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PREZES  
Urzedu Lotnictwa Cywilnego

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## LOCAL RULE 2

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### MANAGEMENT OF A TEMPORARY REDUCTION IN AVAILABLE CAPACITY AS A RESULT OF A REDUCTION OF AIR TRAFFIC CONTROL (ATC) COVERAGE AT WARSAW CHOPIN AIRPORT DURING THE IATA NORTHERN SUMMER 2022 SEASON

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#### 1. INTRODUCTION

This Local Rule sets out the process for managing periods of reduced capacity as a result of measures implemented by PANSA due to staff shortages leading to reduced ATC coverage at Warsaw Chopin Airport.

#### 2. OBJECTIVES

The objective of this Local Rule is to:

- 2.1. Manage the demand for airport infrastructure against a reduced supply of capacity.
- 2.2. Provide the mechanism to support the release of capacity and ensure it's available for use as soon as its released.
- 2.3. This Local Rule should only be used when all other reasonable options have been exhausted.
- 2.4. Allow flexibility in the capacity management process to dynamically react to changes in the Temporary Capacity restriction to facilitate efficient use of available capacity.
- 2.5. Provide a process that is fair, transparent and non-discriminatory.
- 2.6. Ensure that any capacity reduction is spread across all Carriers that hold slots at the airport that use the affected infrastructure.
- 2.7. Provide reassurance to Carriers that hold historic rights that these will be protected for use in the subsequent seasons when capacity returns to the formal Declared Capacity.

#### 3. DEFINITIONS

Airport Authority	The operating company responsible for the management of the airport to which this Local Rule applies
Carriers	Air transport undertakings that operate to the airport that this Local Rule applies

Competent Authority	The Authority designated by the Member State or Government to determine Declared Capacity at the airport that this Local Rule applies.
Coordinator	Airport Coordination Limited, the appointed independent Coordinator
Coordination Committee	The committee established at the Level 3 airport that this Local Rule applies.
Declared Capacity	The formal declared capacity that is advised to the Coordinator as required under Article 6(1) of the Slot Regulation
HBD	Historic Baseline Date – 31 January for Summer and 31 August for Winter.
Slot Regulation	Council Regulation (EEC) No 95/93 as amended by Regulation (EC) No 793/2004, and its successors
Temporary Capacity	A temporary set of capacity limits advised by the Airport Authority or Competent Authority
WASG	IATA/ACI Worldwide Airport Slot Guidelines

#### **4. PRINCIPLES OF CAPACITY REDUCTION**

- 4.1. The Coordinator will aim to satisfy as much demand as possible based on the available Temporary Capacity.
- 4.2. This Local Rule will apply to all service types equally.
- 4.3. Services that do not utilise affected infrastructure will not be impacted by the Local Rule.
- 4.4. The Temporary Capacity will only apply to the period of the season that it relates.
- 4.5. The Temporary Capacity should be notified by the Competent Authority as soon as possible to the Coordinator and Carriers after consultation with the Coordination Committee.
- 4.6. The Coordinator will give an indication of the required reductions by carrier as soon as possible after receiving the notification however the actual reduction will be based on the slots held by the Carrier at HBD for the given season .
- 4.7. The Coordinator will consider if any airport specific guidance is required to facilitate the capacity reduction and after consultation with the Airport Authority, Carriers and the Coordination Committee will publish the same.
- 4.8. The required capacity reduction will be measured based on hourly capacity, with total capacity reductions per day and per week used as additional checks to

ensure a fair distribution of cancellation across Carriers. The parameter used to determine the required reduction will be based on the restriction being implemented.

- 4.9. All Carriers should share the impact of the capacity reduction where appropriate. (a carrier that operates in a period where capacity is available may not be required to cancel having given all Carriers an equal opportunity to retime flights to maintain a balanced cancellation).
- 4.10. The Coordinator will consider the needs of the carriers that have their aircraft based at Warsaw Chopin Airport (e.g. operational challenges) and will take into account these factors in determining necessary level of reductions among the carriers and particular flights.
- 4.11. Capacity reductions will be based on the peak week within the affected period to identify the maximum capacity reduction required. Where capacity exists throughout the season the amount of demand to be removed will be reduced to minimise the impact on Carriers.
- 4.12. Capacity reduction will only apply in the periods that demand exceeds available capacity unless capacity is required in other periods to allow for retimes to ensure all Carriers contribute in proportion of the number of slots held. For example, where one carrier would be requested to cancel more than the proportion of capacity held by that carrier in a particular period, the coordinator may seek to widen the period for reductions until a fair and proportionate reduction across all carriers in the affected period can be achieved.
- 4.13. Reductions related to aircraft movements will be managed based on the Runway R60 constraint.
- 4.14. In determining the level of required cancellation, the percentage share held by a carrier will be maintained as close to the proportions after initial coordination. For example, if carrier A held 70% of capacity in the 0900 hour at initial coordination then they should hold approximately 70% of the reduced capacity in the same hour after the capacity reduction.
- 4.15. It is for the carrier to decide which flights to cancel to meet the reduction in capacity.
- 4.16. Carriers that are required to cancel services are encouraged to retime into available capacity.
- 4.17. Carriers with a single frequency per day will be protected wherever possible however may be subject to reductions to achieve the Temporary Capacity reduction.

