

02 May 2006

Cathryn Geraghty  
Commission For Aviation Regulation  
Alexandra House  
Earlsfort Terrace  
Dublin 2

Dear Cathryn,

In principle Cityjet are supportive of the coordination process. We believe it allows for best use of available resources and improves the experience of the passenger by controlling the number of passengers travelling through Dublin Airport at peak times.

The process of coordination has proved successful in many other airports however it is essential that this process be backed up by legislation. Otherwise the process is open to abuse. . If carriers are permitted to proceed in this fashion, the whole process will breakdown. Simply put, if one operator is allowed to operate at whatever time they want and gains a competitive advantage by doing so, all other operators will follow suit.

With regard to the specific questions raised, our response is as follows

#### QUESTION 1

In our opinion the IATA WSG 10<sup>th</sup> edition July 2004 paragraph 6.10.6 sets out the actions that classify intentional misuse of allocated slots that causes prejudice to the airport operations. There are current equations being used by ACL at many other airports and are working on the basis of the 15mins before and after the allocated slot time. We would be in agreement to run with the equations currently in use, but seek the right through the Dublin Airport Coordination Committee to amend this parameter at any future time.

#### QUESTION 2

In our opinion operating flights within hours that already have reached the capacity limitations and that slot requests have already been refused within the assigned season constitutes prejudice to airport operations.

### QUESTION 3

In our opinion the coordinator is the best placed to decide if prejudice has occurred as they have the data to confirm all the actions that would trigger the imposition of sanctions. They would also have entered into dialogue with the carrier prior to the imposition and by the nature of their operations have an unbiased view of the situation in order to make this decision.

### QUESTION 4

The coordinators decision should be subject to review if there is a refusal from the operator to accept their decision. The governing body to review same and best placed to understand the operational difficulties is the Slot Coordination Committee and the final recommendation then passed to CAR.

### QUESTION 5

We understand that the once off fine is European Standard however this has a particular effect on smaller carriers, operating smaller aircraft whose off slot operations do not have the same prejudice on the airport operations from a runway and terminal capacity areas. The penalties should be pro-rated as in the landing charges and aircraft designated to categories and penalised 1000.00 euros per Category. This therefore should rise per thousand from category to category.

The identification of the aircraft used will be coordinated to the initial slot submission.

Monies collected from payment of fines should be used to reduce the seasonal bill for slot regulation (on a pro-rata basis) for those carriers who have not been fined.

### QUESTION 6

We agree that enforcement of fines if necessary are dealt with through the District Court, however serious consideration should be given to the long term effectiveness of these sanctions and provision should be made in the case of continued abuse firstly for the removal of the slot for the remainder of the season and secondly for the withdrawal of historical slots and thirdly the rejection of the flight movement be implemented by the Department of Transport in their legislative arrangements of these sanctions.

There is also scope for the DAA to apply additional operational pressure. For example an operator who has been fined but hasn't paid it could be allocated less favourable airport facilities until the fine has been paid e.g. less favourable stands or check-in desk or baggage belts. These penalties could be incremental.

Finally additional/different procedures may be required to deal with one-off operators. Given the international nature of many of flights into Dublin, the District Court may have difficulty in tracing some operators who have little or no ties to Ireland.

Yours sincerely,

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Declan Ryan  
Station Manager Dublin  
Cityjet