



Federal Aviation Administration

Memorandum


Date: September 15, 2010

To: All Regional Airports Division Managers and AMA-620
Attention: PFC Contacts

From: Manager, Financial Analysis and Passenger Facility Charge Branch, APP-510

Prepared by: Jane Johnson, Program Analyst, APP-510

Subject: PFC Update, PFC 64-10



PFC 64-10. PFC Application Forms.

On August 30, 2010, the Office of Management and Budget renewed the PFC forms for another three years. The content of Application 5500-1 has not changed except to reflect the new expiration date of the form. The Attachment B has been changed to reflect the PFC Update 59-09 (July 30, 2009) (http://www.faa.gov/airports/pfc/pfc_updates/media/pfc_59_09_attachb.pdf). Public agencies will notice the items are in a new order, but the Attachment B does not require any new information which was not required in the previous form.

The changes to the Attachment B are in the "For FAA Use" sections. As explained in the PFC 59-09, APP-510 is concerned that field offices may not be completing the "For FAA Use" portions of Attachment B's to a sufficient level of detail. For example, FAA is required to cite specific projects in other Final Agency Decisions (FAD) when preparing PFC decisions which are at risk for litigation. These projects have findings similar to the ones in the new FAD under review and provide the Court with evidence of the FAA's expertise in the findings. When these prior decisions are cited in the new FAD, it subjects these prior decisions to review by the Court as well. This necessitates that all Attachment B's be prepared to the "legally sufficient" standard since any and all projects may be needed in future court proceedings.

Please make sure that everyone in your region who deals with PFCs and all of your public agencies are aware of the new forms. PFC requests (application, notice of intent, and/or amendment) received by the FAA after September 30, 2010, not using the latest version of the appropriate forms (FAA Form 5500-1 and Attachment B dated August 2010, Attachments G and H undated) should be returned to the public agency with instructions to use the latest forms.
