EPISODE 332

[EPISODE]

[0:00:08] IP: Hello and welcome to episode 332 of AvTalk. I am Ian Petchenik, here, as always with –

[0:00:16] JR: Jason Rabinowitz. What's going on, Ian?

[0:00:18] IP: It's the MRTT of podcast episodes. How you doing, Jason?

[0:00:21] JR: We've got a little bit of everything, or – Oh, no. It's 332.

[0:00:27] IP: Here it is.

[0:00:28] JR: Oh, I didn't even – Wow, I looked right past that. Man, that's not great. The more successful of the lesser version now of the A330, I guess, right? Maybe.

[0:00:40] IP: The more successful of the lesser version.

[0:00:43] JR: Yes. Well, we have the EO now. No one cares about the CO. Wait, no. Do I have that backwards? Did the A330-200 sell better than the 300? I might have that backwards. No, definitely not. I have that backwards. But I know enough to know that I was wrong.

[0:00:57] IP: It's okay. I think starting the podcast with you being wrong is a good way to dive in.

[0:01:03] JR: We'll get you at some point. Your turn will come.

[0:01:05] IP: We'll get me at multiple points. I'm just here to, I don't know. I'm just here for a good time.

[0:01:10] JR: Okay, wow.

[0:01:11] IP: All right.

[0:01:12] JR: What a Wednesday.

[0:01:13] IP: It's Wednesday, August 13th. Summer is, well, I said last week, summer was wrapping up, and you reminded me that summer was not wrapping up. Everyone is still on vacation. While that may be true, I get to send my kids back to school next week. I'm very excited about that. Before we do, we have to get through a slew of aviation news this week. We will start with Spirit Airlines going concern concerns. Their second quarter earnings came out this week.

[0:01:46] JR: Bad.

[0:01:49] IP: Yeah.

[0:01:49] JR: That kind of just sums it up. No, no. They are –

[0:01:52] IP: Very not.

[0:01:53] JR: Yeah. Spirit is still losing money, hand over fist. It's very not good. They are losing money faster than they thought they would, which after bankruptcy and all of the things they have done, now including furloughing, or, was it furloughing, or laying off pilots? I'm not sure which it was.

[0:02:13] IP: It was a furlough at the beginning of the year, and then it's an upcoming second furlough in addition to downgrading captains.

[0:02:23] JR: Yeah, that's it. Yeah, things are bad. It says that, if measures it's taken to increase liquidity, things they're doing, like monetization of certain aircraft and real estate. Wait, I'm sorry. We'll get to that. But it says, if things it's already doing to increase liquidity, which would be the increase of premium capacity on the airline by rearranging all sorts of fair brands over and over, the reinstation of some fees and things like that, but if the things they are currently doing to turn around the airline to make more money do not work, they're going to have to turn to some

drastic measures to try to raise capital. Otherwise, “There is substantial doubt,” and that's a quote from them, substantial doubt that they will still be a going concern within 12 months.

[0:03:14] IP: Not good at all.

[0:03:17] JR: No. What can they jettison to raise some money if that happens?

[0:03:22] IP: I mean, this is one of those situations where if you're having to discuss this –

[0:03:28] JR: It's not good.

[0:03:29] IP: If you're having to plan for this, it's already very not good. The idea that Spirit has floated is basically, sell what aircraft they can, as well as their airport usage, either slots, or runway timings, and get money that way. This is one of those things where all of those things are required to make money for the airline.

[0:04:00] JR: Yes, you need airplanes and gates and slots to be an airline. If you sell those off to raise money to still be an airline, you won't be an airline anymore, because you won't have the things you need to be an airline. It's really a catch 22 here for Spirit. But Ned Russell put together a list of things that other airlines could potentially want, which would be 45 A320 family aircraft, 52 A320neo family firm orders. Now that's an interesting one, because it doesn't impact Spirit today, but we know other airlines would hop on real quick to buy those slots off of Spirit, if they wanted to. 10 preferential use gates at Fort Lauderdale, six preferential use gates at Detroit, and of course, here in New York, where everything matters more, LaGuardia slots and Newark runway timings, because those are the only airports that Spirit operates to where you actually need slots, or runway timings, which are essentially slots. Those are extremely valuable.

If Spirit goes selling those off, it'll be really quite interesting, because there is an entire terminal at LaGuardia that does nothing but serve Spirit flights. That could be interesting. Who out there could want just an entire terminal LaGuardia to play around with and have to their selves? I actually don't know the answer to that.

[0:05:20] IP: I can think of a couple airlines who might be tempted by that, but I'm not sure if anybody wants a terrible headache to deal with all of that. Certainly, Spirit doesn't. They say, they're working on it. They feel like they've got a plan, but all signs are pointing to the plan just not working.

[0:05:40] JR: Yeah. Spirit doesn't offer enough premium capacity right now. Of course, we know things are not great here in the United States, so travel is down a little bit, and Spirit has just not caught up to the premium demand that other airlines have been able to capture. Their turnaround plan may not be enough, or it may not work fast enough to really matter, unfortunately. I'm rooting for them. I do think the country needs a Spirit-type airline, but I suspect Frontier would fill that void real quick.

[0:06:11] IP: Yeah. It'll be interesting to see if Spirit does end up not being around, what does in fact happen to the airline's assets? If the rationale for keeping Spirit by itself on its own and not letting it merge with a variety of airlines, what does the government feel about the assets of that airline then going to certain other airlines?

