of the certification report to other district offices where the operator's airplanes will be domiciled.

**C. Minimum Equipment List.** Issue a letter of authorization to operate with an MEL, if applicable. (See Related Task #58, Approve a Minimum Equipment List.)

**D. Operations Specifications.** Issue the operations specifications approved in the Document Compliance Phase.

**E. Vital Information Subsystem.** Enter all appropriate information in the Vital Information Subsystem Air Operator Basic File and Air Operator Aircraft Auxiliary File. (See Related Task #205, Open/Update Vital Information Subsystem Files.)

**F. District Office File.** Establish an official office file after certification is complete. The file shall contain at least the following:

- The certification report and attachments
- EIS/AIDS profile on applicant and personnel, including a negative report if applicable
- Approved minimum equipment lists, if applicable
- Future surveillance reports
- General correspondence relevant to the operator or agency

**G. WPMS.** Complete FAA Form 8000-36, WPMS Transmittal Form, entering the appropriate information.

**15. TASK OUTCOMES.** Completion of this task results in either:

A. Issuance of a certificate and operations specifications authorizing operations under FAR Part 125.

B. A record on file consisting of the following:

(1) Written notification to the applicant denying the certificate (Figure 72-12).

(2) Indication of the return of all original documents to the applicant.

(3) Notification to the regional office and AVN-120 to cancel the precertification number.

C. A letter to the applicant confirming termination of the certification process (Figure 72-13).

## 17. FUTURE ACTIVITIES.

**A. *Develop Post-Certification Plan.*** When developing a post-certification plan, the inspector should perform additional surveillance or inspections during the first 90 days the organization is in business. This may require assistance from other district offices.

**B. *Conduct Surveillance.*** According to the established post-certification plan, conduct surveillance at appropriate intervals. (See related inspection tasks.)

FIGURE 72-1

FIGURE 72-1

**FIGURE 72-2 CERTIFICATION JOB AID ORIGINAL CERTIFICATION**

NAME OF APPLICANT:	INSP. INITIAL	DATE														
<b>I. PREAPPLICATION PHASE</b>																
A. INITIAL ORIENTATION: Inspector _____																
1. DETERMINE ELIGIBILITY																
2. ADVISORY CIRCULAR PROVIDED TO APPLICANT																
3. PREAPPLICATION STATEMENT OF INTENT:																
a. Copy to regional office																
b. Precertification number _____																
B. CERTIFICATION TEAM DESIGNATED (at least one operations, one maintenance, and one avionics inspector) <table data-bbox="321 1033 1240 1306" style="margin-left: 40px; width: 100%;"> <thead> <tr> <th style="text-align: left;">Name</th> <th style="text-align: left;">Specialty</th> </tr> </thead> <tbody> <tr> <td>CPM _____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> </tr> </tbody> </table>	Name	Specialty	CPM _____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____		
Name	Specialty															
CPM _____	_____															
_____	_____															
_____	_____															
_____	_____															
_____	_____															
_____	_____															
C. CONDUCT PREAPPLICATION MEETING																
1. VERIFY PASI INFORMATION																
2. OVERVIEW OF CERTIFICATION PROCESS																
3. PROVIDE CERTIFICATION PACKAGE																
a. Certification Job Aid																
b. Schedule of Events																
c. Advisory Circular																
d. Sample Operations Specifications																

### FIGURE 72-2 CERTIFICATION JOB AID ORIGINAL CERTIFICATION

PREAPPLICATION PHASE (CON'D)	INSP. INITIAL	DATE
4. EXPLAIN FORMAL APPLICATION SUBMISSIONS		
REMARKS:		
II. FORMAL APPLICATION PHASE	INITIAL	DATE
A. REVIEW APPLICANT'S SUBMISSIONS		
1. FORMAL APPLICATION LETTER		
a. Mailing address		
b. Principal base of operations		
c. List of Flight Crewmembers		
o Certificate numbers		
o Ratings		
d. Key Management Personnel		
e. Persons authorized to sign Operations Specifications		
o Name		
o Title		
o Signature		
f. Deviations		
2. SCHEDULE OF EVENTS		
3. INITIAL COMPLIANCE STATEMENT		
4. POLICIES AND PROCEDURES MANUAL		

