



U.S. Department
of Transportation
**Federal Aviation
Administration**

800 Independence Ave., S.W.
Washington, D.C. 20591

June 3, 2015

Exemption No. 11267A
Regulatory Docket No. FAA-2014-0918

Mr. Charlie Terry
Engineering Manager
ETAK Systems, Inc.
4045 Perimeter West Drive, Suite 600
Charlotte, NC 28214

Dear Mr. Terry:

This letter is to inform you that we have granted your petition for an amendment. It explains the basis for our decision, describes its effect, and lists any changes to the original conditions and limitations.

By letter dated April 15, 2015, you petitioned the Federal Aviation Administration (FAA) on behalf of ETAK Systems, Inc. (hereinafter petitioner or operator) for an amendment to your current exemption. That exemption from §§ 61.23(a) and (c), 61.101(e)(4) and (5), 61.113(a), 61.315(a), 91.7(a), 91.119(c), 91.121, 91.151(a)(1), 91.405(a), 91.407(a)(1), 91.409(a)(1) and (2), and 91.417(a) and (b) of Title 14, Code of Federal Regulations (14 CFR) allows the petitioner to perform aerial data collection. You requested an amendment to add two new aircraft, the DJI Phantom 2 Vision + and the DJI Phantom 3.

In your petition, you indicate that there has been no change in the conditions and reasons relative to public interest and safety that were the basis for granting the original exemption.

The FAA has determined that good cause exists for not publishing a summary of the petition in the Federal Register because the requested amendment to the exemption would not set a precedent, and any delay in acting on this petition would be detrimental to the petitioner. The unmanned aircraft(s) authorized in the original grant are comparable in type, size, weight, speed and operating capabilities to those in this petition.

Airworthiness Certification

In accordance with the statutory criteria provided in Section 333 of Public Law 112–95 in reference to 49 U.S.C. § 44704, and in consideration of the size, weight, speed, and limited operating area associated with the aircraft and its operation, the Secretary of Transportation

has determined that this aircraft meets the conditions of Section 333. Therefore, the FAA finds that relief from 14 CFR part 21, *Certification procedures for products and parts, Subpart H—Airworthiness Certificates*, and any associated noise certification and testing requirements of part 36, is not necessary.

Our Decision

The FAA has determined that the justification for the issuance of Exemption No. 11267 remains valid and is in the public interest. Therefore, under the authority contained in 49 U.S.C. 106(f), 40113, and 44701, delegated to me by the Administrator, the operator is granted an amendment to add new aircraft to its UAS operations.

The operator shall add this amendment to its original exemption.

Conditions and Limitations

All conditions and limitations within Grant of Exemption No. 11267 remain in effect except as follows. Condition No. 1 has been updated to reflect the additional aircraft.

Failure to comply with any of the conditions and limitations of this grant of exemption will be grounds for the immediate suspension or rescission of this exemption.

1. Operations authorized by this grant of exemption are limited to DJI Phantom 2, DJI Phantom 2 Vision +, and the DJI Phantom 3 when weighing less than 55 pounds including payload. Proposed operations of any other aircraft will require a new petition or a petition to amend this exemption.

This exemption terminates on April 30, 2017, unless sooner superseded or rescinded.

Sincerely,

John S. Duncan
Director, Flight Standards Service



ETAK Systems, Inc. - Exemption/Rulemaking

This Other document was issued by the **Federal Aviation Administration** (FAA)

For related information, [Open Docket Folder](#) 

Content

ETAK would like to request the inclusion of the DJI Phantom 3 to our exemption.
The maximum payload is 1350g

[Comment Now!](#)

ID: FAA-2014-0918-0005

Document Information

Date Posted:

Apr 15, 2015

[Show More Details](#) 

Submitter Information

Submitter Name:

Charlie Terry

Comments

0

Comments Received*

Docket Information

This document is contained in
[FAA-2014-0918](#)

Related Dockets:

None

Related RINs:

None

Related Documents:

- [ETAK Systems, Inc. - Exemption/Rulemaking](#)
- [U.S. DOT/FAA - Decision](#)
- [U.S. DOT/FAA - Request for Additional Information](#)

* This count refers to the total comment/submissions received on

this *document*, as of 11:59 PM yesterday. Note: Agencies review all submissions, however some agencies may choose to redact, or withhold, certain submissions (or portions thereof) such as those containing private or proprietary information, inappropriate language, or duplicate/near duplicate examples of a mass-mail campaign. This can result in discrepancies between this count and those displayed when conducting searches on the Public Submission document type. For specific information about an agency's public submission policy, refer to its website or the Federal Register document.