

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

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**IN THE MATTER OF**

**Petition of Florida Power & Light Company for Exemption**

**Docket No. FAA-2019-0740**

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**COMMENTS OF THE SMALL UAV COALITION**

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November 21, 2019

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The Small UAV Coalition<sup>1</sup> is pleased to provide its comments in support of the petition of Florida Power & Light Company (“FPL”) for an exemption under section 44807 to allow FPL to operate the Terros medium altitude long endurance unmanned aircraft system weighing around 1,500 pounds manufactured by NAVMAR Applied Sciences Corporation for aerial data collection and training.

Members of the Small UAV Coalition share an interest in advancing regulatory and policy changes that will permit the operation of UAS in the near term within and beyond the line of sight, with varying degrees of autonomy, for commercial and other civil purposes. This includes operations of aircraft heavier than 55 lbs. The Coalition believes that granting this petition will help advance this objective, as well as demonstrate the ability of UAS to support disaster response and recovery efforts.

FPL’s long term objective is to operate the UAS to bring critical electrical infrastructure back online after a devastating storm, which is consistent with congressional intent. In the FAA Extension, Safety, and Security Act, Public Law 114-190 (2016), section 2204, Congress directed the FAA to enter into agreements with the Energy Department, FEMA, and “other agencies or parties . . . to facilitate the expeditious authorization” of safe UAS “in support of service restoration efforts.”

In section 2207, Congress directed the FAA to set up a process to provide emergency exemptions in response to a natural disaster to facilitate emergency response operations, including utility and infrastructure restoration efforts.

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<sup>1</sup> Members of the Small UAV Coalition are listed at [www.smalluavcoalition.org](http://www.smalluavcoalition.org).

In section 2210, Congress directed the FAA to use its section 333 authority (now supplanted by section 44807) to allow for BVLOS operations to protect and restore critical infrastructure. While FPL intends to operate within the visual line of sight of the pilot in command (“VLOS”), granting an exemption for UAS operations over 55 pounds is consistent with this strong congressional direction.

The UAS is built to certification performance standards in Part 23 (small aircraft). It is a short takeoff and landing (“STOL”) UAS, capable of flying up to 27,000 feet above ground level (“AGL”), but the UAS will be flown VLOS and at altitudes prescribed by FAA Air Traffic Control in the Certificate of Authorization (“COA”).

The petition states that it intends to operate under the same conditions and limitations the FAA has imposed in Exemption Nos. 16431A (BNSF Railway Company), 11448B (Yamaha Motor Corporation), and 17744 (Leading Edge Associates), which authorized UAS operations of aircraft over 55 lbs.

In mitigation, FPL will not intentionally fly over any person and will operate only in sparsely populated areas or the airport it identified in its concept of operations. The remote pilot will hold an airman certificate, either air transport, commercial, or private. The Coalition supports an exemption from the requirement that a pilot conducting a commercial operation must hold a commercial pilot certificate. The FAA has previously granted exemptions from this requirement, authorizing pilots who have satisfied a knowledge and training regimen relevant to the nature of the operations and the risks of such operations.

With respect to airworthiness, FPL points to proposed conditions and limitations that it believes will provide an equivalent level of safety. FPL notes that the UAS “and some of its components” have been operating safely for years. If GPS signal is lost, it will trigger the return to home technology; similarly, if there is a lost communications link, the UAS will follow a pre-determined route to reestablish the link or immediately recover or land.

In sum, the Small UAV Coalition supports FPL’s petition for exemption, in consideration of the safety features detailed in its petition and the particular operational environment where UAS operations will eliminate the risk to persons on the ground and to manned aircraft. Accordingly, the Coalition requests the FAA grant FPL’s petition for exemption in full.

Respectfully submitted,

A handwritten signature in black ink that reads "Gregory S. Walden". The signature is written in a cursive style with a large, prominent "G" at the beginning.

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