

Anthony Serafini

Correspondence

From: Rummel, Jeffrey [Rummel.Jeffrey@ARENTFOX.COM]
Sent: Monday, October 17, 2005 2:34 PM
To: Anthony Serafini
Cc: Law, Richard J (US SSA); Mortensen, Dana (US SSA); Topping, John M (US SSA); D'Ancona, Philip (US SSA); Valentino, Pasquale A (US SSA)
Subject: BAE Systems - AN/APY-8 Experimental Request

Tony:

Thanks for your message. Below please find the reply to your question regarding scheduling:

1. BAE Systems suggests that the best approach under the circumstances would be for the Commission to issue a 6 month STA effective November 1, 2005. Of course, the AN/APY-8 flight test operation will be - as previously stated - limited to a cumulative duration of less than 2 hours, but a 6 month STA will ensure that there is sufficient time to conduct these flight tests, based on the factors described below.

2. The identification of an actual test flight schedule by the 46th Test Squadron is dependant on a number of conditions precedent that have not yet occurred due to the uncertainty of the licensing process to date. These conditions precedent include:

- The pod being shipped to Eglin this week.
- The pod being measured and EMI tested on the test aircraft by AFSEO (Air Force Seek Eagle Office).
- BAE Systems preparing and submitting detailed flight plans to the 46th Test Squadron and Range Spectrum Manager.
- AFSEO issuance of flight clearance for the pod on the F-16 test aircraft.

3. If a 6 month STA grant effective November 1, 2005, is issued at this time by the Commission, it is hoped that the above conditions precedent could be completed in time to permit the first flight test to occur around 12/5/2005, with the second flight test about 2 weeks later (~19 Dec.), and the third flight test occurring sometime in January, 2006.

4. The grant of a 6 month STA grant effective November 1, 2005, would allow for completion of the flight tests under the above "ideal" scenario, but could also provide necessary margins in the event that unforeseen circumstances are encountered which would delay that schedule, such as flight certification issues or flight schedule delays with the Test Squadron. In other words, this 6 month period would provide a reasonable period to allow for schedule delays that are almost always encountered with "commercial" statused test flights at Eglin due to flight clearance, resource availability, weather and schedule conflict issues. As you can see from the steps identified at Item 3, the AFSEO process is a serial process which is commenced by the above-described AFSEO measurements. Accordingly, having the 6 month STA granted effective November 1, 2005 would prevent delays from occurring in the AFSEO process at the beginning, which would then result in delays at each subsequent step.

Best regards,

Jeffrey

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