### FIGURE 72-2 CERTIFICATION JOB AID ORIGINAL CERTIFICATION

II. FORMAL APPLICATION PHASE (CON'D)	INITIAL	DATE		
5. CONTRACTS, LEASES, ETC.				
6. AGREEMENTS				
7. LETTERS OF INTENT				
B. EVALUATE FAA RESOURCE CAPABILITY BASED ON SCHEDULE OF EVENTS				
REMARKS:				
C. FORMAL APPLICATION MEETING				
1. SCHEDULE MEETING Date: _____ Time: _____				
2. DISCUSS EACH SUBMISSION				
3. RESOLVE DISCREPANCIES/OPEN ITEMS				
4. REVIEW CERTIFICATION PROCESS				
5. REVIEW IMPACT ON SCHEDULE OF EVENTS				
D. ISSUE LETTER ACCEPTING/REJECTING APPLICATION				
REMARKS:				
III. DOCUMENT COMPLIANCE PHASE	INSP. INITIAL	DATE RET'D	DATE RESUB'D	DATE APP. ACC.
A. EVALUATE FINAL COMPLIANCE STATEMENT				
B. EVALUATE MANAGEMENT QUALIFICATIONS				
1. GENERAL MANAGER				
2. DIRECTOR OF OPERATIONS				
3. INSPECTION SCHEDULER				
4. CHECK AIRMEN				
5. OTHER				

FIGURE 72-2 CERTIFICATION JOB AID ORIGINAL CERTIFICATION

III. DOCUMENT COMPLIANCE PHASE (CON'D)	INSP. INITIAL	DATE RET'D	DATE RESUB'D	DATE APP. ACC.
C. EVALUATE APPLICABLE DOCUMENTS, CONTRACTS, LEASES, AND AGREEMENTS				
1. AIRCRAFT LEASES				
2. MAINTENANCE CONTRACTS/AGREEMENTS				
3. SERVICING CONTRACT/AGREEMENT				
D. EVALUATE POLICIES/PROCEDURES MANUAL				
E. AIRPLANE FLIGHT MANUAL				
F. MAINTENANCE TECHNICAL MANUALS				
G. OPERATIONS SPECIFICATIONS				
H. EMERGENCY EVACUATION PLAN				
I. BRIEFING CARDS				
J. ENVIRONMENTAL ASSESSMENT				
1. Noise				
2. Emissions				
K. MINIMUM EQUIPMENT LIST				
IV. DEMONSTRATION & INSPECTION PHASE	INSP. INITIAL	DATE BEGUN	DATE COMPL'D	DATE APP. ACC.
A. EVALUATE APPLICANT CONDUCTING TRAINING				
1. MAINTENANCE				
2. SERVICING				
3. INSPECTION				
B. AIRMAN TESTING/CERTIFICATION				
1. FLIGHTCREW				

**FIGURE 72-2 CERTIFICATION JOB AID ORIGINAL CERTIFICATION**

IV. DEMONSTRATION & INSPECTION PHASE (CON'D)	INSP. INITIAL	DATE BEGUN	DATE COMPL'D	DATE APP. ACC.
2. FLIGHT ATTENDANTS				
C. INSPECT AIRCRAFT FOR CONFORMITY				
D. INSPECT BASE				
E. INSPECT MAINTENANCE FACILITY				
F. INSPECT RECORDKEEPING PROCEDURES				
1. AIRCRAFT MAINTENANCE RECORDS				
2. TRAINING RECORDS				
3. AIRMAN RECORDS				
4. FLIGHTCREW DUTY RECORDS				
5. MAINTENANCE CREW DUTY RECORDS				
6. FLIGHT ATTENDANT RECORDS				
7. INSPECTION RECORDS				
G. EVALUATE EMERGENCY EVACUATION				
H. INSPECT FLIGHT LOCATING FACILITIES				
REMARKS				

### FIGURE 72-2 CERTIFICATION JOB AID ORIGINAL CERTIFICATION

V. CERTIFICATION PHASE	INSP. INITIAL	DATE COMPLETED
A. APPROVE OPERATIONS SPECIFICATIONS		
B. PRESENT CERTIFICATE & OP SPECS TO CERTIFICATE HOLDER		
C. PREPARE CERTIFICATION REPORT		
1. ASSEMBLE ATTACHMENTS		
2. OUTLINE PROBLEMS		
3. SUGGESTIONS TO IMPROVE CERTIFICATION PROCESS		
4. DISTRIBUTE REPORT		
D. DEVELOP SURVEILLANCE PLAN		
1. WITHIN GEOGRAPHICAL AREA		
2. OUTSIDE GEOGRAPHICAL AREA		
REMARKS:		

**FIGURE 72-3 LETTER REJECTING OPERATOR'S MANUAL**

FAA Letterhead

Applicant's Name and Address

Dear [name of authorized official]:

The certification team assigned to your application for a Federal Aviation Regulations (FAR) Part 125 air operator's certificate has reviewed the proposed operator's manual, which is required by FAR § 125.71. The manual is unacceptable and is being returned for the following reasons.