[0:06:39] JR: I think it doesn't really matter, because it has to happen at that point.

[0:06:43] IP: Right. But how does that shake out? I guess, that's my question. Hopefully, I'm getting ahead of myself, because Spirit can pull it out. But we're definitely going to keep following the story, and we'll see what the third quarter holds in store for Spirit Airlines.

[0:06:56] JR: Yeah. Frontier might end up being in a real sweet position after having almost massively overpaid for Spirit just a couple of years later, getting to pick up the scraps at the dollar store.

[0:07:09] IP: Jason, the next story that we're going to talk about, we've been wanting to talk about for two weeks now.

[0:07:13] JR: But we keep forgetting to put it in the thing.

[0:07:15] IP: We just keep forgetting to put it in the show notes. We finally did. On the 25th of July, the French BEA had a short announcement on their website, that the Swiss Air Accident Investigation Board had begun an investigation into an incident that had occurred the previous November. This is where this comes from, because what the French do is they publish notices whenever they are involved, or whenever there is an incident that has occurred that they will be necessary to be involved in that is not in France. They're usually very short like, “Hey, we're party to this investigation. This is the basics of what happened.” That's really all we got. Then we looked at the data. Oh, boy.

[0:08:12] JR: Yeah, huh. Well, our reaction was the same. That's good, because, wow. What happened?

[0:08:18] IP: An Aegean Airlines A320neo coming in from Athens to Geneva, descended below the glide slope on its first approach. The lowest barometric altitude that the aircraft reached was a little less than 1,200 feet. That's the standard pressure, uncorrected barometric pressure altitude.

[0:08:45] JR: Okay, but what was the actual altitude?

[0:08:48] IP: When correcting for local pressure and local elevation, the aircraft descended at about three miles from the runway, so over Lake Geneva down to between 100 and 125 feet above the lake.

[0:09:08] JR: Miles away from the airport at 100 to 125 feet above the surface. Remind me, this was not at night, right? This was daylight with not really significant weather, correct?

[0:09:21] IP: It was daylight. It was 10 a.m.

[0:09:25] JR: Firmly daytime.

[0:09:26] IP: Local time. Yeah, 10 a.m., local time. The weather was not perfect, but there were no storms. There was, however, a broken cloud layer at 600 feet.

[0:09:39] JR: Okay. They were significantly below that. Really, really concerning for all sorts of reasons. First off, how would the aircraft have not been blaring out altitude alerts from the radar altimeter? How did air traffic control either not notice, or take so long to notify the crew? Or if they did, why did it take so long for the crew to react? Especially during daylight hours to be that low and that far away from the runway. It's astounding to be that this thing is still not just happens, but it's possible to even happen. That with all the technology crammed into a modern aircraft, like the 320neo, you can still almost have a controlled flight into terrain on a nearly perfectly daylight day. It doesn't make sense.

[0:10:27] IP: Thankfully, the flight ended without any injury, or further incident. The aircraft circled for a second approach and landed safely the second time. The Swiss are investigating. Hopefully, we'll have a report that explains what happened here and answers all of the questions that Jason very clearly laid out. Because, hopefully, it's not as simple as, oops. And hopefully, there's something to learn here, but we'll keep an eye on it to see if anything we can learn and if there are any safety enhancements that can be added here.

[0:11:04] JR: Yeah. It's good that at least somebody noticed and realized that this happened. If they didn't, of course, there wouldn't be an investigation, probably not.

[0:11:11] IP: Not of this kind.

[0:11:12] JR: Right. It's good somebody noticed. But every time we read something like this, I'm just stunned that it's still possible for something like this to happen.

[0:11:19] IP: Yeah. What's unclear from the announcement of the investigation is who took the initiative on the corrective action? We don't know if air traffic controllers noticed it and said, "Hey, what's the deal here?" Or, if pilots realized that they were still miles from the runway and said, "Maybe we should go around."

[0:11:39] JR: They said, "Wait, we're not a sea plane today."

[0:11:42] IP: No, we are certainly not. Hopefully, the preliminary report, at least, will provide a bit of information about the sequence of events, if not, of course, the cause.

[0:11:51] JR: There. We finally talked about it.

[0:11:52] IP: We did it. This week, Brazilian investigators released their final report on what they've termed serious incident. I'm not the investigators, but I would say, it maybe bumped that up a level. This occurred in February, when a GOL 737 MAX struck a ground vehicle in Rio de Janeiro. In action movie fashion, topped the pickup truck. We knew that this had happened, but with the report, we now know how it wasn't so much worse. Because thankfully, thankfully, thankfully, thankfully two things worked in everyone's favor here. One, the truck was parked on the runway longitudinally. It was facing down the runway. Two, the pilots saw the truck with enough time not to completely avoid the collision, but to swerve enough, so that they managed to fit the truck in between the nose landing gear and the left main landing gear.

[0:13:13] JR: Nailed it.

[0:13:15] IP: We'll put a link in the show notes to the final report, which includes a bunch of diagrams and photos. Just if this was in a movie, you'd go, “Come on. Really?”

[0:13:27] JR: Come on. That's not real.

[0:13:28] IP: That's not going to happen.

[0:13:29] JR: The top of the yellow truck doesn't just come off like that. Dear listeners, it does.

[0:13:34] IP: It does. The report's also interesting for a number of other reasons. That gets into the psychological aspects of the controllers and how the night was unfolding for the air traffic controllers. The truck was on the runway. The truck was supposed to be on the runway. It was there as part of runway maintenance. The controller locked their screen, which means that no aircraft can move on that runway. It's a visual representation saying, there's something going on in the runway that makes it unavailable for use. Then they walked away.

