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September 3, 2024

**Via Federal Express and E-Mail**

Livaughn Chapman, Jr.  
Deputy Assistant General Counsel  
Office of Aviation Consumer Protection  
U.S. Department of Transportation, Office of General Counsel  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

**Re: Docket DOT-OST-2008-0273, Joint Request for Equivalent Alternative  
Determination Concerning 14 C.F.R. 382.61**

Dear Mr. Chapman:

Pursuant to 14 C.F.R. 382.10, LATAM Airlines Group S.A. (“LATAM Airlines”), LATAM Peru S.A. d/b/a/ LATAM Airlines Peru (“LATAM Peru”), and TAM-Linhas Aereas, S.A. d/b/a LATAM Airlines Brazil (“LATAM Brazil”) (collectively, the “Joint Applicants”) respectfully submit this joint request for an equivalent alternative determination related to the requirement in 14 C.F.R. 382.61 that aircraft seats have movable armrests.

Specifically, the Joint Applicants request this determination for their new business class mini-suite seats in their (i) B787-8 aircraft they will utilize in service to/from the United States commencing December 1, 2024, and (ii) B787-9 aircraft they will utilize in service to/from the United States commencing November 1, 2025.

Under 14 C.F.R. 382.61, aircraft of foreign air carriers ordered after May 13, 2009, or delivered after May 13, 2010, with 30 or more passenger seats must be equipped with passenger aisle seats with movable armrests on at least one-half of the aisle seats in rows in which passengers with mobility impairments are permitted to sit under FAA or applicable foreign government safety rules. Moveable aisle armrests must be provided proportionately in all classes of service in the

cabin. As explained in the Department’s December 3, 2010 letter, “the Enforcement Office has interpreted movable aisle armrest as meaning an armrest on an aisle seat that completely moves or folds out of the way while the seatback remains in an upright position to permit a passenger with a mobility impairment to safely make an unobstructed transfer (with assistance from carrier personnel if the passenger’s physical ability necessitates such assistance) from an aisle wheelchair to his or her aircraft seat.”

The new business class mini-suite seats on the B787-8 and B787-9 aircraft do not have armrests in the sense that traditional aircraft seats do. A rendering of the new business class mini-suite seats is included as Exhibit A, and schematic drawings of the new mini-suite seats in the B787-8 and B787-9 business class cabins are included as Exhibit B and Exhibit C, respectively. To meet the Department’s requirements, the Joint Applicants have established for both aircraft an equivalent alternative to providing movable armrests—passengers with mobility impairments can transfer horizontally into the new business class mini-suite seat without being lifted over an armrest or other obstacle through use of a glide board that the Joint Applicants will carry aboard their aircraft, consistent with DOT’s guidance in the preamble to 14 C.F.R. 382.61 and other similar cases in which airlines are using glide boards with the Department’s approval. The Joint Applicants thus request an equivalent alternative determination with respect to the new business class mini-suite seats in their B787-8 and B787-9 aircraft.

In support of this application we are including three video recordings, attached as Exhibit D, demonstrating egress and ingress transfers in a mock-up of the new Business Class mini-suite seats, as installation of these new seats in the B787-8 and B787-9 aircraft has not yet taken place. The dimensions and layout of the mock-up used for the recordings was constructed to be equivalent to the dimensions and layouts of the B787-8 and B787-9 cabins.

This request is supported by the Department’s findings in an equivalent alternative determination request filed by Air New Zealand, in which Air New Zealand proposed similar use of a glide board to transfer disabled passengers into and out of business class seats.<sup>1</sup> The Joint Applicants’ use of glide boards in their aircraft is essentially the same as that approved previously by the Department.

The Joint Applicants will comply with the standard conditions imposed by the Department in other cases in which equivalent alternative determinations for Section 382.61 have been approved, including:

- (i) obtaining prior Department approval for changes in seat configuration or dimension for aircraft to which this EAD applies;
- (ii) ensuring that employees and contractors are trained in procedures and the use of all equipment required to complete the safe transfer from the boarding wheelchair to the business cabin seat before the aircraft enter service with these seats; training will ensure proficiency in how to properly and safely transfer a passenger to and from the mini-suite business class seats;

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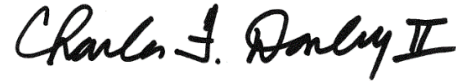
<sup>1</sup> See Approval of Application of Air New Zealand for an Equivalent Alternative Determination (May 16, 2022).

- (iii) ensuring provision of annual refresher training for employees and contractors in transferring passengers and retention of training records for three years; and
- (iv) for a period of three years, quarterly submission to the Department within thirty days of quarter close of any complaints, if any, received by the Joint Applicants related to transfers to and from mini-suite business class seats on B787-8 and B787-9 aircraft to which this EAD applies.

In view of the foregoing, and in accordance with the provisions of 14 C.F.R. 382.10 and prior decisions of the Department, the Joint Applicants respectfully request the Department's favorable determination that the Joint Applicants may utilize an equivalent alternative to the requirements of 14 C.F.R. 382.61 for the new business class mini-suite seats in their B787-8 and B787-9 aircraft.

Please contact the undersigned with any questions.