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A review of the manual's required contents, found in FAR § 125.73, should provide sufficient guidance for you in correcting the above discrepancies. Issuance of your certificate will be withheld until a corrected manual has been submitted in an acceptable form. Please call this office with any questions you may have.

Sincerely,

Certification Team Leader



**FIGURE 72-4 FAA FORM 8410-1, AIRMAN PROFICIENCY/QUALIFICATION CHECK**

<b>AIRMAN PROFICIENCY/QUALIFICATION CHECK</b>				DATE OF CHECK	
				LOCATION	
NAME OF AIRMAN ( <i>Last, first, middle initial</i> )				TYPE OF CHECK	
EMPLOYED BY		BASED AT ( <i>City and State</i> )		TYPE AIRCRAFT/SIMULATOR USED	
NAME OF CHECK AIRMAN				BLOCK TIME	
<b>FLIGHT MANEUVERS GRADE (S--Satisfactory U--Unsatisfactory)</b>					
<b>PILOT</b>			<b>FLIGHT ENGINEER</b>		
S - SATISFACTORY		U - UNSATISFACTORY			
W - WAIVER ( <i>See Appendix F to 121</i> )					
	AIR-CRAFT	SIMU-LATOR	ITEM	S	U
<b>PREFLIGHT</b>			1. EQUIPMENT EXAM ( <i>Oral</i> ) ( <i>Written</i> )		
1. EQUIPMENT EXAMINATION ( <i>Oral or written</i> )			2. PREFLIGHT CHECK OF AIRCRAFT		
2. * PREFLIGHT INSPECTION			3. COMPUTATION OF FUEL LOAD & FUEL LOADING PROCEDURE		
3. TAXIING			4. COMPLETION OF COMPANY APPROVED FORMS		
4. POWERPLANT CHECKS			5. STARTING, TAXI, AND RUNUP		
<b>TAKEOFFS</b>			6. POWERPLANT AND PROPELLER CONTROL		
5. NORMAL			7. CRUISE CONTROL AND COMPUTATIONS		
6. INSTRUMENT			8. AIRCRAFT/POWERPLANT OPERATION ANALYSIS		
7. CROSSWIND			9. FUEL SYSTEM MANAGEMENT		
8. WITH SIMULATED POWERPLANT FAILURE			10. AIR CONDITION & PRESSURIZATION CONTROL		
9. * REJECTED TAKEOFF			11. ELECTRICAL SYSTEM OPERATION		
<b>INSTRUMENT PROCEDURES</b>			12. POWERPLANT FIRE CONTROL		
10. * AREA DEPARTURE			13. EMERGENCY GEAR AND FLAP EXTENSION		
11. * HOLDING			14. HEATER FIRE AND CARGO COMPARTMENT FIRE		
12. * AREA ARRIVAL			15. SMOKE EVACUATION		
13. ILS APPROACHES			16. EMERGENCY DEPRESSURIZATION		
14. OTHER INSTRUMENT APPROACHES			17. FUEL DUMPING PROCEDURE		
15. CIRCLING APPROACHES			18. POWERPLANT SHUTDOWN AND RESTART		
16. MISSED APPROACHES			19. DEICING AND ANTI-ICING		
<b>INFLIGHT MANEUVERS</b>			20. LOCATION AND USE OF EMERGENCY EQUIPMENT		
17. * STEEP TURNS			21. EMERGENCIES-HYDRAULIC, PRESSURIZATION, ETC.		
18. * APPROACHES TO STALLS			22. CREW COORDINATION AND MONITORING		
19. * SPECIFIC FLIGHT CHARACTERISTICS					
20. POWERPLANT FAILURE					
<b>LANDINGS</b>			REMARKS		
21. NORMAL					
22. FROM AN ILS					
23. CROSSWIND					
24. WITH SIMULATED POWERPLANT(S) FAILURE					
25. REJECTED LANDING					
26. FROM CIRCLING APPROACH					
27. NORMAL AND ABNORMAL PROCEDURES					
28. EMERGENCY PROCEDURES					
29. JUDGEMENT					
30. HOVERING MANEUVERS					
31. RAPID DECELERATIONS ( <i>Quick stops</i> )					
32. AUTOROTATIONS ( <i>Single engine helo. only</i> )					
Items that may be waived are indicated by an asterisk (*). See Appendix F to FAR 121. All applicable items must be graded S, U or W.					
RESULT OF CHECK		APPROVED		CHECK AIRMAN'S PERFORMANCE	
		DISAPPROVED		SATISFACTORY	
				UNSATISFACTORY	
REGION		DISTRICT OFFICE		INSPECTOR'S SIGNATURE	



