To Mr. Maurizio Castelletti

Head of Unit Single European Sky
DG Move
European Commission
1049 Brussels, Belgium

Brussels, 22nd December 2016

Dear Mr. Castelletti,

EBAA would like to thank the Commission for organising the cross-industry workshop on the evolution of the Data Link Services held on 24 November. As requested, EBAA is pleased to provide the following input on points to be addressed:

- While data link represents the future in terms of communication, the current mandate must be reviewed to suit all airspace users' needs, including both commercial operators with an Aeronautical Operational Communication (AOC) and others, including operators without an AOC. First of all, a technical solution suitable to all must be identified for the successful deployment of data link.
  Business Aviation operators don't usually have significant AOC activity. They are equipped with datalink solely to comply with the ATC mandate, while airlines also use this for AOC messages. The study carried out under the leadership of the SESAR JU proposes a very promising (long-term) ground infrastructure (model D), taking due account of all airspace users' needs, including operators without an AOC and based on an optimised ground communication network. This is a long-term project that requires an implementation roadmap and Member States' strong commitment.

- EC funding (for incentives or compensation) plays a vital role as well and should be based on a fair process that takes into consideration the real cost-benefit analysis (CBA) of each user. Unfortunately, the positive CBA of a few companies took precedence over the rest, which resulted in unwarranted consequences, such as data link being applied for other applications (AOC activities) than those foreseen by the mandate (ATC messages). In the past, TEN-T funding was granted to pioneer airlines, at a time when no Data Link equipment was available for business aviation. History seems to be repeating itself since the recovery plan gives priority to the upgrading of existing equipment to avionics with 'Best in Class' performance, leaving the operators willing to equip their aircraft out of the game. A very large majority of Business Aviation operators is in this situation.

- While multi-frequency is a key solution to the saturation problem, its implementation could prove to be a real challenge, because:

    - Multi-frequency requires frequency management. Whilst frequency management could lead to a welcome separation of ATC and AOC messages and to the allocation of a frequency per message flow, it would however be delicate for airlines due to the huge retrofit costs related to the installation of second receivers.
    - Multi-frequency could ensure sufficient capacity until at least 2025. However, new generations of aircraft (e.g. A350 and B787) boast more sophisticated maintenance systems continuously emitting AOC messages, which will raise capacity demand to unexpected levels well before then.
    - The setting-up of a specific frequency for en-route messages and another for terminal messages might be a good solution.
    - Any solution should avoid penalizing operators with no (or little) AOC activity. While multi-frequency and the attribution of a specific frequency for en-route messages and another for terminal messages are potentially good options, they should nonetheless go through proper validation trials involving all airspace users. No flight tests with business jets were ever carried out during the ELSA study.

- A set of clear technical requirements is called for, including certification. The concept of 'Best in Class' equipment, which is used by the SESAR JU and DM, is misleading for the whole airspace user community. Airspace users must get CS-ETSOs to secure their equipment approval. The concept of 'Best in Class' equipment must be replaced by 'certified equipment'. CS will also need to be revised.

In addition to the below submissions, the Commission is invited to bear in mind that:

- The Business Aviation fleet is equivalent to that of the airlines in terms of numbers (around 4,000) while flying five to ten times less, which leads to a much longer aircraft lifespan.
- As a result, the saturation of data link today is not due to ATN B1 mandate requirements, but rather to AOC activities.
- Global cooperation is key in the quest for a successful datalink deployment. The new ATN version needs to be fully coordinated with NextGen.
- Business Aviation operators have specific technical requirements (high altitude operations, size of aircraft) and it would be beneficial to all if these specificities were not used as reasons for being 'black listed' by some ANSPs, as all too often happens.
- There are many parameters to take into account, including *inter alia* the setting of sufficient frequency capacity, the time necessary for the aircraft manufacturers to deliver the avionics systems and the time required by ANSPs to provide the requisite service.
- A large part of long-range aircraft is equipped with FANS 1/A.

Even though the failure of the data link service delivery impacts the whole airspace community, Business Aviation certainly bears the brunt of it. EASA's assessment is that the communication infrastructure will only be functioning properly once around 70% of European movements are operating with CPDLC. However, Business Aviation flights represent 7% of IFR movements.

In consideration of the various difficulties mentioned earlier in this letter and the very limited Business Aviation contribution to get to the required number of movements, EBAA calls for a total exemption of Business Aviation flights until the setting-up of the architecture model D and of ATN B2.

EBAA remains at your disposal should you have questions or comments.

With kind regards,

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