

**TERMINAL COMMON USE REGULATIONS**  
Hartsfield-Jackson Atlanta International Airport

Effective January 1, 2010

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Hartsfield-Jackson Atlanta International Airport

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## **1. DEFINITIONS**

Capitalized terms are used in these Regulations as defined herein, and, where not inconsistent, in a CPTC Lease or Airport Use Agreement.

### **AAMA**

The Atlanta Airlines Managers Association, a body comprising representatives of the City and the Airlines serving the Airport, through which coordination and consultation regarding matters covered by these Regulations will be effected.

### **Active Flight**

An aircraft flight occupying or scheduled to occupy a Gate for a period not to exceed the applicable maximum occupancy period specified in Section 3.9 for the purpose of unloading or loading passengers, baggage, or cargo or allowing the aircraft to be refueled or serviced.

### **Affiliate**

An Airline to the extent that its operations at the Airport are conducted under the name of another Airline (or a derivative of such name) and in conjunction with the operations of that Airline. (The plural form Affiliates is used to mean one or more Affiliate(s).)

### **Airline**

A passenger air carrier providing scheduled or nonscheduled service at the Airport and operating under a CPTC Lease, an Airport Use License Agreement, or another agreement or permit acceptable to the City.

### **Airport**

The Hartsfield-Jackson Atlanta International Airport.

### **Airport Use Agreement**

An agreement between the City and an Airline governing such Airline's use of the Airport through September 20, 2010, as amended heretofore or hereafter.

### **Aviation General Manager**

The City's Aviation General Manager or his or her designee.

### **CPTC**

The Central Passenger Terminal Complex at the Airport as defined in a CPTC Lease.

### **CPTC Lease**

An agreement between the City and an Airline for the lease of CPTC premises through September 20, 2010, as amended heretofore or hereafter.

**City**

The City of Atlanta, Georgia, and, where appropriate, its Department of Aviation acting through its Aviation General Manager or other authorized agent.

**City Gate**

A Gate, as described in Attachment A, as the City may change such Attachment A from time to time, operated by the City on a Common Use basis.

**Common Use**

The use of City Gates or other terminal facilities by an Airline for its flights and passengers in common with other Airlines in accordance with the provisions of these Regulations.

**Common Use Equipment**

The equipment, facilities and systems (including check-in, baggage claim, flight information display and telecommunications equipment) allowing the Common Use of City Gates and other facilities by any Airline.

**Common Use Self Service Kiosks (CUSSKs)**

The equipments, facilities and systems which provide passengers the ability to check in for flights, print boarding passes and/or print bag tags.

**Rental Car Center (RCC)**

The off airport parking decks, customer service center, quick turn around facilities, automated people mover and other facilities where passengers will rent and return vehicles.

**Domestic Flight**

An aircraft flight originating at or destined for an airport within the 50 United States, Puerto Rico, the U.S. Virgin Islands, or another U.S. territory.

**Early Schedule Submission**

A request by an Airline for a gate assignment for New International Service made 120 days prior to the first day of the month in which the New International Service would begin.

**Exclusive Use**

The exclusive use of Gates or other terminal facilities by an Airline for its flights and passengers.

**Exclusive Use Gate**

A Gate that is available for the Exclusive Use of an Airline and any Affiliates under the terms of a CPTC Lease, a Temporary Space Permit, or a sublease from another Airline (but not any such Gate that is subleased to another Airline for that Airline's Exclusive Use).

**Gate**

The aircraft parking position, apron areas for staging ground service equipment, loading bridge, passenger holdroom, and all other Airport space, facilities, and equipment essential

for the operation of an aircraft flight and the loading and unloading of passengers, baggage, and cargo at a concourse (but not space, facilities, or equipment for passenger and baggage check-in, baggage claim, or other Airline operations). (The plural form Gates is used to mean one or more Gate(s).)

### **Gate Manager**

The entity or person designated by the City to perform the functions described in Section 8.1 and otherwise to monitor, control, and manage City Gates on behalf the City, as the City may change such designation from time to time.

### **Historical Precedence**

Precedence in the assignment of flights to City Gates, as established for a number of flights of an Airline for a specified time period (week, day, or portion of a day) by virtue of such Airline having (1) operated such number of flights at City Gates during the specified time period in the immediately preceding month (or, in the case of International Flights that are scheduled by summer or winter season, in the corresponding season of the immediately preceding year) and (2) demonstrated that such number of flights could not have been accommodated at such Airline's Exclusive Use Gates or in accordance with any Priority Use Rights that the Airline may have at City Gates as provided for in Section 3.2. In the case of a merger between two Airlines, any Historical Precedence rights established by either Airline shall, subject to the provisions of Sections 3.3 and 3.4, be retained by the merged Airline.

### **Inactive Flight**

An aircraft flight when it is occupying or scheduled to occupy a Gate during a period exceeding the applicable maximum occupancy period for an Active Flight specified in Section 3.9.

### **International Flight**

An aircraft flight originating at or destined for an airport outside the 50 United States, Puerto Rico, the U.S. Virgin Islands, or another U.S. territory that is not a Precleared Flight.

### **Material Change**

Relative to an already submitted Schedule Submission, (1) a change to the scheduled arrival time for any flight of 20 minutes or more, (2) a change to the scheduled departure time for any flight of 20 minutes or more, or (3) a change of aircraft Group/Class that exceeds the operational capability of the assigned gate.

### **New International Service**

A flight by an Airline to an International destination not currently served by that Airline or an increase in the number of daily flights by that Airline to an International destination.

**Precleared Flight**

An aircraft flight originating at or destined for an airport in Canada or another country at which passengers clear U.S. customs, immigration, and other federal inspections before boarding their flight to the Airport.

**Priority Use Rights**

Rights to the use of City Gates or other Common Use terminal facilities by an Airline for its flights and passengers, or for the flights and passengers of any Affiliates, taking precedence over the flights and passengers of other Airlines as granted in accordance with the provisions of a City-approved authorization.