FIGURE 72-5

**FIGURE 72-5 CON'D**  
**QUESTIONS FOR FAR PART 125 APPLICABILITY JOB AID**

(1) Question 1. Do you plan to operate at least one civil airplane with a seating capacity of 20 or more passengers or a maximum payload capacity of 6,000 pounds or more? If no, FAR Part 125 does not apply. (Reference: § 125.1(a).) If yes, move to question 2.

(2) Question 2. Is your large airplane registered in the United States? If no, FAR Part 125 does not apply. (§ 125.1(a).) If yes, move to question 3.

(3) Question 3. Will your U.S.-registered airplane be operated in any portion of the United States or territory, commonwealth, or possessions of the United States? If no, and you are not a U.S. citizen, you are only required to comply with the inspection program and maintenance requirements of § 125.247. (Reference: § 125.1(c).) If yes, move to question 4. Foreign based U.S. citizens also move to question 4.

(4) Question 4. Is your airplane operated on a restricted, limited, or provisional airworthiness certificate, special flight permit, or experimental certificate? If yes, FAR Part 125 does not apply. (Reference: § 125.1(b)(2)) If no, move to question 5.

(5) Question 5. Do you conduct intrastate common carriage as the holder of a Commercial Operator Certificate under the provisions of FAR Parts 121 or 135? The key is “scheduled” intrastate common carriage. If yes, then you must continue to operate under the commercial operator requirements of FAR Parts 121 or 135. (§§ 121.1(a)(5) or 135.1(a)(3).) If no, move to question 6. All other commercial operators must convert to FAR Part 125 requirements.

(6) Question 6. Do you presently hold an air carrier operating certificate issued under FAR Parts 121 or 135? If yes, then you are not eligible for a FAR Part 125 operating certificate. (Reference: § 125.11(a)) If no, move to question 7.

(7) Question 7. Are your airplanes presently required to be operated under FAR Parts 121, 135, or 137? If yes, Part 125 does not apply. (Reference: § 125.(b)(1).) If no, FAR Part 125 is applicable to your operation.