There was a lot of other things that were not necessarily not supposed to be happening in the control tower, like conversations and things like that, but that distracted that controller. The

controller then went back to their station, unlocked the screen, and cleared the aircraft for departure. Then when realizing that there was still a truck on the runway, they tried to find the truck, so that they could maybe get it off the runway somehow, instead of just telling the aircraft to stop the takeoff and cancel the departure glitch. Because at the point at which they realized something was wrong, the aircraft was only traveling at about 50 knots. They could have easily rejected the takeoff, reset, and gone again.

[0:15:05] JR: Yup. 50 knots is no big deal.

[0:15:08] IP: At multiple points, this was an easily preventable occurrence. The report is worth a read in talking about how the tower is managed, how the sequence of events played out, and in what aspects things can improve. Certainly, the air traffic controllers are working on that based on what the report mentions and the safety outcomes and learnings that they've included here.

They also include the screen captures for what the screen looks like when it's locked and when it's active. They're very different. I mean, this is a good [inaudible 0:15:44] –

[0:15:44] JR: Yeah. There’s a lot of red. There’s a lot of red. Yeah, it is very red when it’s locked. It's also really interesting in this report to see the amount, or quality of the surveillance video they have inside the air traffic control cap, including 360-degree cameras that lets them look at pretty much anything in the cab at the time, which I think is super cool. I don't know if that's common, or if this is just really a high-tech surveillance system they have in the cab there. It's a good use case to point out that, hey, when you have video recording of a situation and you're trying to piece together what exactly happened, turns out, video is really helpful to figure that out. Then I say, that as we've talked in recent weeks about including video recording in flight decks and including that recording on the flight data recorders, or whatever recorder onboard aircraft, having it in the air traffic control tower seems to have helped the investigation quite a bit here.

We could actually see what was on screens at the time and what was happening and not just guessing what was happening and inferring from audio and clicks and things. We get to see what actually happened. Of course, privacy is maintained here. All the actual employees are not

just blurred out, but completely blacked out, but the video, or even the stills here proved to be extremely helpful.

[0:17:02] IP: Yeah. Because the video shows not only what's on the screens, but also, what the controllers could actually see out the tower cab window. I think that's helpful and also traces their physical locations. There's at one point where all three controllers in the tower are trying to find the maintenance vehicle looking out the windows, instead of just saying, “Hey.”

[0:17:30] JR: Stop. Everyone, stop what you're doing.

[0:17:32] IP: Just don't move. Stop what you're doing and let's find that truck. It's very interesting in a lot of respects. I think Jason brings up a good point about the video being extremely helpful in the investigation.

[0:17:44] JR: Yup.

[0:17:47] IP: The Department of Transportation, Office of Inspector General here in the US is beginning a investigation into the FAA's handling and organization of DCA airspace. That comes after the NTSB hearings a few weeks ago, in which there was a lot of conversation about the safe management of helicopter traffic in the DCA area, as well as the usage, or lack thereof, of ADS-B out by military aircraft. To quote the DOT OIG, “We are initiating this audit to review FAA's oversight of existing safety gaps in the management of DCA’s airspace, including the exemption process for ADS-B out. Our audit objectives are to assess FAA's, one, oversight and management of the airspace surrounding DCA, and two, policies and procedures to oversee ADS-B out exemptions.” Two sentences that basically say the exact same thing, but it will be very interesting to see how those two play into each other, specifically in DCA, and if the DOT OIG carries that further to say, “Okay, what about ADS-B out exemptions nationally?”

[0:19:06] JR: Yeah. Good. Audit everything. Take a close look at the everything. The FAA has been mismanaged for decades, so none of this is new. This will only prove useful if the DOT OIG is actually allowed to independently investigate and come up with recommendations that the FAA then in turn actually implements, which is a long shot, given the FAA's history of not doing the things that they're recommended by others to do, but it can't possibly hurt for the OIG

here to investigate, because it has become, as we've talked about, many episodes in the past, so ridiculously, abundantly clear with hindsight that this airspace around DCA was a ticking time bomb that did unfortunately go off. We'll have to wait and see what the recommendations are, but it seems like the FAA has already taken the most blindingly obvious one of getting rid of that helicopter route that went right outside of DCA. We'll see what else they have in store, though.

[0:20:01] IP: Yeah. We'll wait for the report and go from there. In a follow-up to a story that we talked about, well, a few months ago now, this week, a judge in Chile dropped the charges against Ethan Guo, who is the 19-year-old who is attempting to be the first, or youngest person to fly solo to all seven continents as a way to raise money for cancer charities. Initially, Chilean authorities accused the young pilot of flying there without permission. He says, he had permission and that remains to be seen, because there's court filings, but that was not ruled upon.

What happened was, is the judge agreed to drop the charges. In return, Guo will make a $30,000 donation to a children's cancer charity within 30 days to avoid a trial. He also needs to leave Chile as soon as possible, and he's prohibited from re-entering Chile for three years. Guo also must pay all of the costs for his flight down there, keeping the aircraft there, as well as maintaining the aircraft, while he has been staying at a military facility on the Chilean base in Antarctica. He also needs to cover his own costs getting home.

[0:21:26] JR: That sounds pricey. Yeah, this all sounds quite pricey.

[0:21:32] IP: Yeah. That sounds like a lot of money.