Very truly yours,



Charles F. Donley II

Enclosures    Exhibit A (mini-suite rendering)  
                  Exhibit B (B787-8 schematic drawing)  
                  Exhibit C (B787-9 schematic drawing)  
                  Exhibit D (video recordings)

cc:     Robert Gorman  
          Karla Hammonds

# **EXHIBIT A**

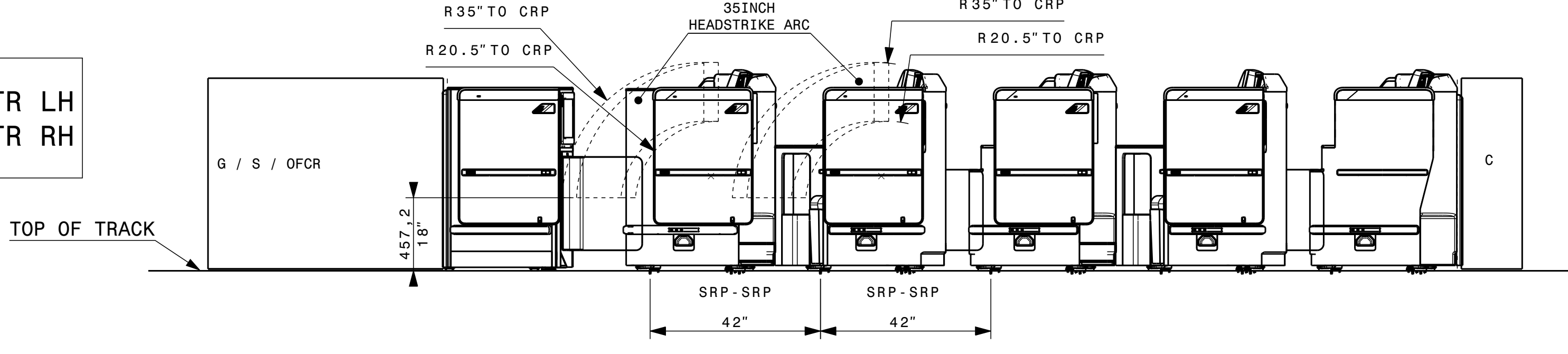
## **Business Class Mini-Suite Rendering**



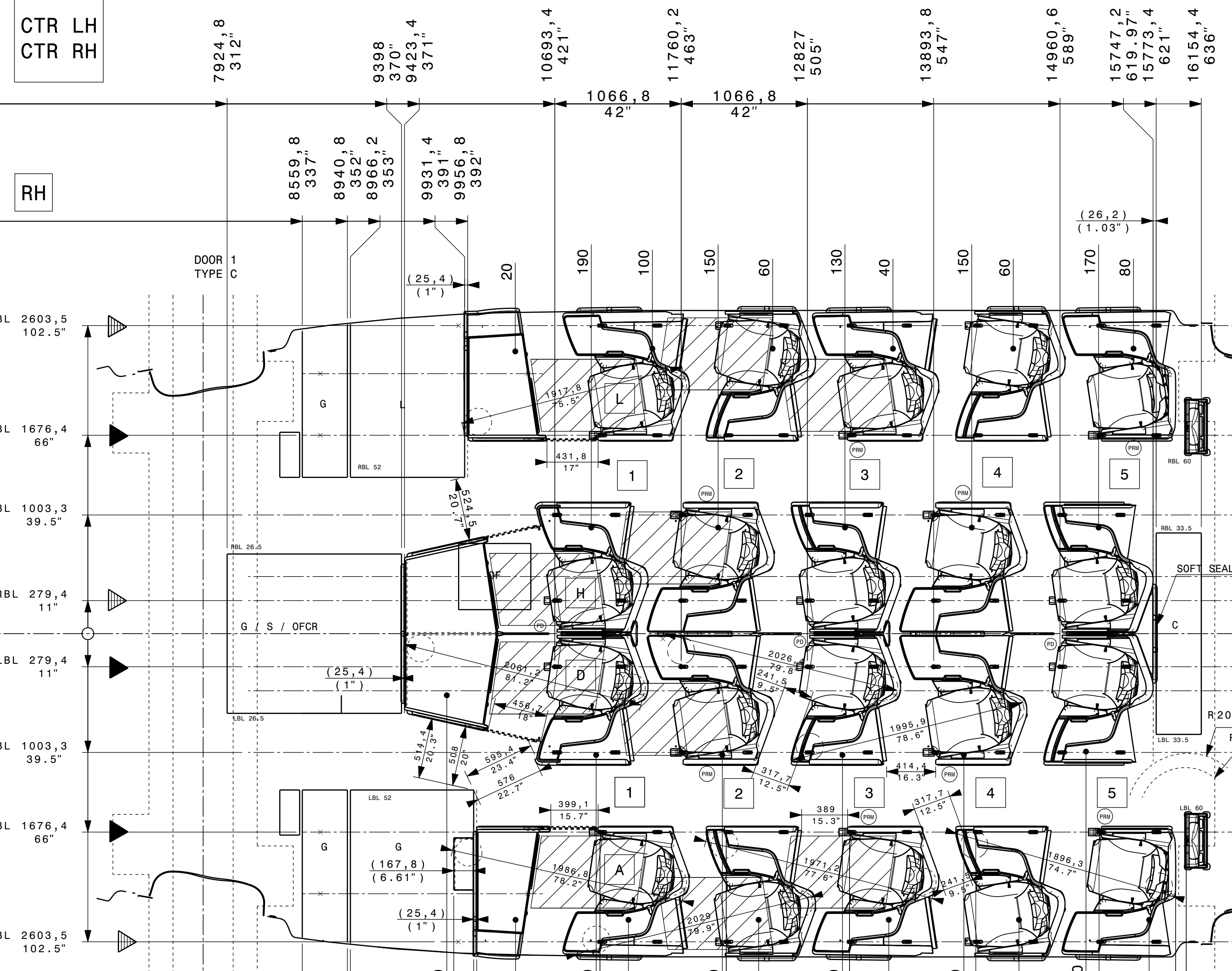
**EXHIBIT B**  
**Schematic Drawing**  
**B787-8**



