

Segment Three – Private Sector Participation in NextGen Weather

Rick Heuwinkel and Kevin Johnston
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Introduction & Purpose

- Providers of today's NAS wx system are complex combination of Federal and commercial entities
- The NextGen wx system will be as well
- Challenge: build upon innovativeness and responsiveness of commercial providers, yet:
 - Provide consistent information to all users
 - Assure ready access by all stakeholders
- Purpose:
 - provide our view on the structure of the problem
 - ask industry users and providers for policy input
- We have more questions than answers



Policy Team Issues

1. Government and private sector roles and responsibilities

What entities (governmental and private sector) shall perform or be responsible for each aspect of NextGen weather services, including regulation, setting requirements, setting performance standards, quality assurance, production, dissemination, integration into decision systems, and supporting R&D?

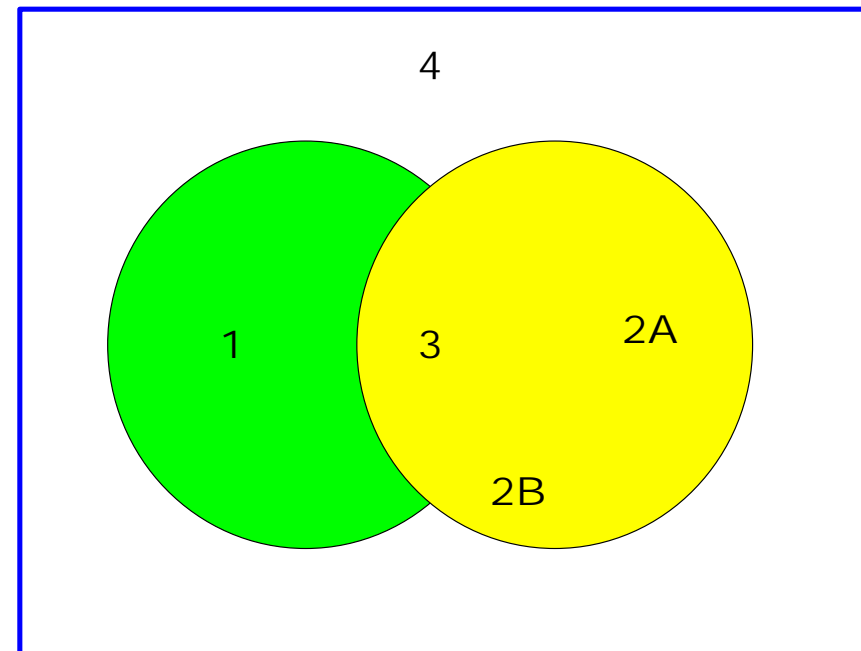
2. Global harmonization

What changes to aviation weather Standards and Recommended Practices in ICAO Annex 3 should be lead by the FAA, in collaboration with Eurocontrol, SESAR, and other international partners, in order to align global and NextGen practices? How will weather information generated by other states be handled in the US weathercube?



Details of Issue 1

- (1) All weather information used by the government to support ATM decisions (including CDM)
- (2) Approved weather information used for operational decisions made by pilots and dispatchers to meet regulatory requirements
 - (2a) Non-proprietary information
 - (2b) Proprietary information
- (3) Weather information that applies to both (1) and (2a)
- (4) All other weather information used by any NextGen participants
 - (4a) Non-proprietary information
 - (4b) Proprietary information



Next Steps

- Complete Policy Team analysis on agency and private sector roles by Sep 30, 2007
 - Then obtain agency staffing and buy-in
 - JPDO promulgation by Dec 31, 2007
- Complete initial recommendations for global standards to ICAO by Sep 30, 2008
 - Utilize existing bilateral and multilateral avenues
 - Present as a pre-coordinated package to ICAO



Inputs Welcome



- Questions were submitted in advance
 - Need your input on optimal industry role for a robust and efficient aviation weather system
 - Invite discussion now, but seek more deliberative written organizational responses in coming weeks
- Over to user panel



Questions (1)

- **Question 1:** There are many potential approaches to participation by commercial entities in the NextGen weather system, and some feedback on preferred approaches would be helpful. The following are example strategies for private sector involvement in production of the Single Authoritative Source (SAS) elements of NextGen weather presented to stimulate thought.
- **No private sector involvement.** The government is responsible for and will provide all SAS information.
- **By private sector contract.** The government is responsible for the provision of all SAS information, but they opt to contract out to industry in whole or in part to be the provider. The information provided under such contracts will be releasable to all users and may be included in the SAS information set just as if they were government-produced products.



Questions (2)

- **Pro bono**, such as a loss leader to promote other product sales. If a private sector provider wishes their information to be considered for inclusion in the SAS information set, they must allow unlimited access to all users. Note that the process for eligibility is not determined by this option.
- **Pro bono to the government**; pay per use for others. Private sector providers would allow the government to use their information in the establishment of SAS data without charge. However, all other users would be charged for the use. Note that it is not clear how this would stand up to legal scrutiny, as the government would be essentially requiring users to buy information from a particular vendor.



Questions (3)

- Unpaid anonymous assimilation into a fused product. Whoever performs the fusion would include all components which add value, including those from the private sector. The provider does not get paid.
- Throw-away contract. The government would contract with several or all private sector providers to provide information to the SAS and all users. Those vendors not chosen to be the SAS provider for any information subset on any given day would still be paid to produce the information, even though it is not used. Note that this alternative is not likely to be funded in any foreseeable budget, but it is included here to stimulate thought.
- Pay for use. Private sector providers can be included in a stable of providers in an Omnibus contract akin to the GSA schedule. They would work and be paid only on days on which they would be selected to be SAS providers.



Questions (4)

- **Question 2:** If the Single Authoritative Source (SAS) will be the basis for all government ATM decisions, and if all users must also have access to the SAS, who has responsibility to ensure that the SAS is funded and produced?
- **Question 3:** Presuming the Single Authoritative Source (SAS) will be the basis for all government NextGen operational decisions and all users must also have access to the SAS, what approach to government-commercial partnership is appropriate? What role should regulatory oversight play in the NextGen era public/private partnership?
- **Question 4:** Should the Government confine its role to setting, and enforcing, standards for data in the SAS and withdraw from the responsibility to produce the data?



Questions (5)

- **Question 5:** If an accident results from the use of private sector weather information, who is liable for damages?
 - If the cause was improper dissemination by the vendor?
 - If the cause was irregularities in the production of information, such as using old data in the production of a forecast when newer data were available.
- **Question 6:** Should the NextGen information infrastructure provide access to only the SAS information, or to all aviation weather information?
- **Question 7:** How can product quality be sufficiently ensured to satisfy safety needs?

