



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

Aviation Safety

800 Independence Ave
Washington, DC 20591

December 2, 2021

Mr. Brian Rutt
139 Shoreview Drive
Elysian, MN 56028

Dear Mr. Rutt:

This letter is in response to your August 16, 2021 letter sent to the Federal Docket, Docket No. FAA-2021-0731. In your letter, you petitioned the Federal Aviation Administration (FAA) on behalf of yourself, for an exemption from § 61.160(b)(3)(ii) of Title 14, Code of Federal Regulations (14 CFR). If granted, the exemption would allow you to be eligible for a restricted privileges airline transport pilot certificate with reduced aeronautical experience (R-ATP) at 1,000 flight hours of total time without completing the required flight training from a part 141 pilot school holding the required letter of authorization (LOA) to issue R-ATP certifying statements.

You requested relief from § 61.160(b)(3)(ii), which states, in pertinent part, that a person may apply for an ATP certificate with an airplane category multiengine class rating or an ATP certificate concurrently with an airplane type rating with a minimum of 1,000 hours of total time as a pilot if the person holds a commercial pilot certificate with an airplane category and instrument rating if:

- (ii) The required flight training was completed as part of an approved part 141 curriculum at the institution of higher education (IHE) or at a part 141 pilot school that has a training agreement under § 141.26 of this chapter with the IHE.

However, the FAA is unable to process your petition. The relief that you requested can only be granted to an institution of higher education, as defined in § 61.1, since the institution has the authority to certify a graduate's eligibility for an ATP-R certificate under the academic and aeronautical experience requirements in § 61.160.

Therefore, the FAA will take no further action on this petition and close the matter since the petitioner is not entitled to seek relief from § 61.160(b)(3)(ii), as this section is not applicable to the petitioner based on the provided information.

AFS-22-00135-E

Sincerely,

/s/

Angela O. Anderson
Director, Regulatory Support Division,
Office of Rulemaking