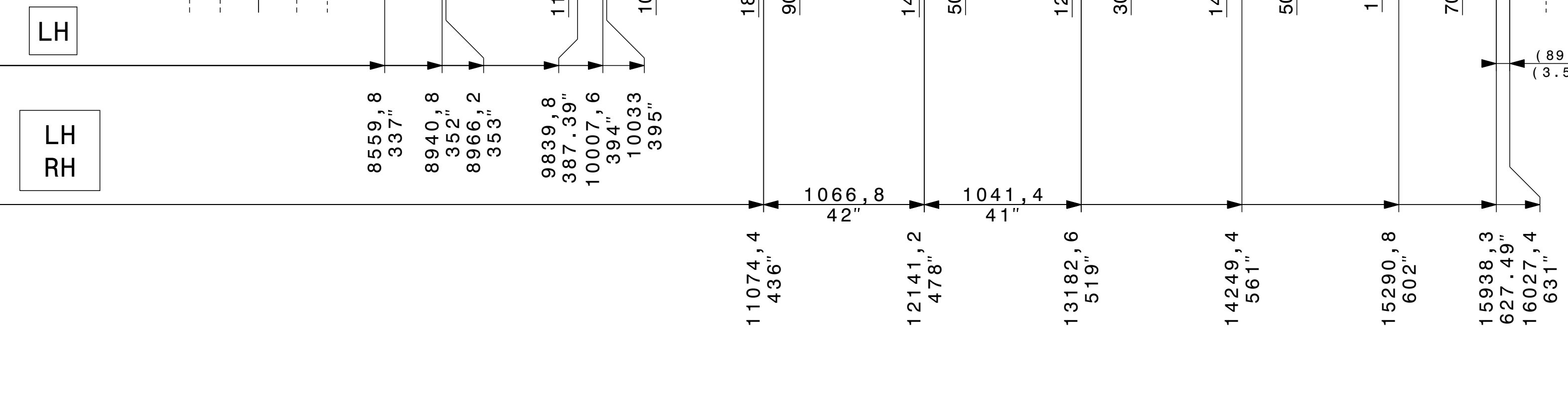
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CTR RH