- 4.18. If demand is at or below the Temporary Capacity any available capacity will be made available to Carriers to use on a non-historic basis.
- 4.19. Once the capacity reduction has been completed any increase in available capacity should be allocated first to those that have reduced capacity in the initial phase and in the proportion the carrier reduced. New or amended slots confirmed by the Coordinator in off-peak periods, after a capacity reduction is completed, would not be required to make further changes or cancellations to accommodate the reinstatement of previously cancelled flights.
- 4.20. Carriers are required to return slots that they do not intend to operate so they can be allocated to other Carriers where demand exists. Slots will be allocated on a non-historic basis. Should a carrier that has released slots wish to reinstate they will need to do so into available capacity based on the Temporary Capacity limits.
- 4.21. As far as possible the standard guidelines contained in the WASG should be maintained.

## **5. PROCESS**

- 5.1. The Competent Authority will provide the Coordinator with its Declared Capacity having consulted with the Coordination Committee in good time for initial coordination as required under Art 6(1) of the Slot Regulation.
- 5.2. The Coordinator will perform initial coordination and issue the SAL by the deadlines contained in the WASG.
- 5.3. New slot requests may be allocated on a non-historic basis or as a conditional offer with condition being related to not seeking to benefit from the presence of this Local Rule. New or amended slots will be considered by the Coordinator for historic precedence as per WASG 8.7.1.d where possible.
- 5.4. Based on the runway capacity reduction parameter provided by PANSAs, the Airport Authority or Competent Authority will notify the Coordinator, Coordination Committee and Carriers of any capacity reduction required providing a detailed explanation of why the declaration must be revised and how the Temporary Capacity has been calculated. During consultation with the Coordination Committee, the Competent Authority will advise the period impacted.
- 5.5. The Coordinator will immediately put in place measures to prevent new slot requests from being processed until an assessment of the Temporary Capacity has been completed. OCS may also be disabled at times or message filters used to prevent series changes from being automatically processed. OCS will remain available for changes in the operational window for out of hours cover as required.

- 5.6. Pursuant to 5.4, an EGM or teleconference of the Coordination Committee will be called within 7 days to provide the Coordination Committee an opportunity to scrutinise the current conditions for a schedule reduction. The Coordinator is expected to provide information on the current status of the schedule against the proposed reduced limits and cancellation activity for the affected period. The Carriers are expected to provide non-commercially sensitive information on future schedule demand. The Coordination Committee will recommend during the EGM or teleconference whether to proceed with a schedule reduction or not.
- ~~5.7. The Coordinator will assess the Temporary Capacity against the slots held to determine the level of capacity reduction each Carrier is expected to contribute. Where the restriction involves a new constraint, the Coordinator will prepare and post on its website a base capacity assessment to determine any capacity reduction by Carrier.~~
- 5.8. Carriers should make their own determination of what flights to impact and submit cancellation messages as per 5.9 below.
- 5.9. Carriers should submit cancellation messages at the earliest opportunity but no later than the agreed deadline.
- 5.10. All Carriers will be given an opportunity to retime flights if they desire to do so. The Coordinator will advise a deadline that retime requests should be submitted by. After this date, the Coordinator will process the requests to ensure a fair distribution across Carriers. After this process has been completed, all subsequent changes will be processed on a first come, first served basis.
- 5.11. The Coordinator will report on progress made to reach the Temporary Capacity.
- 5.12. Once the capacity returns to the formal Declared Capacity, those that have reduced capacity in the reduction phase will be allocated first, up to the capacity that the carrier has earlier reduced.

## **6. TRANSPARENCY**

For the purpose of transparency, the Coordinator will publish on its website:

- 6.1. The Temporary Capacity limits and the supporting analysis
- 6.2. The total number of slots/seats that need to be cancelled to comply with the Temporary Capacity limits
- 6.3. Details of the required reductions by Carrier
- 6.4. Compliance in adhering to the Temporary Capacity limits by Carrier

## **7. ALLEVIATION**

Alleviation will be granted to slots cancelled in compliance with this Local Rule under 10(4)(b) of the Slot Regulation or any other appropriate Law in place at the time of the requested reduction.

Alleviation will only be granted to slots returned in advance of the planned operation and cancelled to comply with the Temporary Capacity. Cancellations in excess of the required reduction will not be granted alleviation.

During the validity of this Local Rule, ACL will relax its limitations on re-times counting towards utilisation of slots.

## **8. HISTORICS**

Historics for the subsequent season will be based on the allocation held at the HBD. Flights that are granted alleviation will be treated as operated in the calculation of utilisation.

## **9. COMPLIANCE**

Carriers failing to comply will result in a Safety concern for which the Airport Authority will need to consider appropriate action. This may result in a Carrier being unable to operate during the period that the Temporary Capacity applies.

ACL will review any failure to operate to the times allocated in line with Article 14(4) of the Slot Regulation and/or any sanction schemes in place in the relevant jurisdiction.

## **10. SCOPE & REVIEW OF LOCAL RULE**

This Local Rule will apply for the S22 scheduling season but will expire immediately on PANSAs advising that normal service has resumed.

Should the Local Rule need extending beyond S22 it will be reviewed prior to the next Coordination cycle post its adoption. The Coordinator will review and propose any changes to the Local Rule for discussion at the next Coordination Committee. The Coordination Committee will be asked to approve the use of the Local Rule prior to the commencement of the subsequent season.