[0:21:34] JR: Yeah. A little weird to make someone that's on a mission to raise money to donate to charity for cancer research, donate money already to another children's cancer foundation. I feel like that was end result anyway. Okay. Good that he's not being prosecuted, I guess, because we know the intentions were good. This whole thing is a little strange, isn't it?

[0:21:59] IP: It is very, very strange. Hopefully, we'll be able to learn more about how everything went down when he has in fact left Chilean soil. Let's stay in South America and talk about ginger.

[0:22:14] JR: What?

[0:22:15] IP: You heard me.

[0:22:16] JR: Okay.

[0:22:16] IP: I didn't know this. I have learned a lot this week about Brazilian ginger root.

[0:22:25] JR: I had no idea ginger came from Brazil. Okay.

[0:22:29] IP: Well, apparently –

[0:22:29] JR: Today, I learned.

[0:22:30] IP: - Brazilian ginger is very sought after. American Airlines in this year's ginger season, transported 900 tons of Brazilian ginger through Miami and Los Angeles.

[0:22:44] JR: Miami and LA, huh? Not New York. Oh, you know what? That route's not a 777 anymore. So, I guess, they have less cargo capacity than they used to.

[0:22:54] IP: Yeah. They used 787-8s and 777-200ERs from Rio and Sao Paulo to Miami and Los Angeles, routing 900 tons of ginger throughout the US.

[0:23:07] JR: All the fun stuff comes through Miami from South America. The amount and the varied everything that comes in through air freight through Miami is just incredible. We should really have them on the podcast one day and just tell us about all the weird things that come air freight through Miami that you never would have guessed. It's not just flowers. It's a lot of flowers.

[0:23:30] IP: It's a lot of flowers. It's also a lot of ginger, apparently.

[0:23:33] JR: Who knew?

[0:23:34] IP: I did not. Thanks to American Airlines cargo for sharing this fun fact. This is my who knew of the week.

[0:23:41] JR: Huh. I always thought ginger came from Idaho or something. I don't know.

[0:23:46] IP: Maybe it does.

[0:23:48] JR: All right. Not something I thought was so exotic.

[0:23:50] IP: I mean, I don't know if I'd call it exotic. I mean, there's –

[0:23:53] JR: Well, we're flying it in from Brazil. It's pretty exotic.

[0:23:56] IP: Got to fly it in from somewhere if we're not growing to here, right?

[0:23:59] JR: True.

[0:23:59] IP: Brazilian ginger is apparently prized for its robust aroma and high levels of gingerol, a bioactive compound responsible for –

[0:24:07] JR: You made that up. There's no such thing as gingerol.

[0:24:10] IP: I'm reading from the release.

[0:24:12] JR: Ginger ale. There's no gingerol.

[0:24:15] IP: Often referred to as blue ginger, this variety boasts high levels of gingerol, prized for its anti-inflammatory and digestive health benefits.

[0:24:23] JR: I still don't believe you. Gingerol.

[0:24:25] IP: It's more fibrous and nutrient dense than Chinese varieties of ginger, Jason.

[0:24:29] JR: Sure. It all ends up in a schweps.

[0:24:34] IP: This is now a ginger podcast.

[0:24:36] JR: So much to it that I had no idea. See what you can learn on this podcast?

[0:24:39] IP: There you go. We're educational, informative, and slightly off our rockers.

[0:24:45] JR: Just barely to all that.

[0:24:47] IP: Just barely. In this week's tariff news, Pilatus has stopped, or will stop importing aircraft into the U.S. for now. Unfortunately, for Pilatus, the U.S. accounts for 40% of its annual purchases. That's a lot of aircraft, as far as the small manufacturer is concerned. This is because of the recent 39% tariffs put on all Swiss goods coming into the U.S. They're trying to figure out what to do. They already have a U.S. manufacturing plant in the works, though it is not yet up and running. For its part, Pilatus says, they will not be removing any personnel, or anything like that. They're just going to wait this out for now and see what sticks.

[0:25:38] JR: All right.

[0:25:38] IP: Let's see. Canada, Jason? Shall we go to Canada?

[0:25:41] JR: We've got some Canada news. That's good.

[0:25:43] IP: We have some Canada news. It's not good news. No.

[0:25:47] JR: No. But some of it hasn't actually happened yet.

[0:25:50] IP: Well, by the time the podcast comes out, it'll be much closer to happening.

[0:25:53] JR: It will have either happened, or not happened.

[0:25:56] IP: Or not happened. Yes. We can do two versions of the story. Version A is the bad news version, in which Air Canada is preparing to lock out its flight attendants who have given notice to strike. That's a 72-hour notice that will go into effect on Saturday at 1 a.m. Eastern daylight time. Air Canada, for its part, says, it's participating in orderly wind down of operations that will be carried out over three days. This will affect Air Canada mainline flights, as well as Air Canada Rouge. I don't believe, based on what I've read from the airline and the union, it will affect regional flights operated on behalf of Air Canada by other airlines.

[0:26:39] JR: It does not. Air Canada, Jazz, or express, or whatever it's called these days, will not be impacted; normal flights operated by PAL on behalf of Air Canada be impacted. Though, I imagine those flights will be extremely busy. At least in cities here, like in New York, we have a mix of Air Canada mainline and Jazz. Those remaining Jazz flights are going to be quite in demand. The few that actually manage to depart when their aircraft aren't broken, or severely delayed, or canceled due to fleet's shortages, but at least something will be moving. Those, presumably, will still be scheduled at least. Yeah, Air Canada is already winding down, orderly wind down, they say.