**Regulations**

These Terminal Common Use Regulations as they may be revised or supplemented from time to time by the Aviation General Manager.

**RON Flight**

An aircraft flight remaining or scheduled to remain at the Airport overnight for a next-day departure.

**Schedule Submission**

A report, to be submitted in advance by an Airline, providing such detail as the City may reasonably require regarding the Airline's requested schedule of flights and other information as described in Section 3.1.

**Temporary Space Permit**

A permit issued by the City to an Airline for the temporary use and occupancy of CPTC premises.

**Terminal Common Use Charges**

The charges for the use of City Gates and other Common Use terminal facilities assessed at the rates described in Attachment C as the City may change or supplement such charges from time to time.

**Traffic Report**

A report, to be submitted by an Airline after the end of each month, providing such detail as the City may reasonably require regarding actual flight and passenger activity as described in Section 5. The current standard forms for the Traffic Report, which may be changed from time to time at the sole discretion of the City, are included as Attachment B.

## **2. PURPOSE AND SCOPE**

### **2.1 Purpose**

These Regulations, as promulgated by the Aviation General Manager under authority granted by Sections 22-69 and 22-88 of the City of Atlanta Code of Ordinances, are intended to promote and facilitate the efficient use of City Gates and other Common Use terminal facilities and to accommodate increased service by incumbent and new entrant Airlines at the Airport while ensuring the equitable treatment of all Airlines.

Any Airline using City Gates or other Common Use terminal facilities at the Airport will be required to comply with all the procedures, rules, and other provisions of these Regulations applicable to its use of such facilities.

### **2.2 Earlier Regulations Superseded**

These Regulations supersede all earlier procedures, rules, and regulations relating to the operation of Common Use passenger terminal facilities at the Airport except as such procedures, rules, and regulations may be specified in CPTC Leases, Airport Use Agreements, or other properly executed agreements between the City and various Airlines. In the event of any conflict between the provisions of these Regulations and any such agreement, then the provisions of such agreement shall govern.

### **2.3 Common Use Operation and Maintenance**

All City Gates and other terminal facilities operated by the City on a Common Use basis shall be assigned to Airlines requesting the use of such Gates or other facilities in accordance with the provisions of these Regulations subject to any Priority Use Rights granted to an Airline under the provisions of a City-approved authorization.

All City Gates, including such Gates to which Priority Use Rights have been granted, and Common Use check-in and baggage claim facilities shall be equipped by the City with Common Use Equipment to permit the use of such Gates and other terminal facilities by any Airline.

The City shall be responsible for the maintenance and upkeep of the Common Use Equipment required for the operation of City Gates and other Common Use terminal facilities and shall ensure that all such facilities and equipment are properly maintained.

## **2.4 Uniform Charges**

Charges for the use of City Gates and other Common Use facilities shall be assessed uniformly to all Airlines in accordance with the schedule of Terminal Common Use Charges except as may be provided otherwise in a CPTC Lease, any properly executed authorization granting Priority Use Rights, or other agreement between the City and an Airline. Charges for the use of City Gates at Concourse E shall be assessed as calculated according to the formula set forth in a CPTC Lease.

### **3. SCHEDULING AND ASSIGNMENT PROCEDURES**

#### **3.1 Advance Schedule Submissions**

Assignments of City Gates for Domestic Flights, Precleared Flights and International Flights shall be made by the City on the basis of Schedule Submissions to be submitted by Airlines no later than 60 days (for widebody aircraft), and no later than 45 days (for narrowbody aircraft) before the first day of the month during which the requested schedule is to become effective. The City shall notify Airlines of Gate assignments for such flights in accordance with the process and timetable described in Section 3.15. The process is intended to be completed no later than 30 days before the first day of the month in which the requested schedule is to become effective.

Airlines initiating New International Service may make an Early Schedule Submission 120 days prior to the first day of the month during which the New International Service will begin in accordance with Section 3.14.

Assignments of City Gates for International Flights that are scheduled by summer or winter season (as defined by the start and end dates of daylight savings time) shall be made by the City on the basis of Schedule Submissions to be submitted by Airlines no later than December 1 (for the next summer season) and August 1 (for the next winter season). The City shall notify Airlines of Gate assignments for such flights no later than January 15 (for the next summer season) and September 15 (for the next winter season). The assignment process will be as described in Section 3.12, except conducted biannually rather than monthly.

Requested flights scheduled with less than the required notice will be assigned to City Gates only after all other requests have been accommodated in accordance with the procedures and priorities specified in Sections 3.4 through 3.10.

The Schedule Submission shall document the requested schedule of all flights to be operated by an Airline and any Affiliates at City Gates, including any such Gates to which the Airline or any Affiliates have been granted Priority Use Rights, by day of the week and time of day. Such Schedule Submission shall be provided, as feasible, in electronic format readable in Microsoft Excel or as the City may otherwise reasonably request to allow the information to be processed by the City's gate management software.

The Schedule Submission shall specify, for each flight, the flight number, scheduled arrival and departure times, origin and destination airports, and aircraft equipment type. The Schedule Submission shall also document any requests for the use of Common Use check-in or baggage claim facilities and provide such other information as the City may reasonably request.

If an Airline or any Affiliate has Exclusive Use Gates, then the Schedule Submission shall document the Airline's planned use of all such Exclusive Use Gates for the flights of the

Airline and any Affiliates during the period covered by the submission specifying, for each flight scheduled on each such Gate, the flight number, scheduled arrival and departure times, origin and destination airports, and aircraft equipment type. The submission shall also specify for each Gate the restrictions on the types of aircraft that may use such Gate and such other information as the City may reasonable request to allow it to evaluate the utilization of the Exclusive Use Gates of the Airline and any Affiliates for the purpose of establishing priorities for the assignment of City Gates as provided for in Section 3.3. All such information shall be provided, as feasible, in electronic format readable in Microsoft Excel or as the City may otherwise reasonably request to allow the information to be processed by the City's gate management software.