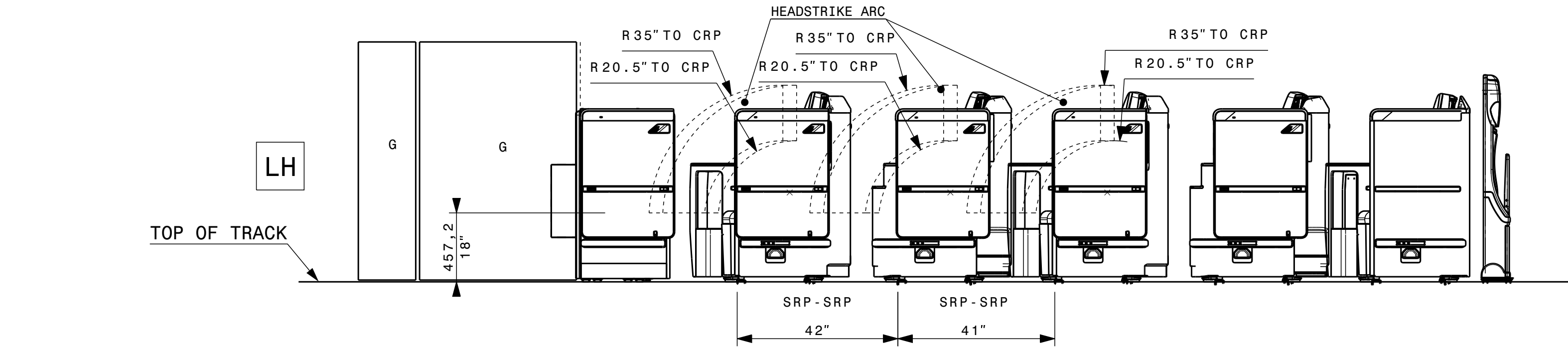
CTR LH  
CTR RH



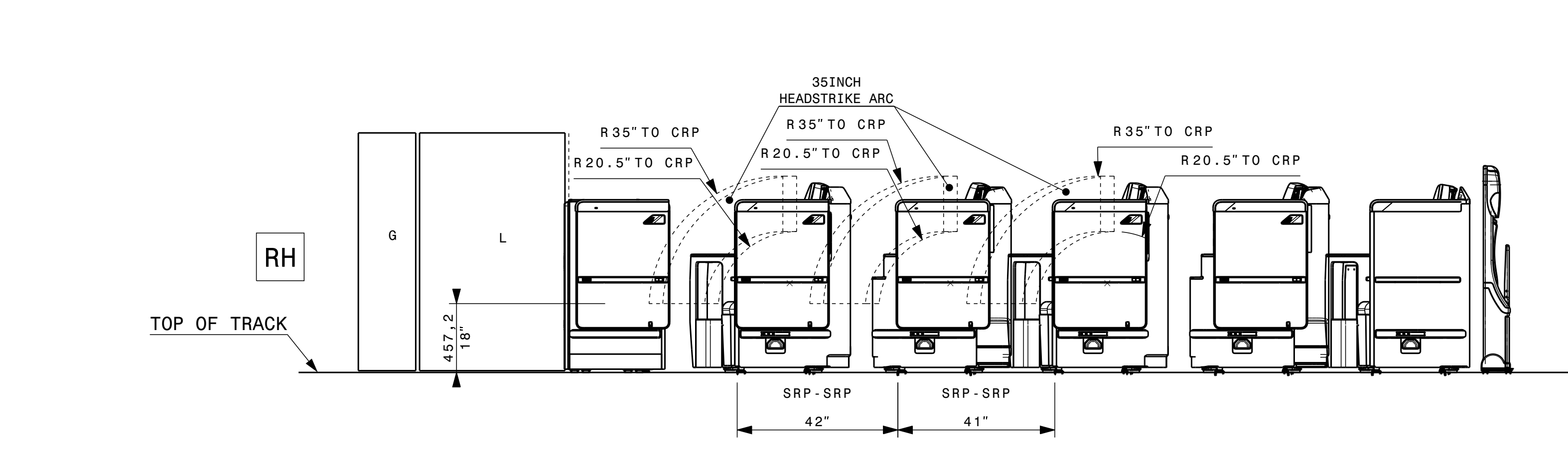
RH



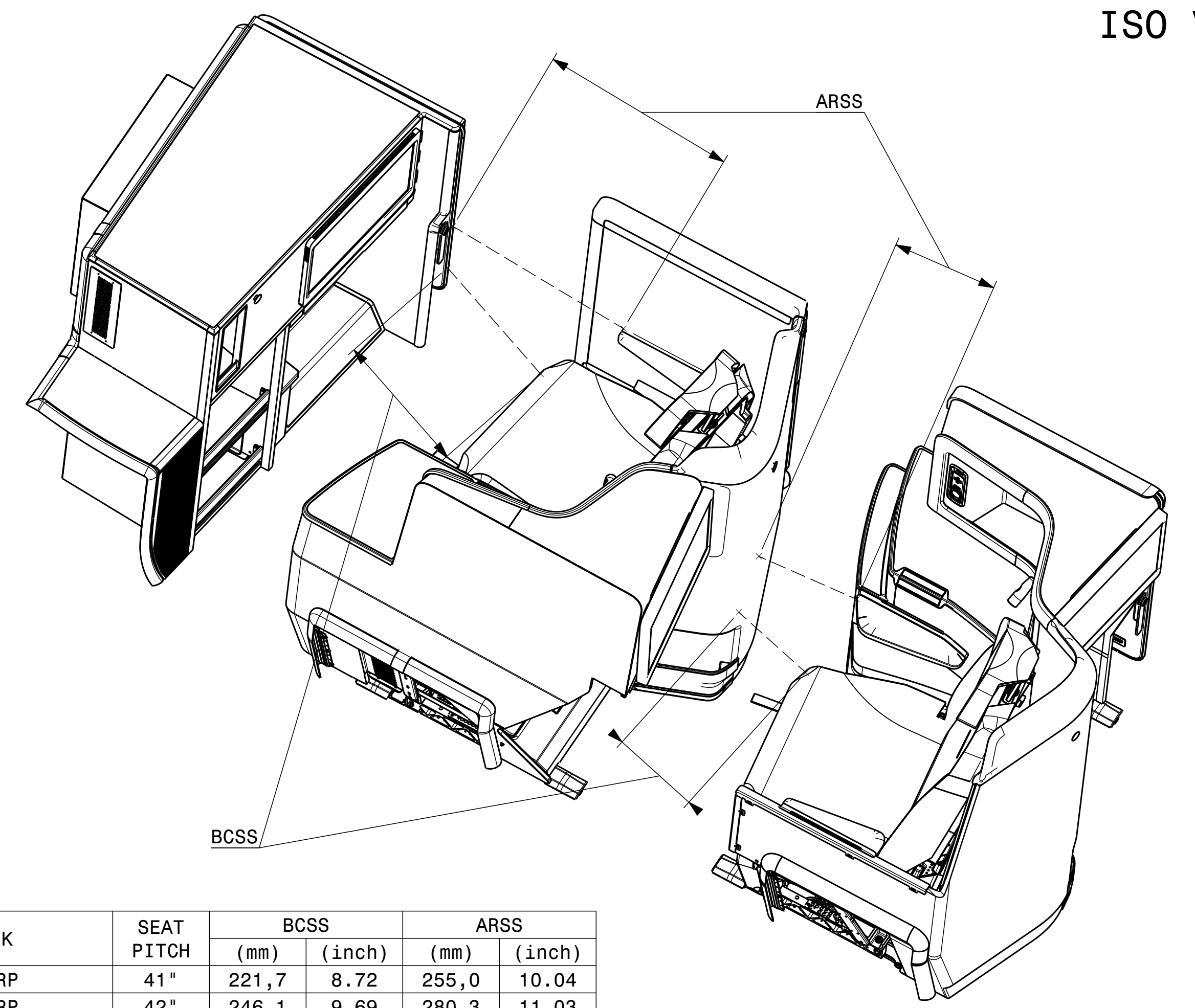
LH



LH RH



ISO VIEW



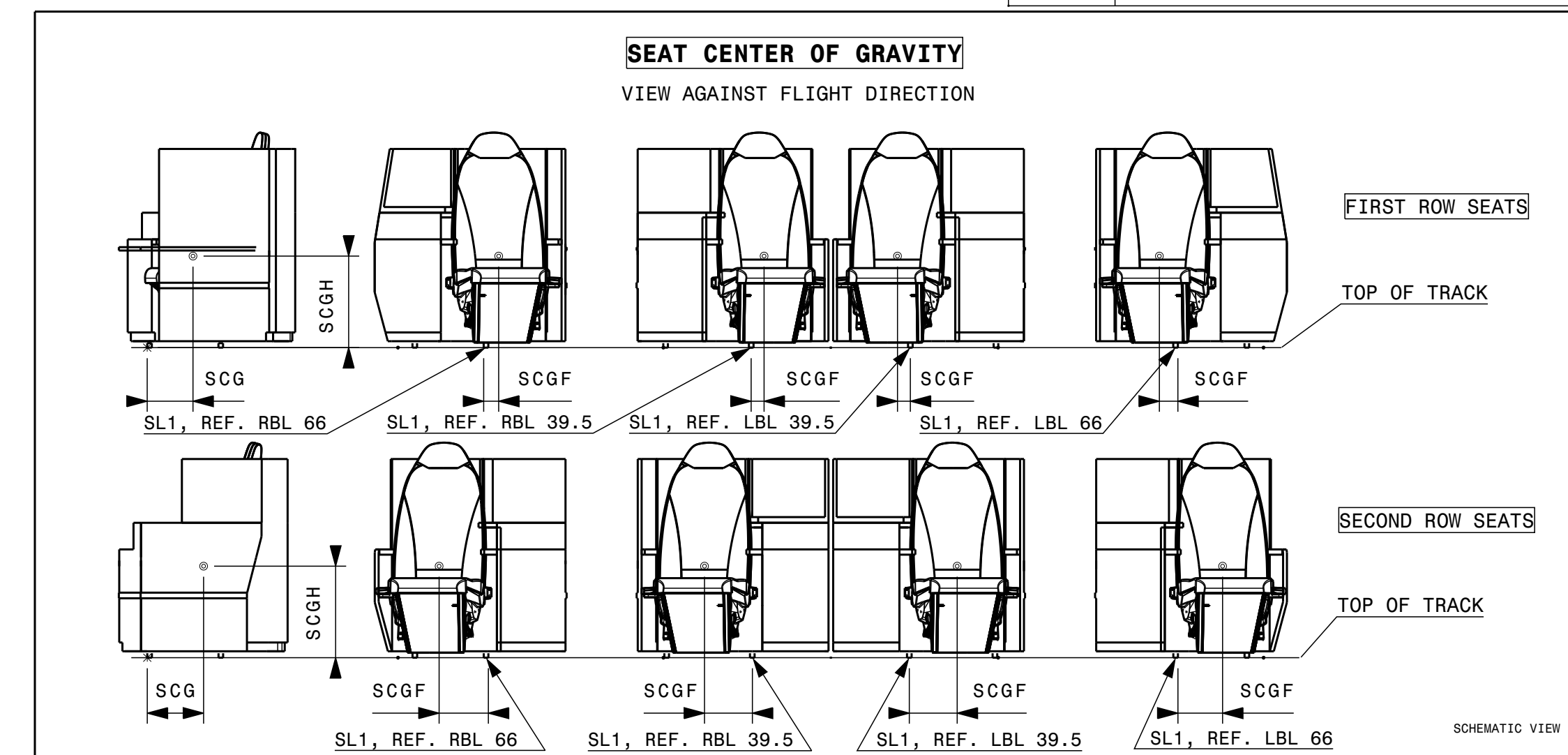
REMARK	SEAT PITCH	BCSS		ARSS	
		(mm)	(inch)	(mm)	(inch)
SRP-SRP	41"	221,7	8.72	255,0	10.04
SRP-SRP	42"	246,1	9.69	280,3	11.03
MONUMENT LH - SEAT	35.5"	393,7	15.5	529,7	20,85
MONUMENT RH - SEAT	35.5"	424,3	16.7	562,4	22.14
MONUMENT CTR - SEAT	35.5"	497,5	19.59	562,3	22.14