It's Canada, so they've got to be very polite and very kind about it. It's an orderly wind down. Even if the strike does not actually go on, Air Canada still has to prepare for it and wind down the operations in advance of it. We saw this recently. I think it was last year with the pilot's union was preparing for a strike and it went down to the absolute wire and Air Canada was already in the process of winding down the schedule for a strike that did not happen. Hopefully, that's exactly what happens here. The flight attendants that we, I at least hope they can come to a last minute agreement and get what they want, and Air Canada can continue operating, because it is mid to late summer and rebooking for a lot of people last minute is going to be very difficult, if not impossible.

[0:28:07] IP: If this strike goes forward, that would have impacted about 130,000 passengers per day. Not an insignificant amount of people. Let's talk about what's at stake here between the flight attendants union and the airline. 10,000 Air Canada flight attendants represented by the union voted 99.7% in favor of a strike authorization at the beginning of August. The union is seeking wage increases, as well as the ability to be paid for ground work that they do. Flight attendants at Air Canada are still paid only when the door is closed.

[0:28:49] JR: Which is the industry norm, I believe.

[0:28:52] IP: Right. Air Canada flight attendants say, “We want to be paid for when we are doing things for the airline on the ground.” Things like, safety checks, responding to emergencies on the ground, or aircraft evacuations. The airline says, “Okay. We will pay you 50% of what you get paid as your hourly rate for ground work.” The pay increase that the flight attendants are seeking is much greater than the pay increase that the airline is willing to offer. They also seem to be unable to agree on how much money they are actually making and how much money they would actually make, because of the various use of statistics and what they're including in the pay package and what they're not. It doesn't sound like they're close to reaching an agreement.

[0:29:54] JR: No. Not great. I've also seen, at least from the employee side, this is a bit strange, but Air Canada has also put a blackout in employee travel through August 22nd, preemptively, which basically means that any employees who were traveling, I guess, non-rev, or on Z fares on Air Canada or other airlines, they are now locked out of employee travel, which is all sorts of strange, because that doesn't really help the situation. If it's space available flying, and you're worried about the strike, well, it doesn't really matter. Why would you prevent that, because it's space available, so if the space might not let employees fly on that. It seems like Air Canada is almost fanning the flames a little bit, which is very strange to me. It seems like everyone is pissed off right now. But hopefully, the strike doesn't happen. They can lift that blackout. Everyone can have what they want, and we don't have 100, what was it? 110,000 passengers per day?

[0:30:51] IP: 130,000.

[0:30:52] JR: 130,000 passengers. Air Canada is a big airline, impacted every day. Coming down to the wire, yet again.

[0:31:00] IP: We shall keep a close eye on this, and hopefully, be able to report next week that both sides have reached an agreement. However, if they don't, it is still possible that they could be ordered to binding arbitration by the Canadian government, something that is not entirely off the table. Though, the Canadian Minister for Jobs and the Family has said that she is monitoring

the situation and has urged both sides to the bargaining table, though we have not heard from the Prime Minister whether or not that he will order them into arbitration, which would block a strike. We'll see how that goes and be back next week with an update either way.

[0:31:40] JR: All right.

[0:31:42] IP: Sticking with Canadian news, a Canadian court upheld an earlier court's ruling that Ukraine International Airlines faces unlimited liability in the shootdown of Flight 752 in Tehran a few years ago. Ukraine International Airlines had appealed the earlier ruling saying, “We did not act negligently. Therefore, we should have our liability limited to what is basically, a little more than $200,000 per passenger based on the Montreal Convention.” This court said, “No. We don't think that you have proven that you were not negligent. Therefore, your liability exposure remains unlimited.” This does not decide right now how much the airline will need to pay to the families of the victims of that shootdown. That will come separately.

[0:32:47] JR: Proof was on the airline to prove that they were not negligent. It wasn't done the plaintiffs to prove that the airline was negligent? That seems backwards.

[0:32:58] IP: Yes.

[0:32:58] JR: Oh, okay. That is definitely not how it works typically here in the US.

[0:33:04] IP: A trial judge in Canada earlier ruled that the airline failed to prove on a balance of probabilities that it was not negligent, making their liability exposure unlimited. Now, a court of appeals for Ontario has said, “Yes, we agree with that.” The airline was saying, Tehran at that point was not a conflict zone. It had discretion to permit that flight to depart and other airlines were also departing. The court for its part said, “Well, there were missiles in the air.” That's kind of the definition of a war zone. You don't know what safety plan, or survey, or program any of those other airlines had in place. How could you know if they were making a good decision? It's basically, like a judge saying, “Well, if your friend jumped off a bridge, would you?”

[0:34:08] JR: Yeah. I don't know. Maybe.

[0:34:11] IP: Not helping, Jason.

[0:34:12] JR: No.

[0:34:14] IP: This is an interesting one, because it then moves on to a next phase of determining the amount of damages that the airline owes those families.

[0:34:25] JR: Yeah. Taking a cap off it and basically saying it's unlimited. That raises all sorts of other questions on how do you define the monetary value passenger by passenger? That's a sticky one.

[0:34:37] IP: Yeah. It'll be very interesting to see what happens and how quickly this – I mean, obviously, this has not been a fast-moving process. The aircraft was shot down at the beginning of January 2020. This is more than five years later. I don't think this one will be the over soon.

