

CONTINGENCY PLAN FOR LENGTHY TARMAC DELAYS: TEM ENTERPRISES DBA XTRA AIRWAYS; XTRA AIRWAYS; CASINO EXPRESS

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OVERVIEW

The Department of Transportation's (DOT) tarmac delay rule establishes hard time limits for tarmac delays. TEM Enterprises (Company) has a comprehensive plan designed to forecast and adjust to operational challenges and minimize lengthy tarmac delays while passengers are on board the aircraft.

Before undertaking any public charter operation the Company will coordinate its contingency plan with TSA, CBP and airport authorities (including terminal facility operators where applicable). In addition, for public charter operations, the Company will ensure there are sufficient resources to implement our plan at each airport and potential diversionary airport(s). The Company may utilize contractors to help facilitate the implementation of its contingency plan.

TEM Enterprises' plan meets or exceeds all limits imposed by this ruling, and the Company will take all necessary action when tarmac delays approach the mandated hard time limits in order to preclude the possibility of exceeding said limits.

The following exceptions to the hard time limits apply to domestic and international operations:

- When safety or security concerns exist;
- When Air Traffic Control (ATC) advises the pilot-in-command (PIC) that returning to the terminal would disrupt airport operations.

PLAN REQUIREMENTS

Dispatchers at Company headquarters are responsible for the daily execution of the plan. The plan ensures the Company has sufficient resources to meet the requirements of the DOT rule for extended tarmac delays (including diversions), to include the three-hour domestic flight time limit and the four-hour limit for international flights.

The plan ensures that Company will meet or exceed the requirements as follows:

- Maintain comfortable cabin temperatures;
- Adequate food and potable water no later than two-hours after the aircraft leaves the gate (in the case of departure) or touches down (in the case of an arrival);
- If the aircraft remains on the tarmac, (unless the pilot-in-command determines that safety or security considerations preclude such service): Operable lavatory facilities, medical attention, and customer comfort needs will be provided.
- Coordination with airport authorities, as needed.
- Passengers on the delayed flight will receive notifications regarding the status of the delay every 30 minutes while the aircraft is delayed, including the reasons for the tarmac delay, if known. This will be done by the gate agent prior to departure from the gate, and by the flight crew once the cabin door is closed for departure.
- The passengers on the delayed flight will be notified beginning 30 minutes after scheduled departure time (including any revised departure time that they were notified about before boarding) and every 30 minutes thereafter that they have the opportunity to deplane from the aircraft if it is still at the gate or another disembarkation area with the door open, but only if the opportunity to deplane actually exists.

RESPONSIBILITY

Dispatchers are responsible for the management and quality of the plan. The decision-making for the plan rests with TEM Enterprises' Director of Operations or his/her designee. Dispatch, Flight Operations, Inflight Service, and contracted ground handlers will carry out the plan at the station and aircraft level.

STATION PLAN

The plan expands upon the standard operating procedures now in place to handle extended on-board delays and diversions. Coordination with stations and contracted ground handlers ensures that Company aircraft can be deplaned within the allotted time limits.

Stations will ensure that diversions are given the same priority as other taxi delays, meaning passenger egress will be allowed prior to the 3 hour mark (4 hours for international flights). Stations are provided at least 30 minutes (or as much as 60 minutes at larger stations) to complete the task of returning to the gate and deplaning.

All Stations have coordinated plans with airport operations and local governmental agencies to meet the tarmac-delay rule's requirements. This includes back-up methods for inoperative equipment and the provisioning and servicing of aircraft.

The Company does not own or lease on a long-term basis any airport facilities; however, Company personnel are directed to cooperate fully with local airport operators and contracted ground handlers if the need should arise to share facilities and make gates available at the airport in an emergency situation.

Customer representatives are briefed by Company operations based on the existing situation and will be instructed to issue announcements to:

- Identify the reason for the delay and expected departure time;
- Explain boarding strategy;
- Explain the possible effect of the DOT's tarmac delay rule.

COMPANY COMMUNICATIONS

Throughout the flight delay, communication between Dispatch and the aircraft will be maintained as needed to the maximum extent practicable. Both the Dispatcher and the PIC will monitor the general aircraft environment and "mood" of the customer and make real time adjustments and modifications as needed. During any delay the flight crew will maintain a comfortable cabin environment to the maximum extent practicable.