To provide positive confirmation of all Airline requests for Gates, Schedule Submissions shall be submitted each month for the applicable advance period, even if there is no Material Schedule Change from the Schedule Submission for the previous month.

### **3.2 Late Schedule Submissions**

Requested flights scheduled with less than the required advance notice period specified in Section 3.1 will be assigned to City Gates only after all other requests have been accommodated in accordance with the procedures and priorities specified herein.

### **3.3 Changed Schedule Submissions**

If an Airline requests changes to an already submitted Schedule Submission, then the provisions of Section 3.2 regarding late schedule submissions shall apply to any flight for which there is (1) a change of equipment type or (2) a change to the scheduled arrival or departure time that would cause the scheduled buffer period between such flight and the preceding or succeeding flights at the assigned Gate to be reduced below the minimum buffer period provided for in Section 3.12.

### **3.4 Priorities for Assignment of Flights to City Gates**

The City will apply the procedures and priorities described in the Sections 3.3 through 3.6 to assign requested flights to City Gates and to resolve any conflicting requests among or between requested flights.

### **3.5 Use of Exclusive Use Gates**

The City will first consider how an Airline requesting the use of a City Gate for a flight is scheduled to use any Exclusive Use Gates and any City Gates to which it has Priority Use Rights at the time of the requested flight.

An Airline or any Affiliates having Exclusive Use Gates or Priority Use Rights to City Gates will be required to demonstrate to the satisfaction of the City that each requested flight of the Airline or any Affiliates could not be accommodated at such Exclusive Use Gates or within

the scope of such Priority Use Rights. If the Airline cannot so demonstrate, then the requested flight will be assigned to a City Gate only if a Gate is available at the time of day in question after all other requested flights have been accommodated in accordance with the procedures and priorities described in Sections 3.4 through 3.6.

Historical Precedence shall be established only for the number of flights of an Airline that such Airline demonstrates to the satisfaction of the City could not be accommodated at the Exclusive Use Gates of the Airline or any Affiliates or within the scope of any Priority Use Rights of the Airline or any Affiliates.

In evaluating the ability of an Airline to accommodate a requested flight at its Exclusive Use Gates or within the scope of its Priority Use Rights, the City may assume:

1. The scheduled arrival time and departure time of the requested flight could both be up to 5 minutes earlier or later than the time requested.
2. Other flights of the Airline or its Affiliates could be operated at other of the Gates of the Airline or any Affiliates if so doing would allow the requested flight to be accommodated.
3. Gate occupancy periods at the Gates of the Airline and any Affiliates would be no longer than the maximums specified in Section 3.9 at the City Gates
4. Gate buffer periods at the Gates of the Airline and any Affiliates would be no longer than 30 minutes and no shorter than 20 minutes.
5. A requested flight of an aircraft having a larger number of seats may be scheduled at the Gates of the Airline or its Affiliates in preference to the flight of an aircraft having a smaller number of seats if a Gate is available to accommodate the larger aircraft.

### **3.6 Rescheduling of Flights at City Gates**

The City will then attempt to resolve any conflicts by requesting that Airlines reschedule their flights to times when City Gates are available. The City may require Airlines to reschedule conflicting flights, each by no more than 5 minutes earlier or later than the time requested, if such rescheduling would permit all conflicting flights to be accommodated at City Gates at the time of day in question consistent with the maximum Gate occupancy periods and minimum Gate buffer periods specified in Sections 3.9 and 3.10, respectively. An Airline that does not reschedule a requested flight as required shall not be assigned a City Gate for such flight.

### **3.7 Historical Precedence**

The City will then consider the number of flights of each Airline and its Affiliates for which Historical Precedence has been established for the time of day in question and shall assign the highest priority to such number of flights for each Airline.

### **3.8 Scheduled Seats**

The City will then resolve any remaining conflicts between flights by giving precedence to the flight providing the greater number of weekly passenger seats, provided that flights by aircraft with more than 200 seats will, when feasible, be accommodated at Concourse E.

### **3.9 Assignment of Flights to Specific Gates**

In assigning Airline flights to specific City Gates, the City will, when feasible, assign the successive flights of an Airline to the same Gates, otherwise take into account the operational preferences of Airlines, and consider the capability of all available City Gates, including Gates at Concourse E, to accommodate flights. The City may require the flights of smaller aircraft to be displaced, or to share City Gates with other flights, so as to allow the flights of larger aircraft to be accommodated. Flights that cannot be accommodated at concourse contact Gates may be offered remote aircraft parking positions served by buses or other passenger transport vehicles.

### **3.10 International Flights**

All Gates at Concourse E shall be operated by the City on a Common Use basis. In the assignment of flights to City Gates at Concourse E, International Flights shall have priority over Precleared Flights, which shall have priority over Domestic Flights in conformance with the requirements of the CPTC Lease.

For International Flights that are scheduled by summer or winter season, Historical Precedence shall apply with regard to the corresponding season (summer or winter) of prior year(s), i.e., an Airline granted the right to occupy Gates for a number of International Flights at a given time of day in the summer (or winter) season of one year shall normally be granted the same right for the summer (or winter) season of the following year. See Section 3.1 regarding assignments of City Gates for International Flights that are scheduled by summer or winter season.

### 3.11 Gate Occupancy Periods

The maximum periods for which an Active Flight may be scheduled to occupy a City Gate shall normally be as follows. (Such maximum periods shall apply both after the scheduled flight arrival time and before the scheduled flight departure time, i.e., for a typical aircraft operation, the maximum occupancy period is shown in the “Total Time On Gate” column below).