[0:34:58] JR: Yes. Ukraine International Airlines, of course, has had a whole lot of other stuff going on in the meantime.

[0:35:04] IP: Yes. Yes, indeed. Let's head over to Dubai, where Emirates has announced that they are banning power bank usage beginning on the 1st of October, and restricting their carriage onboard aircraft to anything less than 100-watt hours. You'll be able to carry your external battery bank on to the aircraft. You already can't bring in a checked baggage, but you'll be able to carry it on to the aircraft. It has to be less than 100-watt hours total charge capacity. You cannot put it in the overhead bin. It must either remain in the bag under your seat, or in the seatback pocket for the entire flight. You can't use it to charge anything while you're onboard.

[0:35:50] JR: Yeah. Emirates is one of the few airlines in the world that can get away with this, because it has power outlets at, I believe, in every seat on every plane, so you shouldn't really need to use a power bank. But this is definitely not the only country, or the only airline looking to do this. That 100-watt hour, I believe vaguely mirrors what we have here with the FAA in the US, at least for the internal batteries of equipment. I believe, the maximum allowable lithium-ion battery you can have in a device is no bigger, or it cannot be 100-watt hours, or larger. That's why many laptops, including a lot of Apple laptops have a 99-watt hour battery, just up to that

limit of what you can bring on an aircraft, but not touching it. That's no coincidence. What Emirates is doing is not just for internal batteries, but also external power banks. That's 100-watt hours, be a massive battery bank, if that's what they're putting in a MacBook Pro.

[0:36:52] IP: Yeah, I was going to say, when I saw this from Emirates, I was, okay, what size battery do I – It's not an insignificant battery.

[0:37:00] JR: Yeah. I have my typical one that I travel with right here in my hand. You know what? I don't actually know. I just know it's a – I don't know is the answer. This stuff is complicated.

[0:37:11] IP: It's about 37-watt hours.

[0:37:13] JR: There you go. Thank you. I know China has been very particular about power banks for a very long time, for at least a decade, that if your device doesn't have the specifications like the watt hours and all that printed on it, they confiscate it.

[0:37:25] IP: Oh, yeah. I should mention that. That'll also be part of the requirements beginning of October 1st.

[0:37:30] JR: Well, there you go.

[0:37:31] IP: You will need to prove your battery is what you say it is.

[0:37:35] JR: Yes. Hopefully, that will be printed on it accurately, and it is what it is, because we know a lot of these battery banks, you might purchase off less than scrupulous sites, like Temu, or whatever. A lot of those devices just, they're complete fabrications and they are not what they claim to be. Like those USB flash drives, they claim to be 5 terabytes, when they're really just a 512-megabyte SD card. A lot of this stuff is not trustworthy. A power bank is not something I would recommend buying on less than from a dealer that you would not really recommend buying anything else from, because lithium-ion batteries are, they’re little bombs, basically. Spend the extra few dollars off a name brand.

[0:38:20] IP: There you go. Jason, do you want to try and pronounce the volcano's name, or should I give it a shot?

[0:38:24] JR: I don't. You always take the tricky to pronounce things. So, have at it.

[0:38:30] IP: Let's see if I'm right. If I'm not right, anyone listening, please email us, podcast@fr24.com and help us out. Right now, we're talking about the Klyuchevskaya volcano, I think. As of right now, we're also going to need to start talking about the Krasheninnikov volcano, because that's also erupting right now.

[0:38:54] JR: Right in the region where there was that, what was it? 8.8 magnitude earthquake?

[0:38:59] IP: Yeah.

[0:39:00] JR: We've got some very dormant for centuries volcanoes, and they are right where you want to slot all those trans-Pacific flights.

[0:39:08] IP: At the moment, we've got two volcanic eruptions coming off the Kamchatka Peninsula. That has been playing havoc with trans-Pacific flights. There have been some very interesting routings over the past few days. Because in the before 2022 times, traffic would have just shifted slightly north and flown around the other side of the volcanic eruption, between North America and Asia. You can't do that anymore, because most of the traffic crossing the Pacific Ocean can't use Russian airspace. A lot of those flights had to fly due south from Anchorage and make a big right turn over the middle of the Pacific and then head on to places like China, Japan, Korea, or they had to stop for fuel and then continue on.

[0:40:04] JR: Yes.

[0:40:05] IP: That was not fun. Based on the current ash clouds, might not be fun again.

[0:40:10] JR: Yeah. Interesting to watch which flights did divert and did not divert. There was a lot of, obviously, right after it happened, airline scramble and do what they needed to do. There are a lot of flights between New York and Tokyo, I think eight a day. One thing's finally stabilized,

there was only one flight a day that still had to divert. That was United's flight from, I believe, Haneda to Newark, because it was the only one using an elderly 777-200. Everything else is on a 787, 777-300ER, or an A350. That poor little 777-200 just didn't have the legs to go all the way to Newark. It finally, just yesterday, started making that flight nonstop again, I guess, the winds were favorable. Today, it had to divert to Cleveland, because of weather in Newark. United just can't win.

[0:41:02] IP: Oh, man.

[0:41:03] JR: It's okay. The other flights diverted to Boston, so they got some of that, too. They just can't win.

[0:41:08] IP: They just cannot win. Speaking of a win, Awesome Cargo is currently the only airline transiting between the two ash clouds. That's an interesting place for them to be. Awesome Cargo, which is a new-ish Mexican cargo airline operating with A330 passenger freighter –

[0:41:31] JR: Oh, them. I know them. Yeah.