## FIGURE 72-6 FAA FORM 8400-6, PREAPPLICATION STATEMENT OF INTENT

Form Approved  
UMB No. 2120-0008

 U.S. Department of Transportation  <b>Federal Aviation Administration</b>			<h3 style="margin: 0;">PREAPPLICATION STATEMENT OF INTENT</h3>		
<b>Section 1A. To Be Completed By All Applicants</b>					
1. Name and mailing address of company			2. Address of principal base where operations will be conducted (do not use post office box)		
3. Proposed Startup date		4. Requested three-letter company identifier in order of preference			
		1.	2.	3.	
<b>5. Management Personnel</b>					
Name (Last, first, middle)		Title		Telephone (including area code)	
<b>Section 1B. To Be Completed By Air Operators</b>					
6. Proposed type of operation (check as many as applicable)					
<input type="checkbox"/> Air Carrier Certificate	<input type="checkbox"/> Part 121	<input type="checkbox"/> Passengers and Cargo	<input type="checkbox"/> Single Pilot Operator		
<input type="checkbox"/> Operating Certificate	<input type="checkbox"/> Part 125	<input type="checkbox"/> Cargo Only	<input type="checkbox"/> Single Pilot-in-Command Operator		
	<input type="checkbox"/> Part 135	<input type="checkbox"/> Scheduled Operations	<input type="checkbox"/> Basic Part 135 Operator		
		<input type="checkbox"/> Nonscheduled Operations			
<b>Section 1C. To Be Completed By Air Agencies</b>					
7. Proposed type of agency and rating(s)					
<input type="checkbox"/> Part 145 Repair Station	<input type="checkbox"/> Part 147 Maintenance Technician School				
<input type="checkbox"/> Domestic	<input type="checkbox"/> Airframe				
<input type="checkbox"/> Foreign <input type="checkbox"/> New <input type="checkbox"/> Renewal	<input type="checkbox"/> Powerplant				
<input type="checkbox"/> Satellite	<input type="checkbox"/> Both				
<input type="checkbox"/> Airframe <input type="checkbox"/> Instrument					
<input type="checkbox"/> Powerplant <input type="checkbox"/> Accessory	<input type="checkbox"/> Part 149 Parachute Loft				
<input type="checkbox"/> Propeller <input type="checkbox"/> Specialized Service					
<input type="checkbox"/> Radio					
<b>Section 1D. To Be Completed By Air Operators</b>					
8. Aircraft Data Numbers and types of aircraft (by make, model, and series)			9. Geographic area of intended operations		

FAA Form 8400-6 (4-87)

**FIGURE 72-6 FAA FORM 8400-6, REVERSE SIDE**

<b>Section 1E. To Be Completed By All Applicants</b>		
10. Additional information that provides a better understanding of the proposed operation or business (attach additional sheets, if necessary)		
11. The statements and information contained on this form denote an intent to apply for FAA certification.		
Signature	Date	Name and Title
<b>Section 2. To Be Completed By FAA District Office</b>		
Received by (district office):		Date forwarded to Region:
Date:		For: <input type="checkbox"/> Action <input type="checkbox"/> Information only
Remarks:		
<b>Section 3. To Be Completed By Regional Office</b>		
Received by:		Precertification Number:
Date:		Date coordinated with AVN-120:
District office assigned responsibility:		Date forwarded to district office:
Remarks:		

FIGURE 72-7 SCHEDULE OF EVENTS—FAR PART 125

PART 125 SCHEDULE OF EVENTS - CERTIFICATION				
OFFICIAL NAME OF COMPANY		LOCATION ADDRESS		
MAILING ADDRESS (if different)		PRECERTIFICATION NO.		
DATE READY FOR FAA INSP.	FORMAL APPLICATION PHASE	Date Rec'd	Date Ret'd	Date App./ Acc.
	Formal Application Letter			
	Schedule of Events			
	Policies/Procedures Manual			
	Documents of Purchase, Contracts, Leases, and/or Letters of Intent			
	Initial Compliance Statement			
DOCUMENT COMPLIANCE PHASE				
	<b>Training Programs:</b>			
	Maintenance Personnel			
	Inspection Personnel			
	Ground Handling/Serviceing			
	<b>Manuals:</b>			
	Completed Policies/Procedures Manual			
	FAA-Approved Airplane Flight Manual			
	<b>Maintenance Technical Manuals:</b>			
	Airframe/Powerplant			
	Structural Repair			

**FIGURE 72-7 SCHEDULE OF EVENTS—FAR PART 125**

DATE READY FOR FAA INSP.	PAGE TWO	Date Rec'd	Date Ret'd	Date App./ Acc.
	Parts Catalogue			
	Inspection Procedures			
	Manufacturer's or Vendor's Manual			
	Wiring Manual			
	Overhaul Manual			
	Aircraft Checklists			
	Training Contracts			
	Maintenance Contracts/Agreements			
	Aircraft Leases			
	Environmental Assessment			
	Final Compliance Statement			
	Emergency Evacuation Demonstration Plan			
	Operations Specifications			
	Flight Release Procedures			
	MEL			
	CDL			
<b>DEMONSTRATION AND INSPECTION PHASE</b>				
	Training Facilities			
	Training/Testing			
	Flight Crewmembers			
	Check Airmen			
	Flight Attendants			

**FIGURE 72-7 SCHEDULE OF EVENTS—FAR PART 125**

DATE READY FOR FAA INSP.	PAGE THREE	Date Rec'd	Date Ret'd	Date App./ Acc.
	Flight Locating			
	Hazardous Materials			
	Maintenance Training			
	Aircraft Conformity Inspection			
	Main Operations Base			
	Main Maintenance Base			
	Flight Locating Facilities			
	Recordkeeping:			
	Operations			
	Maintenance			
	Inspections			
	Emergency Evacuation Demonstration			
REMARKS				