REFER:

- SEAT ENVELOPE 2D00001662
- SEAT ASSEMBLY WITHOUT IFE 2D00001663
- LOOSE PART KIT 2D00006881
- ELECTRIC INSTALLATION-GENERAL 2D00003063
- MONUMENT LH GENERAL ARRANGEMENT 2D00001657
- MONUMENT CTR GENERAL ARRANGEMENT 2D00001736
- MONUMENT RH GENERAL ARRANGEMENT 2D00001739
- LAYOUT AIRCRAFT MANUFACTURER REFERENCE LOPA BIL-00232-050\_E (04)
- SEAT DEFINITION BOOK SDB OPP 6233
- THIS DOCUMENT COMPLIES WITH D6-36230 AM
- DEVIATION LETTERS
  - FITTING COVER STAY OUT ZONE - D01205708 (REF: D6-36230-AM § 04.17.08.f.11)
  - RESTRICTED MATERIALS - D01205709 (REF: D6-36230-AM § 03.10.02.f.01)
  - SOFT CONTACT - D01184537 (REF: D6-36230-AM § 04.07.01)
  - ABUSE LOAD SUBSTITUTION DOORS D01206309 (REF: D6-36230-AM § 03.05.04.01)
  - DIMENSIONAL LIMITS - GAP TO SIDEWALL D01219991 (REF: D6-36230-AM § 03.47.07)
  - RFID BARCODING - D01229261 (REF: D6-36230-AM § 03.02.05.f.01)
  - MAXIMUM HEIGHT - D01235392 (REF: D6-36230-AM § 03.61.15.f.01)
- 3D-NTEL-MODELS (BODY CONTOUR) AIRCRAFT MANUFACTURER ICM IC84529999-1
- SEAT BELT SCHROTH 7-HS11A1AYY-3004 SEATBELT LH SCHROTH 7-HS01A1AYY-3004 SEATBELT RH INSTALLED BY RECARO AIRCRAFT SEATING

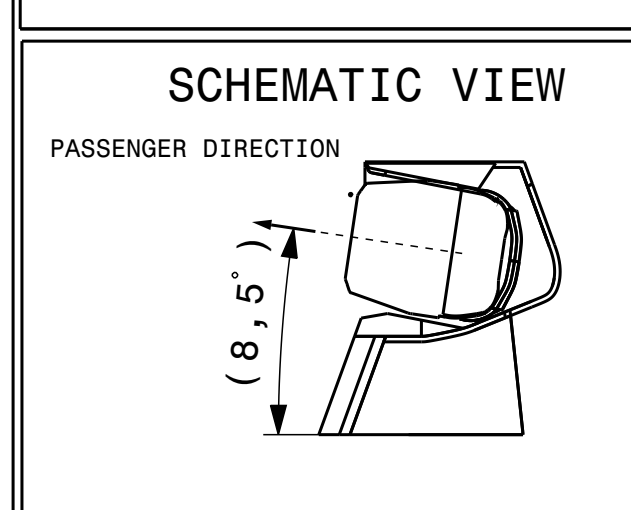
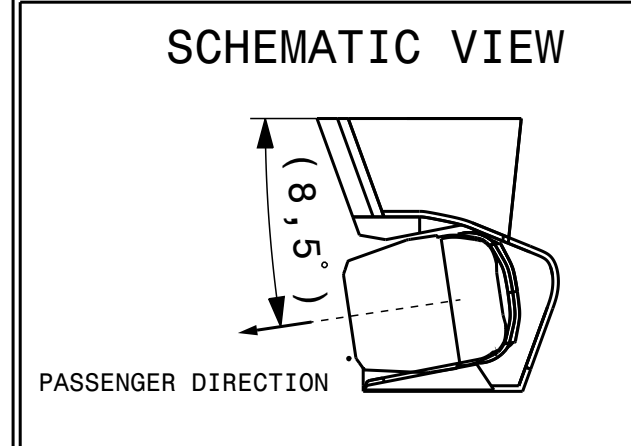
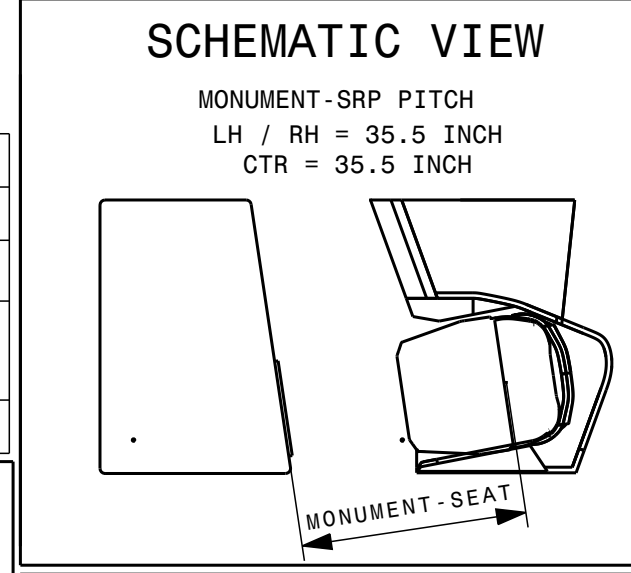
SEAT PART MARKING:  
6720CT90-XX-YYZ