	Arrival and Departure Time on Gate		Total Time on Gate		
	Domestic and Precleared Flights	International Flights	Domestic to Domestic	International to International	Mixed International and Domestic
Aircraft Size Fewer than 100 passenger seats	30	30	60	60	60
Between 101 and 150 seats	45	45	90	90	90
Between 151 and 300 seats	60	75	120	150	135
More than 300 seats	60	90	120	180	150

A flight scheduled to occupy a Gate for a period shorter than the maximum Gate occupancy period specified shall have the right to occupy the Gate only for the period actually scheduled.

A RON Flight or other extended-stay flight may be assigned to a City Gate for a period longer than specified if such assignment does not prevent a requested Active Flight from being accommodated.

### 3.12 Gate Buffer Periods

To allow for off-schedule flights, a minimum buffer period of 30 minutes shall be provided between the scheduled departure time of one flight from a Gate and the scheduled arrival time of the next flight at that Gate. The scheduled buffer period may be reduced if the Airline(s) operating the successive flights expressly agree to a reduced buffer period, but in no event shall such scheduled buffer period be less than 20 minutes. An individual carrier may choose to compress their buffer period between their own marketed flights on Concourse E. This compression can be less than 20 minutes, but can only account for 25 percent of the carriers gated flight activity on Concourse E. At no time shall this buffer

period be less than 10 minutes. However, Group 5 scheduled rotations will require a minimum 30 minute buffer period.

### **3.13 RON Flights**

A RON Flight during the periods when it is an Active Flight (i.e., the periods after its arrival and before its departure as specified in Section 3.9) will be assigned to a City Gate in accordance with the procedures and priorities described in Sections 3.3 through 3.6. A RON Flight during the period when it is an Inactive Flight will be assigned to a City Gate in accordance with the same procedures and priorities as long as such Gate is not required for an Active Flight.

A RON Flight or other extended-stay flight assigned to a City Gate in accordance with such process shall not be required to be moved except as provided for in Section 4.1 and shall be assessed a RON Flight parking charge as set forth in the schedule of Terminal Common Use Charges.

### **3.14 Early Schedule Submissions**

An Airline desiring to initiate New International Service may, between 71 and 120 days prior to the first day of the month during which the New International Service will begin, make an Early Schedule Submission requesting a Gate assignment for the New International Service. If based on Historical Precedence a gate that will accommodate the aircraft associated with the New International Service is available at the time requested for the New International Service, the City will make a Gate assignment for the New International Service and notify the Airline of such Gate Assignment within 10 days of receipt of the Early Schedule Submission. During the first 12 months of continuous operation of the New International Service, the flights will be considered to have Historical Precedence. Seasonally scheduled flights (in conjunction with the IATA scheduling conference) maintain historical rights year over year, season over season if there is not a material change. Any Airline that makes Early Schedule Submissions and three times fails to continue the New International Service for at least four months will lose the privilege of making Early Schedule Submissions for one year, unless due to circumstances beyond the control of the airline.

### **3.15 Assignment Process and Timetable**

Planning for the scheduling, assignment, and use of City Gates shall be accomplished for each calendar month by the City, acting through the Gate Manager in coordination with requesting Airlines, in accordance with the following steps. (The number of days noted in parenthesis after each step is the minimum number of calendar days before the first day of the month in question.)

1. Receive Early Schedule Submissions from Airlines requesting early Gate assignments for New International Service. (120 days prior to the first day of the month during which the New International Service will begin)

2. Receive Schedule Submissions from Airlines requesting the use of City Gates (per Section 3.1). (60 days (for widebody aircraft) or 45 days (for narrowbody aircraft) before the first day of the month in which the schedule is to become effective)
3. Review the Schedule Submissions of requesting Airlines and identify any schedule conflicts among or between requested flights (55 days (for widebody aircraft) or 40 days (for narrowbody aircraft) before the first day of the month in which the schedule is to become effective)
4. For each requesting Airline and any Affiliates having Exclusive Use Gates or Priority Use Rights to City Gates, review the planned use of such Gates by the Airline and any Affiliates and other information evidencing that such Gates will not be available to accommodate the requested flights. As appropriate, suggest modifications to the assignment of flights at such Gates if such modifications would allow the requested flights to be accommodated (per Section 3.5). (50 days (for widebody aircraft) or 35 days (for narrowbody aircraft) before the first day of the month in which the schedule is to become effective)
5. Suggest or require modifications to each Airline's schedule of requested flights if such modifications would allow the requested flights to be accommodated at City Gates (per Section 3.6). (50 days (for widebody aircraft) or 35 days (for narrowbody aircraft) before the first day of the month in which the schedule is to become effective)
6. Review each Airline's historical flight operations to determine the number of such Airline's flights having Historical Precedence (per Section 3.7). (50 days (for widebody aircraft) or 35 days (for narrowbody aircraft) before the first day of the month in which the schedule is to become effective)
7. Meet with each requesting Airline as necessary to review its Schedule Submission and any suggested or required modifications to its flight schedule or Gate assignments. (50 days (for widebody aircraft) or 35 days (for narrowbody aircraft) before the first day of the month in which the schedule is to become effective)
8. If conflicting requests for the use of City Gates remain, resolve such remaining conflicts (per Section 3.8). (45 days (for widebody aircraft) or 35 days (for narrowbody aircraft) before the first day of the month in which the schedule is to become effective)
9. Prepare a recommended City Gate assignment plan and distribute it to all requesting Airlines. (45 days (for widebody aircraft) or 35 days (for

narrowbody aircraft) before the first day of the month in which the schedule is to become effective)

10. Meet with requesting Airlines as necessary to discuss the recommended City Gate assignment plan and review any additional relevant information. (40 days (for widebody aircraft) or 35 days (for narrowbody aircraft) before the first day of the month in which the schedule is to become effective)

(An Airline may appeal any aspect of the recommended City Gate assignment plan to the Aviation General Manager as provided for in Section 7.4. Any such appeal shall be decided by the City within 10 days.)

11. As necessary, revise the City Gate assignment plan to reflect any additional information received and any decision by the Aviation General Manager on any appeal, and distribute the final City Gate assignment plan to all requesting Airlines. (before the first day of the month in which the schedule is to become effective)

See Section 3.1 regarding assignments of City Gates for International Flights that are scheduled by summer or winter season.

