

15th January 2008

Mr Patrick Goudou
Executive Director
European Aviation Safety Agency
Postfach 10 12 53
D-50452 Cologne
Germany

Fax: +49 221 8999 0999

Corporate Head Office,
Dublin Airport,
County Dublin,
Ireland.
Telephone: +353 1 8121212
General Fax: +353 1 8121213
Site: DUBHQFR
Website: www.ryanair.com

Department Fax Numbers
Finance: 01 8121373
Sales & Marketing: 01 8446625
Flight Operations: 01 8444404
Engineering: 01 8121338
Reservations: 01 6097902

Dear Mr Goudou

Thank you for your letter of 17th December 2008.

We have since met with officials from your rule making department as part of a group of ELFAA members. The meeting was very informative and confirmed the validity of many of our concerns regarding the Moebus Report, which I summarise below:

- **Invalid:** EASA confirmed that the budget for the Moebus Report was limited to €100K - €150K, a modest budget given the significance of the study. Ryanair and Easyjet confirmed that they have made significantly greater investments in scientific research using the most modern technology available. In the case of Ryanair, Dr Mark Rosekind, formerly of NASA, conducted research over 82,000 Ryanair flights in the past year, utilising the objective, empirical data available from modern OFDM technology.

By contrast, the contributors to the Moebus Report, while individually respected, were deprived of access to large scale empirical data and were limited to self-referential commentary based on older, subjective and sometimes contradictory publications.

- **Inapplicable:** Lack of access to current research, empirical data or appropriate resources required Moebus contributors to utilise inapplicable studies on other forms of transport or the operation of obsolescent aircraft types. This neglects the extraordinary advances in aircraft automation/technical support now available to pilots, the highly proceduralised nature of aircraft operation and the fact that civil aircraft utilise two person crews. Recent fatigue research, utilising objective empirical data across 82,000 flights operated by highly trained Ryanair crews using Boeing 800 NG aircraft contradicts certain of the conclusions of the Moebus Report which relies on subjective, limited data based on the operation of largely obsolescent aircraft in a less regulated training environment or the operation of busses and trucks.
- **Contradictory:** The Report refers to sometimes contradictory scientific research and draws conclusions without addressing these contradictions. It is inevitable that individual research work or well meaning speculation, even by respected scientists, will deliver contradictory outcomes. The Moebus

Report makes assertions and claims without ever addressing or acknowledging these contradictions. This inevitably arises from the time constrained, low budget approach used with Moebus and the fact that the contributors had limited opportunity to comprehensively discuss the assertions made in their name, particularly in the context of an overall FTL scheme.

- **Lack of Support:** Your officials confirmed that where scientific work is outsourced by EASA the credibility of the service organisation is essential and should enjoy the confidence of stakeholders. At the same time, your officials confirmed that the Moebus Report had received no written support from any European airline and had received written support only from trade union sources. It is rare that vigorous competitors across a very broad range of airlines, from flag carriers to low fare airlines, achieve virtual unanimity. The Moebus Report regrettably has therefore failed in its objective to resolve those areas where agreement had not previously been reached.
- **Unsound:** Crucially, the Moebus Report fails to consider FTL schemes as a whole, which is contrary to EASA's objective. In the first instance the 18 selected questions resulted from political agreement thereby removing other FTL considerations from scientific assessment, individually and taken as a whole. Ryanair, which operates over 1,000 flights every day, has had experience of FTL systems similar to Sub Part Q and also to the UK model (CAP371). Our experience, supported by our 2,000 pilots, is that many of the elements criticised by the Moebus Report are, in fact, vital in maintaining roster stability, which is a key element in fatigue management. A lack of operational experience and lack of knowledge of our operational experience and scientific research has resulted in Moebus recommendations which are not helpful to the promotion of safe operations.

Your officials did confirm, however, that the Report was "not a matter of safety" but was a mandated exercise to fulfil the requirements of the EU Directive. Fundamental safety and efficiency issues should not, however, be subordinate to an administrative exercise limited by time and budgetary constraints.

We do support EASA's commonsense objective that FTL schemes should be tailored to address the specific operating conditions of individual airlines and that FTL systems should be viewed as a whole rather than a series of individual elements. Indeed the UK "opt out" from Subpart Q on the basis that for their own reasons, they preferred their system as a whole, confirms this point. Regrettably, the Moebus Report was forced to take an entirely opposite approach due to the limited prescriptive list of questions. For that reason, the Moebus Report should not be allowed to stand as a definitive reference point for the assessment of future FTL schemes.

I would like to repeat here two requests made by the airlines at our meeting, in order to ensure that the Moebus Report does not acquire undue and unintended authority or exclusivity:

- **Balance:** All commentary (supporting or critical) from interested parties should be published alongside the Moebus Report on the EASA website.


It is important that EASA does not deprive European citizens of the opportunity to consider the reasoned views of significant stakeholders.

- **Status:** A published declaration by EASA that the Moebus Report is not the definitive reference point for the evaluation of alternative FTL schemes and that objective, scientific research, based on empirical data, will be given parity of esteem.

We understand that the evaluation of alternative FTL schemes will be outsourced by EASA and your officials informed us that a tender for this function is currently in progress and due to close at the end of March. We have been unable to locate this tender on your website and would be grateful if you could advise us as to its status.

Finally, we are very grateful for the opportunity to have a candid and informative exchange of views with your rule making section. We recognise the challenges facing your organisation and you can be assured of our support in promoting sensible and practical safety initiatives. We look forward to your confirmation that our two reasonable, and simple requests as listed above can be accommodated by EASA.

Yours sincerely



Ray Conway
Chief Pilot

cc. Eamonn Brennan, Chief Executive, IAA