[0:41:32] IP: - aircraft. Their call sign is Win.

[0:41:35] JR: They are threading the needle.

[0:41:37] IP: Very, very slightly. Yes. Let's continue with our conversation about the weather and talk about typhoons. It is typhoon season. That means, it's Taiwan's turn to get hit by wind and a whole lot of rain. That made for some very interesting flights coming into Taipei today, which was not directly impacted by the typhoon just yet. However, the wind coming off of Typhoon Podul made for some dicey landings and one in particular.

[0:42:14] JR: Yeah. One in particular will be a UPS 747-8F. I don't think it was coming from – Was it coming all the way from Anchorage? I don't think it was. I think it was coming from China, may? Not completely sure. It doesn't matter. It was coming from somewhere. It's a 747. It's really big. Looks like happens is they were –

[0:42:34] IP: Hong Kong.

[0:42:35] JR: Hong Kong. Thank you. Looks like, when they were just about to touch down, they were hit with a bit of a nasty gust, and they yawed quite a bit to the left. It looks like, then they overcompensated a bit to the right, and there was a pretty dramatic looking engine pod strike captured on a live stream at the airport in Taiwan. A lot of sparks, a lot of big, scary visuals. Then the aircraft just taxied to its ramp position. No problem. There's some pictures of the engine missing its cowling. Now, I don't know if the cowling came off during landing, or if it was removed for inspection, but that airplane's probably going to be in Taipei for a while.

[0:43:16] IP: Yeah. It'll be interesting to see how long it needs to stay there and how much repair needs to be done, whether it was just cowling damage and they can get it –

[0:43:25] JR: Slap a new one on and get it out.

[0:43:27] - quickly. Or, maybe they can borrow one from someone. But if they need a whole engine, there's further proof that the 777-300ER SF is up to the task. Because IAI had successfully loaded, not this engine powers the 747-8. I'm just trying to transition here. They loaded a Rolls Royce Trent 1000 into the new 777 freighter. That was cool.

[0:43:56] JR: Yeah. You need a 777-300ER to deliver an engine to little baby bro 787. That's nice.

[0:44:04] IP: Yeah. We'll keep an eye out for that one, as air framers continually try and say, “Hey, we can carry big stuff with our planes, too.”

[0:44:14] JR: Nice.

[0:44:16] IP: In good news, or rather news that needed to happen, or bad things would, the UK Competition Authority has approved Boeing's acquisition of Spirit Aerosystems, or the work of Spirit Aerosystems that Boeing was trying to acquire in the UK. That's very good news to move things forward.

[0:44:35] JR: That makes sense. What's next?

[0:44:37] IP: Oh, boy. This, while it makes sense, is a bummer? Well, in general, but Jason seems excited, because it gives New York the top spot again. Alaska is cutting Hawaiian Airlines, Honolulu-Boston flight, which is currently the longest US domestic route at 4,427 nautical miles.

[0:45:00] JR: It puts us back on top at 4,330 nautical miles, as it should be.

[0:45:06] IP: As part of this discussion, Jason and I were trying to figure out what the longest domestic flight in the US could be. Not what it is, but what it could be.

[0:45:19] JR: It's not what you would think.

[0:45:21] IP: It's not what you would think.

[0:45:22] JR: And it’s never going to happen.

[0:45:25] IP: Well, that's the other thing about it. At 8,170 nautical miles, you could fly from San Juan, Puerto Rico to Guam.

[0:45:37] JR: That sounds like some Steve Giordano nonsense that like, maybe.

[0:45:43] IP: In a 737-200 making 27 stops.

[0:45:46] JR: It's not out of the realm of possibility. I mean, probably is out of the realm of possibility. But if anyone can do it and should take us along for the ride, it's Steve.

[0:45:55] IP: It's Steve. We'll ask him if he's ever managed that.

[0:45:59] JR: If you have another suggestion for what could potentially be the world's longest domestic, probably, but never actually going to happen flight, let us know.

[0:46:09] IP: What can you come up with? Well, Jason, when there's an up-gauge in aircraft, it's usually cause for celebration. In this particular aspect, it is cause for celebration, but this seems to go a bit overboard.

[0:46:22] JR: Let me toss you some words and you can guess what aircraft we're moving from and what aircraft we're moving to. As a hint, we've talked about this before in episode 279. The words used by this airline are big news, upgrading the journey, sleek, spacious, quieter, more comfortable, modern interiors, larger windows, more personal space, enhanced operational reliability and performance, premium experience, and to close it out, a whole new altitude. See, they were riffing off attitude, but they used altitude there. That is a lot of ways to describe Delta moving from a CRJ700 to an Embraer E175 in Aspen. Never before has there been so much hype about up-gauging to an E175. We talked about why that's a big deal for Aspen. You can go back to episode 279 for that. That's a lot of ways to describe an airplane that I fly down to Dulles on and don't even get a cup of water.

[0:47:30] IP: One day, Jason. You'll get that cup of water.

[0:47:32] JR: I'll get that cup of water. It will be big news with an upgraded journey on a sleek, spacious, quiet, comfortable, modern, large window, personal space, operationally efficient aircraft.

[0:47:43] IP: All right, then. How about a beer, though? Could you get a beer?

[0:47:46] JR: I would love a beer. I discovered today, I'm a couple of months late, and I'm really honestly disappointed in all of you for not pointing this out to me. My second favorite airline animal mascot airline, being Cayman Airways and Sir Turtle, they launched a custom beer. It's available on international jet flights, which I guess was –

[0:48:10] IP: I love that they say that.

