

# MEMORANDUM

## DEPARTMENT OF AVIATION

RANDALL H. WALKER  
Director

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TO: RANDALL H. WALKER, DIRECTOR OF AVIATION  
ROSEMARY A. VASSILIADIS, DEPUTY DIRECTOR

FROM: BARBARA L. BOLTON, AVIATION BUSINESS MANAGER



SUBJECT: REVISED SIGNATORY AIRLINE CRITERIA

DATE: NOVEMBER 22, 2011

Under the Airline – Airport Use and Lease Agreement that was first effective on July 1, 2010, (Airline Agreement), there is a distinction between Signatory Airlines and Non-Signatory Airlines. Included in the definition of “Signatory Airline,” it states that “Such Air Transportation Company must be able to meet specific requirements and/or minimum standards for Signatory Airline status as may be established by the Director.”

**Effective July 1, 2011**, the Department of Aviation (Aviation) has established the following criteria to determine eligibility for Signatory status under the Airline Agreement. Any Air Transportation Company that meets the criteria set forth below, at the time such Air Transportation Company makes the request to become a Signatory Airline under the Airline Agreement, may be offered Signatory status.

### Signatory Status – Air Service Criteria:

The following establishes the minimum criteria for air service commitment that an Air Transportation Company must make to the Las Vegas (LAS) market as a Signatory Airline. Domestic air carriers will be subject to Item No. 1 below, whereas international air carriers will be subject to Item No. 2 below. For any Air Transportation Company that provides both domestic and international service, it must meet the criteria for the category that applies to its air carrier operating certificate issued by the FAA or other similar governmental agency.

1. **Scheduled domestic service**, operational at LAS market at the time of request, meeting one of the following criteria:
  - a. 900 arriving seats per day, based on a seven (7) day average; **OR**
  - b. 750 arriving seats per day **plus** 5 arriving flights per day, based on a seven (7) day average; **OR**
  - c. Transoceanic service (requiring ETOPS certification) with 600 arriving seats per day, based on a seven day average, using a Group 4 aircraft or larger.
  
2. **Scheduled international service**, operational at LAS market at the time of request, meeting one of the following criteria:
  - a. Transoceanic service of 250 arriving seats per day **OR** 1 flight per day, based on a seven (7) day average; **OR**
  - b. Intercontinental service of 400 arriving seats per day **OR** 3 arriving flights per day using a Group 4 aircraft or larger, based on a seven (7) day average; **OR**
  - c. 3 weekly arriving flights of 250 arriving seats or more **and** using a Group 5 aircraft

### Signatory Status – Additional Criteria:

The following additional criteria have been established to set other minimum standards that must be met in addition to the air service minimums outlined above, to be eligible for Signatory Airline status.

1. Air Transportation Company has not been given any notice of default within the previous twelve (12) months.
2. Current Letter of Credit is on file with Aviation, it is in good standing, and it has not been drawn against within the previous twelve (12) month period.
3. Air Transportation Company is not currently in bankruptcy.
4. Current Certificate of Insurance has been continuously maintained on file with Aviation and is in good standing.
5. Current FAA or other similar government issued air carrier operating certificate is on file with Aviation and is in good standing.
6. Air Transportation Company has provided, at the time it is requesting Signatory status, its latest audited financial statements and such statements are acceptable to Aviation.
7. Air Transportation Company has provided a current ninety (90) day published flight schedule at the time it is requesting Signatory status, demonstrating that the Air Transportation Company meets and will continue to meet the applicable air service criteria required above, and as further referenced in Article 6 of the Airline Agreement.
8. Current Clark County business license, Clark County liquor license (as may be applicable), and State of Nevada business registration is in good standing and provided to Aviation at the time Signatory status is requested.
9. Customs and Border Patrol (CBP) Letter of Authorization for Las Vegas (International carriers only)

**Non-Signatory Airlines:**

Any Air Transportation Company that does not meet the Signatory requirements outlined above will not be offered the Airline Agreement for execution.

**New Entrant Airlines:**

Any new Air Transportation Company entering the LAS market that meets the Signatory criteria established above, will be offered Signatory status. Aviation will require the execution a Letter of Intent (LOI) between the parties which will include the following, at a minimum:

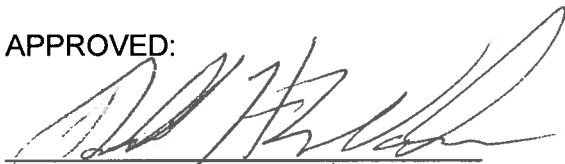
1. Air Transportation Company shall identify specific period of time that it will take the Air Transportation Company to meet the Signatory criteria. During this period, Air Transportation Company will be charged Rentals, Fees, and Charges at the Signatory Rate.
2. Once Aviation establishes that Air Transportation Company has met the Signatory criteria, Aviation will provide the Airline Agreement for their execution.

3. At the time of Air Transportation Company's start-up, Aviation will require that such Air Transportation Company post a Letter of Credit (LOC) in the amount of three (3) months estimated Rentals, Fees, and Charges, including Passenger Facility Charges (PFCs). In the event Aviation offers the Airline Agreement, this LOC will be reduced to exclude PFCs to comply with the initial LOC requirements under the Airline Agreement.
4. In the event that Air Transportation Company does not meet the Signatory criteria within the time frame established in the LOI, and it is determined that Air Transportation Company is not eligible for Signatory status, Air Transportation Company will be charged Rentals, Fees, and Charges at the current Non-Signatory rate retroactive to their operations start date at McCarran International Airport.

This Revised Signatory Airline Criteria Memo replaces the Signatory Airline Criteria Memo, dated July 23, 2010, in its entirety.

cc: Joseph Piurkowski, Manager of Airport Fiscal Services/Budget  
Scott Kichline, Manager, Commercial/Business Development  
Elaine Sanchez, Public Affairs & Marketing Manager  
Greg Gillis, Airline – Airport Affairs Committee Chair

APPROVED:



Randall H. Walker, Director of Aviation

Date: 11/21/11