

Ms Louise O'Dwyer,
Commission for Aviation Regulation,
Third Floor,
Alexandra House,
Earlsfort Terrace,
Dublin 2.

31/08/04.

Dear Ms O'Dwyer,

I refer to your recent public notice inviting comments on your CP 5/2004 - Consultation on Access Fees to Airport Installations.

The various court judgements stand as a matter of record, but I would draw your attention in particular to the European Court of Justice's comment (re-emphasised on a couple of occasions through the course of your document) that "the fees collected should be determined according to relevant, objective, transparent, and non-discriminatory criteria". Your failure to publish in any degree of detail the make-up for instance of the annual check-in desk rental at Dublin Airport of €16,718 p.a and a supplementary hourly rental of €20.90 in my opinion fails the transparency test. You may well contend that the proposed charges are below cost, but where's the hard evidence.

CityJet would also very much oppose any attempt by Aer Rianta to claim any retrospective approval for rate increases. Indeed we look forward to receiving from Aer Rianta any and all refunds payable for any overcharged fees in line with the High Court judgement of March 2004.

Yours sincerely,

David Finn.
Ground Operations Manager,
CityJet.