[0:48:11] JR: Most of their flights, I believe, right?

[0:48:14] IP: I love that the beer is available on their international jet flights.

[0:48:19] JR: Yes. But it's special because we've talked, I believe we've talked about this before. I've personally talked about it before. Airlines that have their own custom beer brewed, specifically for the airline. In this case, I think it might be my favorite ever, because it's Sir Turtle's Skybrew. Sir Turtle, if you're not familiar with the mascot, is all over this can. It's basically, it is what it says it is, Sir Turtle's Skybrew. It is in IPA, I believe, brewed in the Cayman Islands. You note, Ian, it is only $6.

[0:48:52] IP: You get one for free, and then you can buy more for $6.

[0:48:55] JR: That's a damn good deal. Now I want to go to the Cayman Islands and have Sir Turtle's Skybrew.

[0:49:02] IP: Skybrew. I like it. I like it a lot.

[0:49:03] JR: Once upon a time, I put together an entire round-the-world itinerary using only airlines that have their own specific brewed beer for the airline. It's surprisingly easy, actually.

[0:49:15] IP: Well, that's good to hear. I mean, there are worse reasons to fly around the world, I think.

[0:49:18] JR: Yeah. Now you have to make a stop in Grand Cayman. It could be worse.

[0:49:22] IP: Would any of those flights hit one of your favorite, or least favorite airports of all time?

[0:49:29] JR: Well, I mean, if I'm going to the Cayman Islands, it'd probably be JFK to Grand Cayman. No. Neither end is my favorite, or least favorite airport. But if you were on the social medias today, you probably saw the debate about, hey, what's the worst airport in the world? Then others countered it by saying, "That's too negative. What's your favorite airport?" That's less fun, because there are so many good airports. The least favorite airport, Ian, what do you got at the top of the list?

[0:49:56] IP: As far as my least favorite airport?

[0:49:59] JR: Worst airport in the world, from your opinion.

[0:50:01] IP: This is tricky, because there are so many good ones, and then there's very specific things that make bad airports bad. I have to say, that Frankfort Airport is just bad.

[0:50:12] JR: That's the easy one. Yeah, that gets a lot of votes.

[0:50:16] IP: What bothers me about Frankfort Airport is it was designed without either passengers, or airplanes in mind.

[0:50:22] JR: Well, that's a problem. It serves nobody well.

[0:50:25] IP: No. There are a lot of airports that are bad for passengers, and good for airplanes, and there are a lot of airports that are vice versa. Frankfurt is just bad at both.

[0:50:36] JR: Yeah. It is dreadful. I personally put LAX currently at the top of the list. It's dreadful. It's a huge pain to get into, or out of. But that's where things potentially get better at the beginning of next year when the APM opens. Finally, I think that will take LAX off the top of the podium. It'll still be a firm number two. I think that will take it down from my personal designation as worst airport in the world.

[0:51:08] IP: This is a good time to remind everyone that in a month's time, literally a month's time from today, September 13th, Jason and I will be with so many good –

[0:51:18] JR: The worse airport in the world.

[0:51:21] IP: - avgeek friends experiencing the worst airport in the world, with Brett over at Cranky Flier and all of the good people at NYC Aviation for Dorkfest and Spot LAX. As far as I know, the list for the two, or airside participation at the Flight Path Museum is closed. The list is closed. We've reached a pass.

[0:51:42] JR: You're in wait list.

[0:51:42] IP: However, there is a wait list. Put your name on it, because there are always no shows. Hopefully, they can work something out to increase that capacity and get you over there. If nothing else, we will see you at 11 a.m. across the street from the in and out at the park, where we will eat burgers and watch planes.

All right, we close the show with some reader mail, because Jason, we were incorrect in our discussion about scope clause. One slight correction that an eager United pilot points out. We said that United can only operate a certain number of regional jets of a certain size. He pointed out that no, that's incorrect.

[0:52:27] JR: Come on.

[0:52:27] IP: The regional airlines can only operate a certain number. If United wanted to operate a million E175 with mainline pilots, and he points out, he goes, "I miss the Embraer." My hope is that United ends up with the E195-E2 as a mainline aircraft." It will never happen.

[0:52:48] JR: Never happen.

[0:52:49] IP: Wouldn't that be lovely?

[0:52:51] JR: United lovely for Delta itself, or American itself is not operating these aircraft. The regional carriers are operating them on behalf of the mainline airline. But yes, the E195-E2, never going to happen. The closest we're ever going to get to anything like this is the A220-100 operating as a mainline aircraft for Delta. Even that's like, really? I can't believe they actually did that. It's just, the E2 is at this rate, unless the scope clause changes, we will never see it in operation for mainline, or regional operation at a US airline, unfortunately. The E1 is remain the cockroach of the skies in the US for the foreseeable future.

[0:53:30] IP: And beyond that.

[0:53:31] JR: Yes.

[0:53:32] IP: All right. Let's call this an episode. We'll call it episode 332. I will say, thank you so very much for listening. If you have enjoyed this episode, any of the other episodes, or if you have comments, questions, or criticisms, email us at podcast@fr24.com. Or in the show notes, you can leave a comment if you go to the FlightRadar24 blog page. Thank you all so very much for listening. I am Ian Petchenik, here, as always with –

[0:54:02] JR: Jason Rabinowitz. Thanks for listening.

[END]