



7<sup>th</sup> May 2002

Ms. Anne Moloney  
Dupty Head of Economic Affairs  
Commission for Aviation  
36 Upper Mount Street  
Dublin 2

Dear Anne,

**Ryanair's Comments on Other Submissions re: CP4/2002**

As a preliminary comment, we agree whole-heartedly with the IEA's concern that Aer Rianta should not be "*allowed to spend substantial sums of money using the highly costly court system to challenge each and every determination by the AC that it may decide impinges on its monopolistic charging mechanisms to the aviation industry and the public at large*". From Aer Rianta's latest submission to the Commission, it is clear that Aer Rianta continues its efforts to stymie the Commission's attempts to regulate its monopolistic tendencies.

The fact that Aer Rianta has essentially challenged everything in the Commission's consultation paper, including the Commission's proposed methodology on allocating its costs according to the amount of work undertaken in a particular sector, is further evidence of its bad faith. All of the users and the IAA have agreed with this approach. Aer Rianta's challenge of the Commission's transparency in CP4 is also laughable considering its complete lack of transparency in dealing with its customers. Ryanair finds the process to be transparent and none of the other users have questioned the transparency.

The fact that Aer Rianta went so far as to commission yet another wasteful consultant's report on the issue of whether Aer Rianta should cover some of the Commission's costs of regulation is clear proof of the need for such regulation and also supports the argument that Aer Rianta should be forced to cover all of the regulatory costs and not be permitted to pass them on to the airlines and ultimately consumers.

On the issue of costs associated with slot co-ordination, we note that Aer Lingus, who previously provided these services to the satisfaction of all of the users of Dublin Airport, have also acknowledged that Aer Rianta unilaterally and unnecessarily imposed ACL as co-ordinator on the users and therefore introduced this additional cost. Aer Rianta should therefore be required to cover the full cost without being permitted to pass it on to the users.

Yours sincerely,

Jim Callaghan  
*Head of Regulatory Affairs*