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

Office of the Chief Counsel

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

JAN 04 2012

Mr. Larry Williams
Larry Williams and Associates
3579 Sanford Drive
Murfreesboro, TN 37130

Dear Mr. Williams,

This letter is in response to your inquiry regarding the definition of "week" as used in the definition of on-demand operations. Specifically, you ask whether the term "week" refers to "any seven days in succession or is it Sunday through the next Saturday, or can it be either?"

14 CFR § 110.2 definition of an "on-demand operation" includes "scheduled passenger-carrying operations conducted with...a frequency of operations of less than five round trips per week on at least one route between two or more points according to the published flight schedule" in "[a]irplanes, other than turbojet powered airplanes, having a maximum passenger-seat configuration of 9 seats or less, excluding each crewmember seat, and a maximum payload capacity of 7,500 pounds or less..."

Additionally, "scheduled operation" means "any common carriage passenger-carrying operation for compensation or hire conducted by an air carrier or commercial operator for which the certificate holder or its representatives offers in advance the departure location, departure time, and arrival location." 14 CFR § 110.2. See Legal Interpretation to Jamie Walker, President of Jet Linx Aviation from Rebecca B. McPherson, Assistant Chief Counsel for Regulations (2006) for a discussion of the definition of scheduled service and its three elements; *see also* Legal Interpretation to Greg Walden from Rebecca B. McPherson, Assistant Chief Counsel for Regulations (Mar. 1, 2010).

The FAA and the Department of Transportation have consistently interpreted a "week" to mean a calendar week, rather than a rolling 7 day period, when examining air carriers' schedules to ensure that they operate pursuant to their operating certificates. Frequency of scheduled operations during a week is measured from Sunday to the following Saturday.

We appreciate your patience and trust that the above responds to your concerns. This response was prepared by Nancy Sanchez, an attorney in the Regulations Division of the

Office of the Chief Counsel, and was coordinated with the Air Transportation Division of Flight Standards Service. Please contact us at (202) 267-3073 if we can be of further assistance.

Sincerely,

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