

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, D.C.**

IN THE MATTER OF

Petition of Wing Aviation LLC to Amend Exemption No. 18163D

Docket No. FAA-2018-0835

COMMENTS OF THE SMALL UAV COALITION

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The Small UAV Coalition¹ is pleased to provide its comments in strong support of the petition by Wing Aviation LLC (“Wing”) to amend certain conditions and limitations in Exemption No. 18163D to authorize Wing to conduct beyond visual line of sight (“BVLOS”) operations under its Part 135 certificate in compliance with 14 C.F.R. 91.113 through the use of a combination of strategic and tactical risk mitigation measures, including using its airborne conflict prevention technology instead of visual observers, and to comply with the weather minimums under 14 C.F.R. 91.155 instead of a condition in Exemption No. 18163D. 88 Fed. Reg. 68270 (Oct. 3, 2023).

Drones offer a safe and efficient means of conducting a variety of operations. Members of the Small UAV Coalition, of which Wing is a member, share an interest in advancing regulatory and policy changes that will permit the operation of drones, within and beyond the line of sight, with varying degrees of autonomy, for commercial and other civil purposes. The Coalition welcomes this opportunity to support the use of airborne detect and avoid (DAA) technology in lieu of visual observers, as this development will help to unlock the tremendous potential benefits of package delivery.

Use of visual observers as the means of providing DAA capability for BVLOS operations is not practical over longer range routes. DAA technology, not visual observers, is what the drone industry needs safely and efficiently to operate drones BVLOS at scale in a variety of operational environments. Wing’s airborne deconfliction technology, described in the Federal Register notice as ADS-B, is set out in proprietary and confidential materials.

The FAA agrees with the capability of airborne DAA systems to perform alert and deconfliction functions. The Coalition also believes that airborne DAA technology is safer than using visual

¹ Members of the Small UAV Coalition are listed at www.smalluavcoalition.org.

observers. Wing's petition references a 2020 study by Virginia Tech as further demonstration that granting this petition is unquestionably in the public interest.

Wing states that its multilayered strategic risk mitigation measures have obviated the use of a tactical risk mitigation measure over 16 months of operations in the Dallas-Ft. Worth area. Wing's modeling and simulations indicate that the potential need for airborne deconfliction is less than the historic rates for general aviation.

The FAA is well aware of Wing's stellar safety record in operating its drone in various locations in the United States and around the world. Wing has completed over 380,000 operations in three continents, 300,000 of which were BVLOS operations without the use of visual observers. The Coalition encourages the FAA to authorize BVLOS operations using Wing's airborne DAA technology as the FAA confirms the safety and reliability of its DAA technology through evaluation of other material submitted confidentially with this petition and in connection with Wing's type certification process.

Wing petitions to amend three conditions and limitations in Exemption No. 18163D relating to the use of visual observers by replacing prescriptive requirements for a visual observer with performance-based requirements:

Prior to beginning flight operations, the PIC must verify that: a. Sufficient VOs are available when required by the VO plan established for the Area of Operations (AOO)

The operator must provide sufficient visual observers as required by the FAA accepted Area of Operations (AOO) and visual observer plan.

The UA or operator must have sufficient means to avoid undue hazard to persons or property on the ground in the area of operations.

Wing adds that it does not seek any change from the condition that the "UA must remain clear of and give way to any manned aircraft at all times."

Also, Wing seeks to comply with the weather minimums requirements in 14 C.F.R. 91.155 instead of a condition in its Exemption. Compliance with a rule obviates an exemption. The FAA should grant this request.

These amendments will allow the FAA and Wing to work together to authorize Wing's airborne DAA technology where Wing now operates and expand its use to other locations as may be authorized by rule or exemption.

In sum, the Coalition supports granting Wing Aviation's petition in full.

Respectfully submitted,



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