U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

800 Independence Ave., S.W.
Washington, D.C. 20591

JUN 2 2008

John Rudolph
[redacted]

Dear Mr. Rudolph:

This is in response to your letter dated March 12, 2008. In your letter, you state that two individuals plan to own (49% and 51%) a total of 7 companies. You write that Company A wholly owns Company A1, which owns an aircraft and that Company D employs the flight crew. Further, Company A charges the other companies for their use of A1's aircraft. Company D charges the other companies for the services of the flight crew and their expenses.

You ask whether the individual owners of all of these companies can be viewed as "parents" under § 91.501(b). The answer is no. Even if the companies were owned by one individual owner, that owner would not be viewed as a "parent" under § 91.501(b)(5). "Parent" as used in that section relates to corporate law and the relationship between a corporate parent and a corporate subsidiary.

You ask which entities should have operational control to ensure compliance with Part 91. Your question is not clear. Whichever entity has operational control in terms of the flight crew and in terms of being held accountable by the FAA and others in the event of a safety violation, incident, accident or injury, must comply with the safety requirements of Part 91.

To the extent that on separate flights different companies operate the aircraft, you ask whether each of those companies has to get FAA approvals for MELs or RVSM operations or whether the different companies can operate under a common approval for MELs or RVSM. As this not a legal issue, you should direct your question to the FAA Flight Standards Service, which will decide on the means and method of documenting which operator is authorized RVSM flight and which operator is authorized to operate pursuant to an MEL.

This response has been coordinated with Flight Standards Service.

Sincerely,

Rebecca B. MacPherson
Assistant Chief Counsel Regulations Division, AGC-200