- COLOUR CODE
- SEQUENTIAL NUMBER
- LEFT POSITION FOR NUMBER OF SEAT PLACES OF EACH UNIT
- RIGHT POSITION FOR INSTALLATION ALLOCATION (LH, CTR LH, CTR RH, RH)
- CUSTOMER IDENTIFICATION
- SEAT TYPE DESIGNATION



MAX.	DIMENSIONAL TOLERANCES						
	INCH	0.2-1.2	>1.2-4.7	>4.7-12.4	>12.4-39.4	>39.4-78.7	>78.7-118.1
	MM	6-30	>30-120	>120-315	>315-1000	>1000-2000	>2000-3000
	INCH	±0.04	±0.06	±0.08	±0.12	±0.16	±0.24
	MM	±1	±1.5	±2.0	±3.0	±4.0	±6.0

TOLERANCE FROM HARD TO UPHOLSTERED SURFACE ±0.25" (±6,35mm)



SUPPLIER ADDRESS:  
RECARO  
Aircraft Seating GmbH & CO.KG  
Daimlerstrasse 21  
74523 Schwaebisch Hall  
GERMANY  
CAGE CODE C1084

LIFE VEST P/N 66601-101  
LIFE VEST SEAL P/N PT000880  
INSTALLED BY BOEING

SEAT PLACES 20 PAX

POS	SEAT P/N INTEGRATED	QTY	DENOMINATION	REMARK	PAX	SCG		SCGF		SCGH		MAX. INTEGRATED SEAT WEIGHT (kg)	MAX. INTEGRATED SEAT WEIGHT (lbs)
						(mm)	(inch)	(mm)	(inch)	(mm)	(inch)		
190	6720CT90-14-041	1	SEAT SGL CTR RH STD-CR		1	345	13,58	320	12,60	505	19,88	110,8	244,27
180	6720CT90-13-041	1	SEAT SGL CTR LH STD-CL		1	350	13,78	280	11,02	525	20,67	118,9	262,13
170	6720CT90-14-031	1	SEAT SGL CTR RH LR-CR		1	350	13,78	280	10,43	470	18,50	96,1	211,86
160	6720CT90-13-031	1	SEAT SGL CTR LH LR-CL		1	355	13,98	220	8,66	495	19,49	104,2	229,72
150	6720CT90-14-021	2	SEAT SGL CTR RH STD-CL		2	320	12,60	255	10,04	490	19,29	113,4	250,00
140	6720CT90-13-021	2	SEAT SGL CTR LH STD-CR		2	325	12,80	250	9,84	490	19,29	114,6	252,65
130	6720CT90-14-011	1	SEAT SGL CTR RH STD-CR		1	350	13,78	320	12,60	505	19,88	111,0	244,71
120	6720CT90-13-011	1	SEAT SGL CTR LH STD-CL		1	355	13,98	280	11,02	525	20,67	119,1	262,57
110	6720MT90-00-011	1	MONUMENT CTR FR		-	-	-	-	-	-	-	-	-
100	6720CT90-12-041	1	SEAT SGL RH STD-CR		1	310	12,20	495	19,49	495	19,49	110,9	244,49
90	6720CT90-11-041	1	SEAT SGL LH STD-CL		1	310	12,20	495	19,49	495	19,49	110,9	244,49
80	6720CT90-12-031	1	SEAT SGL RH LR-CR		1	285	11,22	490	19,29	465	18,31	91,8	202,38
70	6720CT90-11-031	1	SEAT SGL LH LR-CL		1	285	11,22	490	19,29	465	18,31	91,8	202,38
60	6720CT90-12-021	2	SEAT SGL RH STD-CL		2	325	12,80	435	17,13	500	19,69	106,0	233,69
50	6720CT90-11-021	2	SEAT SGL LH STD-CR		2	325	12,80	435	17,13	500	19,69	106,0	233,69
40	6720CT90-12-011	1	SEAT SGL RH STD-CR		1	310	12,20	495	19,49	495	19,49	112,0	246,92
30	6720CT90-11-011	1	SEAT SGL LH STD-CL		1	310	12,20	495	19,49	495	19,49	112,0	246,92
20	6720MT90-02-011	1	MONUMENT RH FR-CL		-	-	-	-	-	-	-	-	-
10	6720MT90-01-011	1	MONUMENT LH FR-CR		-	-	-	-	-	-	-	-	-

