

Who	Comment	PRA Response	Background
Port Authority of New York/New Jersey	FAA's estimate of the annual public burden could be improved.		
	FAA estimates the annual public burden per Competition plan to be 150 hours or roughly 19 business days. The Port Authority finds this estimate to be inaccurate, particularly for large hub airports when added due diligence seems to be necessary to ensure comprehensive reporting.	The FAA will take this comment into consideration.	The FAA estimates the FAA's burden hours to review each Competition Plan or Plan Update to be 30 hours. The competition plan and plan update require coordination with multiple offices. The burden hours do not include the time allowed for coordination with the offices reviewing the plans. Some Competition Plans or Plan Updates are more complex and/or require further clarification and coordination. Each clarification event requires additional time to allow for review and response of any concerns. Only actual time in review is used to calculate the burden hours.
	The Port Authority assumes the FAA's burden was more than 19 hours, as the FAA reviewed this plan and submitted approval over the course of 293 calendar days, or 197 business days. Notwithstanding any changes to the reporting requirements for covered airports, the Port Authority recommends that FAA modify its estimated administrative	The FAA estimates the FAA's burden hours to review each Competition Plan or Plan Update to be 30 hours. The competition plan and plan update require coordination with multiple offices. The burden hours do not include the time allowed for coordination with the offices reviewing the plans. Some Competition Plans or Plan Updates are more complex and/or require further clarification and coordination. Each clarification event requires additional time to allow for review and response of any concerns. Only actual time in review is used to calculate the burden hours.	PANYNJ submitted the competition plan on the last day of the fiscal year. An initial review was performed. The FAA reached out to the internal stakeholders to discuss the approach for review and decision considering the slots element. A comprehensive list of questions was drafted in collaboration with internal stakeholders. A meeting was held with PANYNJ around the same time. A follow-up meeting was supposed to be scheduled, but it is uncertain if it occurred. The PANYNJ was supposed to provide a written response by a certain date, but the PANYNJ kept pushing it out further and further. The FAA received the response sometime in April or May. The information

	burden to provide greater transparency to covered airports regarding how long they would be anticipated to await review and approval of a Competition Plan.		was circulated to the internal stakeholders for review and coordination. A letter was drafted and sent to the internal stakeholders for concurrence before a letter was issued July 19, 2023. The entire process may have been 7 – 9 months instead of the normal 2-month process due to the additional coordination required to address the complex nature of the competition plan.
	FAA may consider improvements that could shorten its review and approval process of submitted competition plans.	The FAA will take this comment into consideration.	Due to the amount of information to cover and number of internal stakeholders involved in coordination, the process timeline is estimated as 60 days. The FAA will look for possible ways to reduce the time without compromising the ability to adequately review the information.
Port Authority of New York/New Jersey	Certain capacity-constrained airports do not have sufficient information regarding air carrier access to airports to prepare meaningful competition plans.	49 U.S.C. 47106(f) defines the type of airport to file a competition plan. The FAA does not have authority to change the type of airport required to file this plan.	Much of the competition plan is reviewing of the airport's lease with air carriers. The review identifies pro-competitive practices, transparency and potential deficiencies meeting the requirements of the statutes, regulation, and assurances.
	FAA's exclusive control over Slot Coordination and Schedule Facilitation severely impacts the ability of those airports to encourage new entrants and incumbents to commence or expand service.	The FAA takes into consideration unique circumstances of each airport when reviewing the competition plans.	The competition plan looks at: <ul style="list-style-type: none"> • The availability of airport gates and related facilities, • reviews the lease and subleasing arrangements to ensure the airport has a process to accommodate new or expanding carriers, • gate use requirements to review the airport's process to recapture gates, • gate-assignment policy so existing and new entrant air carriers know

			<p>the method of announcing gate availability.</p> <ul style="list-style-type: none"> • Airport controls over air and ground-side capacity. The FAA pays particular attention to MII conditions and the effect they may have on capital construction projects. <p>The competition plan reviews the sponsor's lease and other documents for the airport's process to convey information to new and expanding air carriers. The completion plan</p>
Port Authority of New York/New Jersey	The proposed collection of information may be unnecessary for the FAA's performance when triggered by extraordinary circumstances.	49 U.S.C. 47106(f) does contain any exceptions during COVID.	Congress did not provide an exception during COVID for 49 USC 47106(f)
	The composition of passenger enplanement during the period based on 2020 passenger boardings was highly altered by (1) the effect of the COVID-19 pandemic on global air travel and (certain air carriers' response to FAA's waiver of the slot usage requirement.		JFK became a covered airport based CY2020 enplanements. The enplanements continue to recover in CY2022. JFK continues to be a covered airport.