

**AEA/ERA Policy Paper on draft JAA MEL for Mode S ELS & EHS
(7th February 2005)**

Background:

A number of European States (Germany, France and UK) have mandated as part of airspace regulations Mode S transponders with Elementary Surveillance (ELS) Enhanced Surveillance (EHS) capability (for more info: http://www.eurocontrol.int/mode_s/).

Therefore the need has been identified to define a common Minimum Equipment List (MEL) Policy to allow, until defects can be rectified, for dispatch with aircraft with unserviceable mode S ELS & EHS capable transponders.

Issue:

A draft JAA MEL Policy for Mode S ELS & EHS has been distributed by the UK-CAA within Eurocontrol fora suggesting a Cat-A repair interval for Mode S ELS (with a requirement for the airlines to obtain permission from each and every ANS Provider along the route) and a Cat-C repair interval for mode S EHS.

The UK-CAA intends to table this draft JAA MEL policy for adoption at the next meeting of the JAA MMEL/MEL Steering Group (March) and thereafter inclusion in the JAA JAR-OPS Subpart K and L MEL Policy Document.

AEA/ERA Position:

The AEA/ERA consider the proposed JAA Mode S MEL as too restrictive and confusing. Those restrictions have not been justified, in particular taking into account the fact that several aircraft or airspace user categories will be permanently exempted from ELS & EHS requirements and the fact that concerned ANS Providers will not upgrade all their ground stations to make use of the new transponder capabilities.

Therefore the AEA/ERA urge JAA, Eurocontrol and the States concerned to agree on a less restrictive common MEL policy which would not penalize those airlines which have upgraded their aircraft e.g

- To agree on a Cat-C repair interval for mode S ELS/Flight ID (without a need to obtain permission from all ANS Providers along the route but with a simple one stop procedure to inform the ATC (procedure to be agreed with flight-planning experts))
- To agree on a Cat-D repair interval for mode S EHS
- To delete Note 1 & Note 2 (reference to ACAS II and RVSM) which are superfluous and might penalize an operator not flying within ELS/EHS-mandated airspace, but required to comply with ACAS II and RVSM

Taking into account the fact that the impact of one unserviceable ground station is much bigger than the impact of one unserviceable airborne transponder, the need for a tbd MEL policy for ground stations of ANS Providers has also been identified by AEA/ERA.

Finally, the AEA/ERA urge the States concerned not to impose any MEL/dispatch restrictions until the end of the mode S ELS/EHS transition period and until that point in time that all ground stations of the concerned ANS Providers have been upgraded and are operational to make use of the new transponder capabilities.