CHANGE LOPA REVISION ECR-001904

BOEING REJECTS AFTER CDR ECR-001817

SHIFT SL1 INTO CTR SEATS ECR-001284

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RECARO

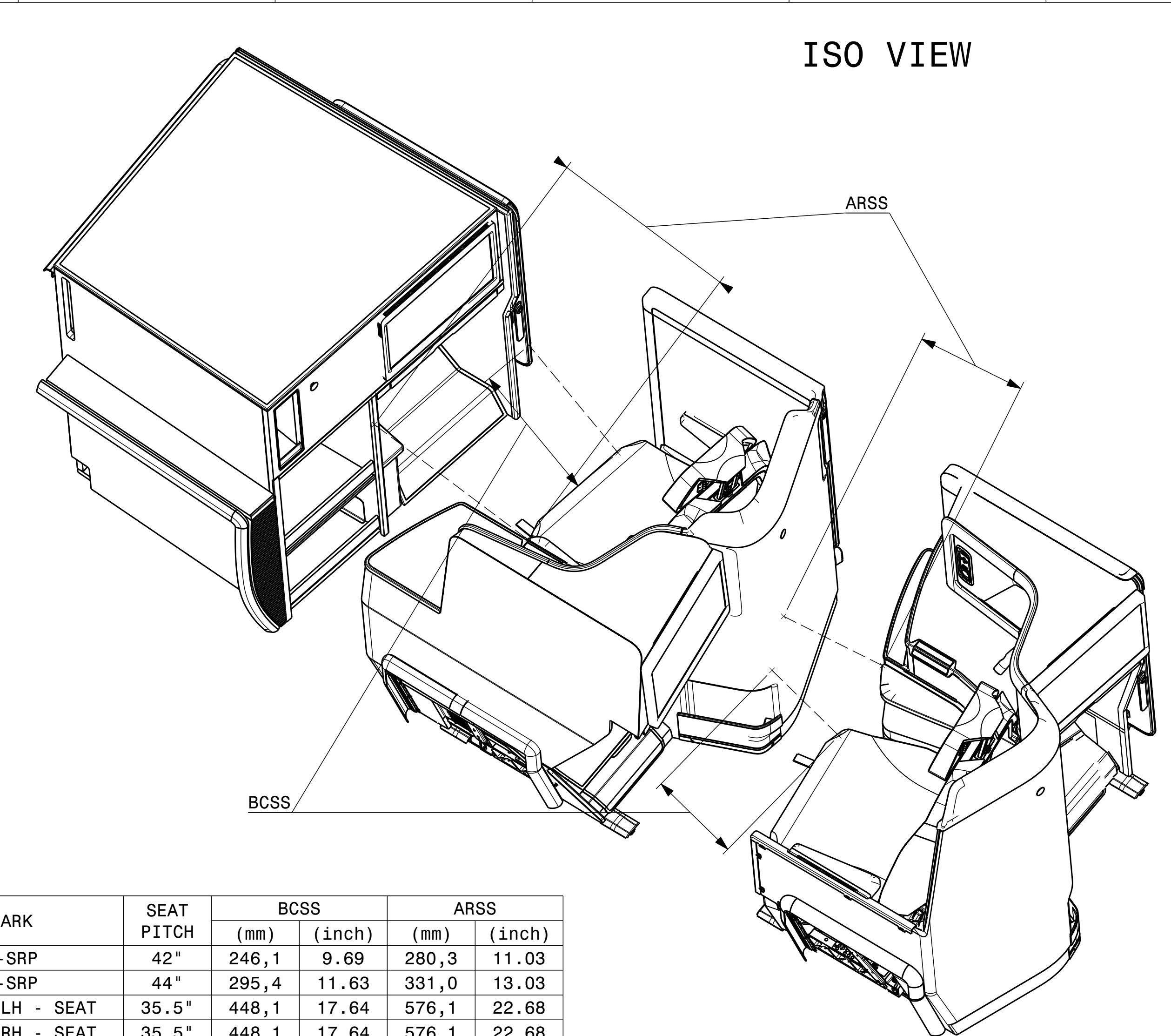
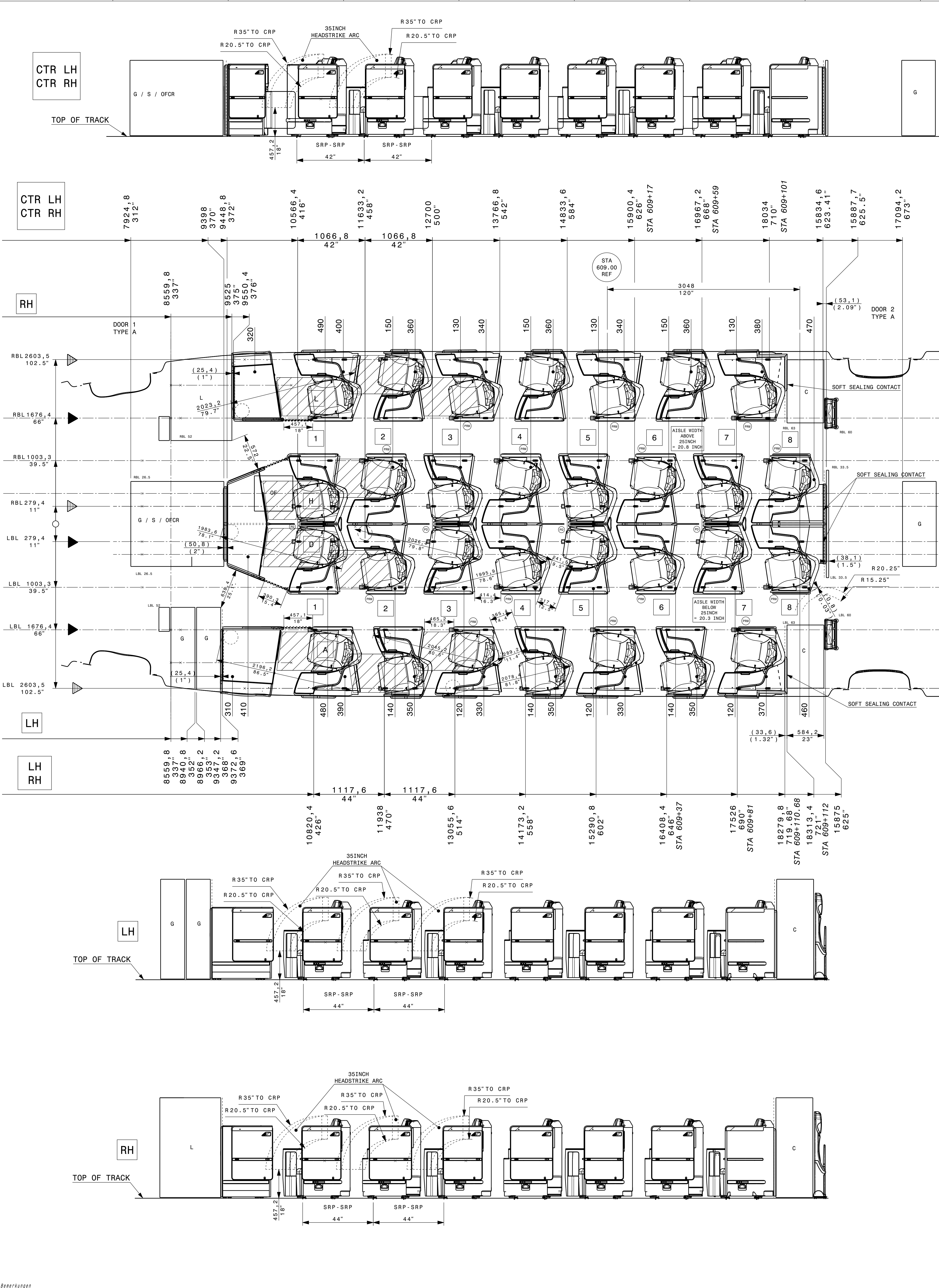
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Manual drawing change is strictly prohibited.