### **3.16 Ticket Counter Check-in, Baggage Claim Facilities and CUSSKs**

Planning for the scheduling and use of Common Use check-in and baggage claim facilities will be accomplished by the City, acting through the Gate Manager, through a process following generally the same steps as outlined in Section 3.15.

Common Use outbound baggage and other check-in facilities will be assigned to Airlines by the City so as to permit the timely check-in of passengers and baggage for flights as requested in Schedule Submissions. Common Use inbound baggage and baggage claim facilities will be assigned to Airlines so as to permit the timely processing of baggage from flights as requested in Schedule Submissions.

The City will exercise its best efforts to assign Common Use check-in and baggage claim facilities at the locations and times preferred by requesting Airlines. In the case of conflicting requests, the City will assign available facilities so as to minimize delays to passengers and baggage and to minimize operational inconveniences to the requesting Airlines.

The CUSSKs will be maintained and managed by the third party operator..

### **3.17 Granting of Priority Use Rights**

The City may grant to an Airline Priority Use Rights to City Gates and other Common Use terminal facilities. Any such Priority Use Rights granted to an Airline, and the terms and conditions governing any such rights will be documented in a City-approved authorization, which will incorporate the provisions of these Regulations. The City will normally grant Priority Use Rights only when Gates or other terminal facilities have been converted from Exclusive Use to Common Use by agreement with one or more Airlines.

### **3.18 Assignment of Flights to Gates with Priority Use Rights**

The City may, upon at least 30 days notice to an Airline having Priority Use Rights to a City Gate, assign the flight of another Airline to such Gate if, 60 days in advance of the proposed assignment, such Gate was not scheduled to be occupied for an Active Flight of the Airline or any Affiliate at the time in question. Such assignment will only be made if the scheduled flight of the other Airline can be accommodated while preserving buffer periods of at least 30 minutes before the scheduled arrival time and at least 30 minutes after the scheduled departure time of such other Airline flight.

A City Gate scheduled to be occupied by an Inactive Flight (other than a RON Flight) of an Airline in accordance with its Priority Use Rights to such Gate shall not be assigned for use by an Inactive Flight of another Airline but may be assigned for use by an Active Flight of another Airline. A City Gate scheduled to be occupied by a RON Flight (when it is an Inactive Flight) of an Airline in accordance with its Priority Use Rights to such Gate may be assigned for use by an Active Flight of another Airline only as provided for in Section 4.1.

## **4. OPERATING PROCEDURES**

### **4.1 Irregular Operations**

The City, acting through the Gate Manager, will exercise its best efforts to accommodate delayed, off-schedule, and other irregular aircraft operations at City Gates equitably in cooperation with all affected Airlines consistent with the general principles that (1) Active Flights operating as scheduled will not be displaced to accommodate off-schedule flights and (2) off-schedule flights for which reasonable advance notification is provided to the Gate Manager will be given priority over flights for which such advance notification is not provided.

The Gate Manager may, upon at least 60 minutes notice, and notwithstanding any Priority Use Rights that may have been granted, require that an Airline promptly remove a RON Flight (when it is an Inactive Flight) or other Inactive Flight from a City Gate if, in the Gate Manager's sole discretion, such removal is necessary in an emergency or to allow an off-schedule or other irregular Active Flight to be accommodated.

### **4.2 Aircraft Parking Arrangements**

Any Airline requesting that its flights be assigned to a City Gate shall be required to demonstrate to the satisfaction of the City that it has made alternative parking arrangements at a location or locations at which its flights could be accommodated if they must be removed from City Gates as provided for in Section 4.1. The City will use its best efforts to facilitate such alternative parking arrangements.

### **4.3 Ground Service Equipment**

An Airline may stage or store any ground service equipment necessary to support its flight operations at a City Gate, but only in the apron areas at such Gate designated for such use. If any staging or storage of an Airline's equipment at any City Gate is such that, in the reasonable judgment of the City acting through the Gate Manager, such staging or storage compromises or prevents the efficient use of such Gate by another Airline, then, notwithstanding any Priority Use Rights granted at such City Gate, the Gate Manager may request that the Airline remove its equipment, in which case the Airline shall promptly comply with such request.

### **4.4 Airline Equipment and Supplies**

Except with the City's advance written approval, an Airline shall not install or locate any computer, telecommunications, or other equipment, furnishings, or fixtures at any City Gate.

An Airline may use its own tickets, baggage tags, boarding passes, and other stock and supplies at a City Gate. An Airline's use of such supplies at a City Gate shall not be such as to compromise or prevent the efficient use of such Gate by another Airline and,

notwithstanding any Priority Use Rights granted at such City Gate, all such supplies shall be removed from such Gate when it is scheduled to be used by another Airline or as otherwise directed by the Gate Manager, unless otherwise approved by the Gate Manager.

#### **4.5 Operations at Gates with Priority Use Rights**

Notwithstanding any Priority Use Rights that may have been granted, an Airline or any Affiliates shall not park at any City Gate any aircraft larger than the maximum aircraft size specified for such Gate and shall comply with all other provisions of these Regulations governing the operation of City Gates, including those regarding the use of its own equipment, systems, and supplies and the storage of ground service equipment. If the flight of another Airline is assigned to a City Gate to which an Airline has been granted Priority Use Rights, and such other Airline flight is operated as scheduled, then the Airline having the Priority Use Rights shall not have the right to require such other Airline flight be removed to accommodate its off-schedule or other irregular flights.

