

**BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
WASHINGTON, D.C.**

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**IN THE MATTER OF**

**Petition of Alaska Aerial Media LLC for Amendment of Exemption No. 11426A**

**Docket Number: FAA-2015-0173**

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**COMMENTS OF THE SMALL UAV COALITION**

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February 9, 2016

Filed with [www.regulations.gov](http://www.regulations.gov)

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The Small UAV Coalition<sup>1</sup> is pleased to provide its comments in support of Alaska Aerial Media, Inc.'s ("Alaska Aerial") petition for amendment to Exemption No. 11426A to permit Alaska Aerial to conduct nighttime operations using its previously approved small unmanned aircraft systems ("sUAS").

Members of the Small UAV Coalition share an interest in advancing regulatory and policy changes that will permit the operation of small UAVs in the near term, within and beyond the line of sight, with varying degrees of autonomy, for commercial, consumer, recreational and philanthropic purposes. We applaud the Federal Aviation Administration ("FAA") for accelerating the pace of exemptions. The Coalition believes there are additional steps the FAA can take to broaden the authority to conduct commercial operations. In particular, the FAA has the authority and the discretion to grant the relief requested by Alaska Aerial in its petition for amendment.

In comments on the FAA's sUAS NPRM, the Coalition urged the FAA to revise proposed section 107.29 to allow sUAS operations beyond the proposed window between the hours of official sunrise and official sunset. We stated that FAA should allow nighttime sUAS operations where such operations may be conducted safely without any appreciable increase in risk to other aircraft or persons on the ground and where the sUAS operator is able safely to perform the see-or detect-and-avoid responsibilities.

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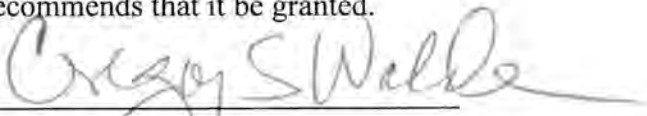
<sup>1</sup> Members of the Small UAV Coalition include 3D Robotics, AirMap, AGI, Amazon Prime Air, Botlink, DJI Innovations, Drone Deploy, Flirtey, Google[x] Project Wing, GoPro, Intel, Kespry, Parrot, PrecisionHawk, Strat-Aero, Verifly, Verizon Ventures, and Zero Tech.

Accordingly, the Coalition urged the FAA to revise this section to allow the Administrator or his delegate to authorize nighttime operations, through exemption, deviation authority (certificate of waiver or authorization), or certification, upon a demonstration of a level of safety equivalent to daylight operations, in consideration of the technological capabilities of the sUAS – including any lighting equipment – the capability of the sUAS operator, the presence of one or more visual observers, the particular use scenario, and the operating environment, including the degree of illumination. The Coalition believes the authority Congress provided in section 333 of the FAA Modernization and Reform Act of 2012 gives the FAA the discretion to authorize nighttime operations in advance of and independent of its sUAS rulemaking.<sup>2</sup>

Alaska Aerial explains that its sUAS will be equipped with standard aircraft anti-collision or navigation lights in compliance with 14 C.F.R. §23.1401 and that will be operating during all phases of flight.

The Coalition believes Alaska Aerial’s proposed operations at night may be conducted safely and thus should be authorized. Although Alaska Aerial’s petition does not identify the safety measures – other than equipping the sUAS with anti-collision/navigation lights – it will take to address any increase in risk over daylight operations, the Coalition supports reasonable distance requirements and other conditions to ensure the takeoff and landing areas are clear and that the sUAS operators are properly trained in nighttime operations.

Accordingly, the Small UAV Coalition strongly supports Alaska Aerial’s petition and recommends that it be granted.



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<sup>2</sup> The Coalition has previously supported the petitions of Industrial Skyworks (FAA 2014-1060), Ars Electronica (FAA 2014-1095), Aerobo (FAA 2014-0400), and SkyPhilly (FAA 2014-0908) to conduct nighttime operations.