

**BEFORE THE
U.S. DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.**

DOCKET NO. OST-2022-0109

NOTICE OF PROPOSED RULEMAKING

**ENHANCING TRANSPARENCY OF
AIRLINE ANCILLARY SERVICE FEES**

The Travel Technology Association, the American Society of Travel Advisors, and Global Business Travel Association, each of which represents the interests of ticket agents and other entities involved in the distribution of airline services as well as airline passengers and corporate travel buyers (“Petitioners”), hereby respectfully request a sixty day extension of the comment period in the October 20, 2022 Notice of Proposed Rulemaking initiating this proceeding (“Notice”). Comments are currently due on December 19, 2022.

An extension is warranted for several reasons. **First**, while Petitioners are supportive of the Department’s goal of enhancing transparency and improving the ability of consumers to make more informed choices, the Notice in this proceeding raises numerous detailed and complex issues and questions that require the distribution sector’s careful consideration. Many of these issues arise from the Department’s proposals to require that certain “critical” ancillary fee information be displayed on the first website page returned in response to a customer’s search. This “first page” requirement, were it retained, will create significant issues for the members of the Petitioners’ organizations. Further, the Notice’s requirement to disclose multiple fees in each and every “offline” transaction – even with respect to repeat customers and frequent fliers – will clearly impact agency operations. Our respective members are in the midst of assessing the implications of the Department’s proposals. But it will take them more time to complete those assessments and develop a full response to the Department. That response is very likely to offer a proposed approach to several of the specific proposals raised that is alternative to the approach described in the Notice, including a more flexible alternative that will

address some significant issues with the Department's current display proposal. This will take more time to coordinate and develop.

Second, Petitioners strongly favor the requirement that they be given access by airlines to the fee data described in the Notice, and additional data. However, as noted above certain of the issues raised in the Notice, including most importantly issues regarding the timing and location for the display of the critical ancillary fee information, go to the heart of the business model for Petitioners' members. They are, after all, in the business of displaying and marketing airline service data to consumers in a usable and clear format. The Department's proposals for first search page display of a substantial amount of fee data challenge their ability to meet that goal. In other words, the Department's proposals are of central importance to the ability of Petitioners' members to conduct their businesses. That being the case, those proposals require significant input from both the business and marketing sides of the ticket agent and meta search businesses operated by the Petitioners' members, but also from the technology side of each of their businesses. Developing fully responsive comments will require intensive in-house coordination within each members' organization as well as coordination at the association level. While all of that work is underway, correlating responses from these numerous sources and developing and then articulating those responses in Comments that the Department will find most useful will take more time.

Third, the timing of this proceeding comes while our organizations are developing their responses to the significant airline refund proceeding (Docket OST-2022-0089), which is taking a good amount of time given the complexity of the rules proposed there. While requests for extension of time for submitting comments in the refund proceeding are pending, those comments are currently due on November 21 and Petitioners are working hard to meet that deadline. Preparation and review of those comments is thus consuming the limited time available to the Petitioners and adding an additional challenge to preparing comments in the ancillary fee proceeding. Finally, the Department recently announced a two-day meeting of the Aviation Consumer Protection Advisory Committee on December 8 and 9 covering both of the above pending rulemakings, for which the Petitioners will also require time to prepare. Extension of the comment period in both proceedings would help to relieve that burden.

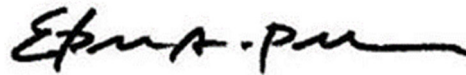
Finally, as noted the comment period in the ancillary fee proceeding currently closes on December 19, the day after the start of the Hanukkah holiday and only days before the Christmas/New Year's break. Inevitably, some key personnel will not be available on the 19th or even for days prior to that date. For this additional reason, not to mention that the Thanksgiving

holiday break also falls within the comment period, the Petitioners respectfully urge a 60 day extension of the comment period in this proceeding.

Respectfully,



Laura Chadwick
President
The Travel Technology Association
3033 Wilson Blvd.
Suite 700
Arlington, VA 22201
202-550-8939



Eben Peck
Executive Vice President, Advocacy
American Society of Travel Advisors
675 N Washington St, Ste 490, Alexandria, VA
22314
703-739-6842



Shane Downey
Vice President, Government and Community
Relations
Global Business Travel Association
107 S West St Suite 762
Alexandria, VA 22314
703-684-0836