## **5. TRAFFIC REPORTING**

Each Airline using City Gates or other Common Use terminal facilities shall, for itself and any Affiliates, submit to the City, after the end of each calendar month, a Traffic Report documenting for such month (1) the numbers of all flight arrivals and departures categorized by type of aircraft and maximum certificated gross landing weight; (2) the numbers of all deplaned and enplaned passengers separately stated for (a) Domestic, Precleared, and International Flights, (b) each concourse, specifying if applicable whether at Exclusive Use or City Gates, (c) local (origin or destination) and connecting, and (d) revenue and nonrevenue; and (3) the weight of air cargo (freight, express, and mail) loaded and unloaded. Such report shall be filed in electronic format readable in Microsoft Excel or otherwise in a form acceptable to the City no less than 15 days following the last day of such month, shall be certified as accurate by an authorized representative of the Airline, and shall be subject to audit by the City.

## **6. TERMINAL COMMON USE CHARGES**

### **6.1 Payment of Charges**

Each Airline shall, for itself and any Affiliates, pay all amounts assessed and due under these Regulations for the use and occupancy of City Gates, Common Use check-in facilities, Common Use baggage claim facilities, and any other Common Use terminal services and facilities.

The charges set forth on the attached Exhibit C-1, Schedule of Terminal Common Use Charges, shall apply to the use of City Gates and Common Use check-in and baggage claim facilities for Domestic Flights, Precleared Flights, and International Flights as specified.

The charges for the use of Common Use Gates, Common Use ticket counters and Common Use baggage claim devices set forth on the attached Exhibit C-1, other than those set according to the formula of a CPTC Lease, may be changed from time to time, at the City's sole discretion, with the objective of recovering, at a minimum, the City's investments and operating and maintenance expenses incurred in connection with City Gates, other Common Use baggage claim facilities and Common Use ticket counters.

The charges for the use of CUSSKs set forth on the attached Exhibit C-1 may be changed from time to time, at the City's sole discretion, with the objective of recovering, at a minimum, the City's operating and maintenance expenses incurred in connection with the CUSSKs.

### **6.2 Invoicing**

The City will invoice each Airline following each calendar month on the basis of such Airline's actual activity, as recorded by the City, and the information submitted in such Airline's Traffic Report for such month.

Such invoices shall be payable by the Airline within 30 days of receipt. The City may assess a late charge on unpaid invoices at the rate of one and one-half percent (1½%) per month on any outstanding amounts. Any such late charge shall be calculated for the period beginning 30 days following the date of receipt.

## **7. COMPLIANCE**

### **7.1 Rules and Procedures**

An Airline and any Affiliates using City Gates or other Common Use terminal facilities shall comply with and abide by all rules, regulations, and operating procedures regarding the use and occupancy of such facilities as set forth in these Regulations or as otherwise properly promulgated by the City.

### **7.2 Flight Scheduling and Operations**

If, in the reasonable judgment of the City, an Airline using a City Gate does not operate a flight in accordance with its Schedule Submission for reasons within the control of the Airline, then the City may, at its sole discretion, charge the Airline for such flight at the rate set forth in Exhibit C-1 for the flight of the aircraft as scheduled and as if such flight had been operated with a full passenger load.

If, in the reasonable judgment of the City, an Airline regularly operates its flights at City Gates not in accordance with its Schedule Submissions or otherwise demonstrates a consistent pattern of disregard for the rules, regulations, and operating procedures set forth in these Regulations, then the City may, at its sole discretion, and upon at least 30 days advance written notice, not assign one or more requested flights of the Airline to City Gates in one or more future months.

The City shall not implement any such action against an Airline without first providing at least 15 days advance written notice of the offence and the opportunity for the Airline to cure.

### **7.3 Traffic Reports**

If the Traffic Report for a given month is submitted late or is determined by the City, as the result of a properly conducted audit, to be materially incomplete or inaccurate, the City may assess the charges provided for in the schedule of Terminal Common Use Charges for the flights of the Airline and any Affiliates for a subsequent month as if all scheduled flights of the Airline had been operated with full passenger loads.

#### **7.4 Appeals**

If an Airline wishes to dispute the assignment of City Gates or appeal any other recommendation, decision, or action of the City or the Gate Manager in connection with the implementation of these Regulations, then such Airline shall have the right to do so to the Aviation General Manager. Any such appeal shall be in writing. The Aviation General Manager shall promptly consider and decide on any such appeal and such Aviation General Manager's decision shall be final.

Appeals regarding the assignment of requested flights to City Gates shall be decided according to the timetable described in Section 3.12.

## **8. ADMINISTRATION**

### **8.1 Gate Manager**

The Gate Manager, in addition to conducting the monthly schedule planning and Gate assignment process described in Section 3.12, shall monitor and coordinate the operation of City Gates and all other Common Use facilities to facilitate efficient Airline operations and shall ensure that all Airlines are informed of matters affecting their operations.

### **8.2 Consultation with Airlines**

The City will regularly coordinate and consult with the Airlines serving the Airport, through meetings of the AAMA and otherwise as appropriate, on matters relating to the assignment, use, and operation of City Gates and other Common Use facilities, including (1) the adoption and implementation of these Regulations and any changes thereto, (2) advance Schedule Submissions, (3) the assignment of flights to City Gates, (4) the accommodation of off-schedule or other irregular operations, (5) Traffic Reports, (6) facility use records and statistics, (7) invoicing and payment of charges, and (8) any other day-to-day operational and administrative matters.

### **8.3 Changes**

The procedures and other provisions set forth in these Regulations may be changed by the City from time to time, following consultation with the AAMA, with the objective of promoting the efficient use of City Gates to accommodate the needs of all Airlines and their passengers.

The Aviation General Manager shall consider any recommendation made by the AAMA for changes to the Regulations and shall promptly decide upon any such recommendation. Such Aviation General Manager's decision shall be final. If the Aviation General Manager does not approve or disapprove any recommendation for changes to the Regulations within 30 days, then such recommendation shall be deemed to be disapproved.

Any change to the provisions of the Regulations shall be in writing, shall be approved by the Aviation General Manager, and shall be notified to the AAMA at least 30 days prior to its implementation.