**FIGURE 72-8 LETTER REJECTING FORMAL APPLICATION PACKAGE**

FAA Letterhead

Date

Applicant's Name and Address

Dear [Name of appropriate official]:

Enclosed is the formal application package you submitted for a Federal Aviation Regulations (FAR) Part 125 air operator's certificate. It does not contain several of the fundamental elements needed to continue the certification process. We have noted the following problems: [Indicate discrepancies in detail.]

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If we do not receive a corrected formal application package within 60 days, you will be notified that this certification project is terminated.

Sincerely,

[Letter to be signed by Certification Project Manager]

**FIGURE 72-9 LETTER ACKNOWLEDGING RECEIPT/ACCEPTANCE OF FORMAL APPLICATION**

FAA Letterhead

Date

Applicant's Name and Address

Dear [Name of appropriate official]:

This is to acknowledge receipt on January 15, 1987, of your application for a Federal Aviation Regulations (FAR) Part 125 air operator's certificate and the associated schedule of events. After cursory examination we have determined that your application package is of satisfactory quality for us to continue with the certification process. Acceptance of the application package does not constitute a determination of acceptability of individual documents. This will be determined during an in-depth examination for compliance which is currently being conducted. Unless we discover problems with compliance, the certification team will be ready to conduct inspections in accordance with your schedule of events.

Sincerely,

[Letter to be signed by Certification Project Manager]

**FIGURE 72-10 SAMPLE FORMAL APPLICATION LETTER**

February 1, 1987

Manager

Flight Standards District Office  
300 Lindberg Drive  
Tulsa, Oklahoma 57692

Dear Sir:

Avalon Aviation, Inc. hereby makes application for a certificate to conduct operations in accordance with the provisions of FAR Part 125.

Avalon Aviation, Inc. intends to conduct flight operations in and between any state of the United States of America or in the District of Columbia and to points in Canada, Mexico, and Central and South America.

The attached pages outline how Avalon Aviation, Inc. intends to comply with appropriate sections of FAR Part 125. We intend to commence flight operations on June 1, 1987.

Mr. John Edwim has been appointed as Director of Flight Operations. All correspondence relative to this application and future activities of Avalon Aviation, Inc. should be addressed to his attention.

Sincerely,

Smith Ballon  
President

**FIGURE 72-11 FAA FORM 8430-21, OPERATING CERTIFICATE**



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

# Operating Certificate

This certifies that

Atlantis Aviation, Inc.  
7705 Airport Road  
Hangar 13  
Chantilly, VA 22435

has met the requirements of the Federal Aviation Act of 1958, as amended, and the rules, regulations, and standards prescribed therein, for the issuance of this certificate and is authorized to operate as an Air Operator and conduct FAR Part 125 Operations

in accordance with said Act and its rules, regulations, and standards;

This certificate is not transferable and, unless canceled, suspended, superseded, surrendered or revoked, shall continue in effect indefinitely.

By Direction of the Administrator.

Certificate number: AAI-L-012-B

Effective date: March 15, 1989

Issued at: EA06, Washington, DC

  
(Signature)

Manager, ESD0 06  
(Title)

**FIGURE 72-12 LETTER DENYING CERTIFICATION**

FAA Letterhead

Date

Applicant's Name and Address

Dear [Name of appropriate official]:

Enclosed are the various documents submitted during the attempt to certificate you as a FAR Part 125 air operator. Your application for this certificate is denied for the following reasons: [Provide detailed reasons and supportive material.]

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If, after the noted problems have been corrected, you wish to attempt certification again, the process will be initiated from the beginning as a new certification project.

Sincerely,

District Office Manager

**FIGURE 72-13 LETTER CONFIRMING TERMINATION OF CERTIFICATION PROCESS**

FAA Letterhead

Date

Applicant's Name and Address

Dear [Name of appropriate official]:

This is to confirm the termination of the project to certificate you as a Federal Aviation Regulations (FAR) Part 125 air operator. [Indicate whether the termination was at the instigation of FAA or at the request of the applicant.] Enclosed are all documents you submitted for review.

Sincerely,

Aviation Safety Inspector