### **8.4 Interpretation**

In the event of any dispute regarding the interpretation or implementation of any provision of these Regulations, the City's decision shall be final.

## 8.5 Notices

All Schedule Submissions, Traffic Reports, communications, and other notices required or desired to be provided by an Airline to the City in connection with the operation of these Regulations shall be delivered to the City's designated Gate Manager:

Mr. John Green  
Vice President  
TBI Airport Management, Inc.  
Hartsfield-Jackson Atlanta International Airport  
Atlanta, GA 30320

john.green@tbiam.aero

or his designee, with a copy to:

Mr. Robert Kennedy  
Assistant General Manager of Operations, Maintenance and Security  
Hartsfield-Jackson Atlanta International Airport  
Atlanta, GA 30320

robert.kennedy@atlanta-airport.com

or his designee.

Each Airline shall provide to the Gate Manager, with a copy to the City's Assistant General Manager of Operations, Maintenance and Security, the name and contact information for a local representative and, at the Airline's option, a corporate representative, to whom all communications and notices required or desired to be provided by the City to the Airline shall be delivered. Such representative(s) shall be responsible for all matters relating to the operations of the Airline and any Affiliates at the Airport under these Regulations, including the provision of information and the coordination of planning and operations.

**Attachment A**  
**CITY GATES**

The accompanying exhibit(s) shows the locations of the City Gates and the type of aircraft that can be accommodated at each of the City Gates. Such City Gates include certain Gates at Concourse D and all Gates at Concourse E. Such exhibit(s) may be changed from time to time at the City's sole discretion to reflect any changes to the number, location, or configuration of the City Gates.

[EXHIBIT ATTACHED]

**Attachment B**  
**TRAFFIC REPORTING FORMS**

[FORMS ATTACHED]

**Attachment C**  
**TERMINAL COMMON USE CHARGES**

Exhibit C-1, Schedule of Terminal Common Use Charges

[EXHIBIT ATTACHED]

## Exhibit A Terminal Common Use Regulations

### Aircraft Serviced on Common Use Gates Hartsfield-Jackson Atlanta International Airport

#### Domestic Gates

Gate D1	Gate D1a	Gate D1b*	Gate D2	Gate D2b**	Gate D3
ERJ-135	ERJ-135	MD80	EMB-175	B767-200	CRJ-200
ERJ-145	ERJ-145	B727	EJMB-195	B767-300	CRJ-700
CRJ-200	CRJ-200	B737-ALL	DC9	B767-400	EMB-175
CRJ-700	CRJ-700	A318	B717	MD11	EJMB-195
EMB-175	EMB-175	A320	MD80		DC9
EJMB-195	EJMB-195	A321	B727		B717
DC9	DC9	B757-200	B737-ALL		MD80
B717	B717	A310	A319		B727
		B767-All	A320		B737-ALL
		L1011	A321		A319
		DC10MD11	B757-200		A320
			B757-300		A321

  

Gate D4	Gate D5	Gate D6	Gate D9	D11	D11a
CRJ-200	EMB-175	ERJ-135	EMB-175	EMB-175	ERJ-135
CRJ-700	EJMB-195	ERJ-145	EJMB-195	EJMB-195	ERJ-145
EMB-175	DC9	EMB-175	DC9	CRJ 200	CRJ-200
EJMB-195	B717	EJMB-195	B717	DC9	CRJ-700
DC9	MD80	DC9	MD80	B717	EMB-175
B717	B727	B717	B727		EJMB-195
MD80	B737-ALL	MD80	B737-ALL		DC9
B727	A319	B727	A319		B717
B737-ALL	A320	B737-ALL	A320		MD80
A319	A321	A319	A321		B737-ALL
A320		A320			A319
A321		A321			A320
					A321

**Notes:**

\* When servicing an aircraft on Gate D1b, Gates D1 and D1a are closed.

\*\* When servicing an aircraft on Gate D2b, Gates D2 and D4 are closed.

## International Gates

Gate E1	Gate E2	Gate E3	Gate E4	Gate E5	Gate E6
B747-200	B747-200	B747-200	B747-200	B747-200	B747-200
B767-400	B767-400	B767-400	B767-400	B767-400	B767-400
B767-300	B767-300	B767-300	B767-300	B767-300	B767-300
B767-200	B767-200	B767-200	B767-200	B767-200	B767-200
L1011	L1011	L1011	L1011	L1011	L1011
DC10	DC10	DC10	DC10	DC10	DC10
B757	B757	B757	B757	B757	B757
A320	A320	A320	A320	A320	A320
A319	A319	A319	A319	A319	A319
A318	A318	A318	A318	A318	A318
	B737-800	B737-800	B737-800	B737-800	B737-800
	B737-S/G	B737-S/G	B737-S/G	B737-S/G	B737-S/G
	B717	B717	B717	B717	B717
MD-90	MD-90	MD-90	MD-90	MD-90	MD-90
	MD-88	MD-88	MD-88	MD-88	MD-88
MD-80	MD-80	MD-80	MD-80	MD-80	MD-80

Gate E7	Gate E8	Gate E9	Gate E10	Gate E11	Gate E12
				A340-600	
			A340-200	A340-200	A340-200
			A330	A330	A330
			B777	B777	B777
			B747-400	B747-400	B747-400
B747-200	B747-200	B747-200	B747-200	B747-200	B747-200
B767-400	B767-400	B767-400	B767-400	B767-400	B767-400
B767-300	B767-300	B767-300	B767-300	B767-300	B767-300
B767-200	B767-200	B767-200	B767-200	B767-200	B767-200
L1011	L1011	L1011	L1011	L1011	L1011
DC10	DC10	DC10	DC10	DC10	DC10
B757	B757	B757	B757	B757	B757
A320	A320	A320	A320	A320	A320
A319	A319	A319	A319	A319	A319
A318	A318	A318	A318	A318	A318
B737-800	B737-800	B737-800	B737-800	B737-800	B737-800
B737-S/G	B737-S/G	B737-S/G	B737-S/G	B737-S/G	B737-S/G
B717	B717	B717	B717	B717	B717
MD-90	MD-90	MD-90	MD-90	MD-90	MD-90
MD-88	MD-88	MD-88	MD-88	MD-88	MD-88
MD-80	MD-80	MD-80	MD-80	MD-80	MD-80

Gate E14	Gate E15	Gate E16	Gate E17	Gate E18	Gate E26
A340-600					
A340-200					A340-200
A330					A330
B777					B777
B747-400					B747-400
B747-200	B747-200	B747-200	B747-200	B747-200	B747-200
B767-400	B767-400	B767-400	B767-400	B767-400	B767-400
B767-300	B767-300	B767-300	B767-300	B767-300	B767-300
B767-200	B767-200	B767-200	B767-200	B767-200	B767-200
L1011	L1011	L1011	L1011	L1011	L1011
DC10	DC10	DC10	DC10	DC10	DC10
B757	B757	B757	B757	B757	B757
A320	A320	A320	A320	A320	A320
A319	A319	A319	A319	A319	A319
A318	A318	A318	A318	A318	A318
	B737-800	B737-800			B737-800
	B737-S/G	B737-S/G			B737-S/G
	B717	B717			B717
		MD-90			MD-90
		MD-88			MD-88
		MD-80			MD-80

Gate E27	Gate E28	Gate E29	Gate E30	Gate E31	Gate E32
	A340-200				
	A330				
	B777				
	B747-400				
B747-200	B747-200	B747-200	B747-200	B747-200	B747-200
B767-400	B767-400	B767-400	B767-400	B767-400	B767-400
B767-300	B767-300	B767-300	B767-300	B767-300	B767-300
B767-200	B767-200	B767-200	B767-200	B767-200	B767-200
L1011	L1011	L1011	L1011	L1011	L1011
DC10	DC10	DC10	DC10	DC10	DC10
B757	B757	B757	B757	B757	B757
A320	A320	A320	A320	A320	A320
A319	A319	A319	A319	A319	A319
A318	A318	A318	A318	A318	A318
B737-800	B737-800	B737-800	B737-800	B737-800	B737-800
B737-S/G	B737-S/G	B737-S/G	B737-S/G	B737-S/G	B737-S/G
B717	B717	B717	B717	B717	B717
MD-90	MD-90	MD-90	MD-90	MD-90	MD-90
MD-88	MD-88	MD-88	MD-88	MD-88	MD-88
MD-80	MD-80	MD-80	MD-80	MD-80	MD-80

Gate E33	Gate E34	Gate E35	Gate E36
B747-200	B747-200	B747-200	B747-200
B767-400	B767-400	B767-400	B767-400
B767-300	B767-300	B767-300	B767-300
B767-200	B767-200	B767-200	B767-200
L1011	L1011	L1011	L1011
DC10	DC10	DC10	DC10
B757	B757	B757	B757
A320	A320	A320	A320
A319	A319	A319	A319
A318	A318	A318	A318
B737-800	B737-800	B737-800	B737-800
B737-S/G	B737-S/G	B737-S/G	B737-S/G
B717	B717	B717	B717
MD-90	MD-90	MD-90	MD-90
MD-88	MD-88	MD-88	MD-88
MD-80	MD-80	MD-80	MD-80

**Note:**

CRJ, ERJ and smaller aircraft will fit on any International gate.

# Exhibit B Terminal Common Use Regulations

## Monthly Statistical Report Concourse D Common Use Gates

For the Month of:   
*This Form Must Be Turned In Within 5 Days After the End of the Month*

Airline:

	Number of Flights
Arrival:	<input type="text" value="30"/>
Departure:	<input type="text" value="30"/>
	60

	Number of Passengers
Arrival:	<input type="text" value="10,000"/>
Departure:	<input type="text" value="10,000"/>
	20,000

**Please send to TBI Airport Management, Inc.**

**Attn:** Don Woods

**Email:** [don.woods@tbiam.aero](mailto:don.woods@tbiam.aero)

**Fax:** (404) 530-2016

**Phone:** (404) 530-2000

## Exhibit C-1 Terminal Common Use Regulations

### SCHEDULE OF TERMINAL COMMON USE CHARGES

Hartsfield-Jackson Atlanta International Airport

Rates effective January 1, 2010

<b>Check-in use charge (1)</b>		
Per counter position per hour		\$12.56
<b>Gate use charge</b>		
Concourse D (2)		
Per deplaned passenger		\$1.42
Per enplaned passenger		\$1.42
Concourse E (1)		
Per deplaned passenger		Per CPTC Lease formula
Per enplaned passenger		Per CPTC Lease formula
<b>Minimum Gate use charge (1)</b>		
Per arriving flight		\$100
Per departing flight		100
<b>RON Flight parking charge (1)</b>		
Per aircraft		
Parked at departure Gate		\$200
Parked at remote Gate or apron position		100
<b>Baggage claim use charge (3)</b>		
Per checked departing bag		\$2.05
<b>Common Use Self Service Kiosks (CUSSKs)</b>		
Per transaction		\$0.25

- (1) Charge applies to Domestic Flights, Precleared Flights, and International Flights
- (2) Charge applies to Domestic Flights and Precleared Flights; charge for International Flights is per CPTC Lease formula
- (3) Charge applies to Domestic Flights and Precleared Flights; charge for International Flights is included in Concourse E Gate use charge

Note: The use charges set forth on this exhibit, other than those set per the formulas of the CPTC Lease, may be changed from time to time, at the City's sole discretion. Rates for the use of the Common Use Gates, baggage claim facilities and ticket counters will be set with the intention of recovering, at a minimum, the City's investments and operating and maintenance expenses associated with City Gates and other Common Use terminal facilities. Rates for the use of the UCSSKs will be set with the intention of recovering, at a minimum, the City's operating and maintenance expenses associated with City Gates and other Common Use terminal facilities.