**EXHIBIT C**  
**Schematic Drawing**  
**B787-9**

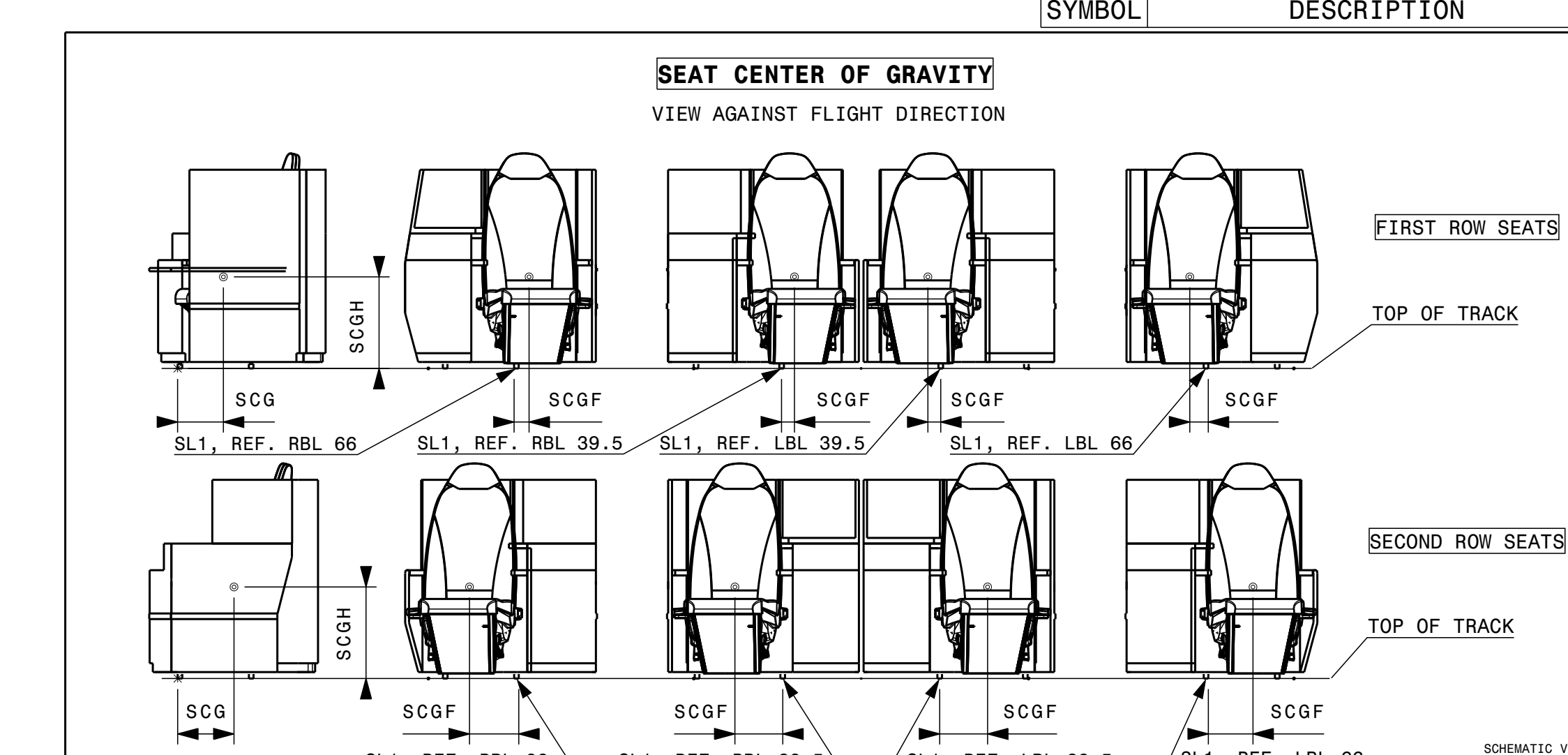




REMARK	SEAT PITCH	BCSS (mm)	BCSS (inch)	ARSS (mm)	ARSS (inch)
SRP-SRP	42"	246,1	9.69	280,3	11.03
SRP-SRP	44"	295,4	11.63	331,0	13.03
MONUMENT LH - SEAT	35.5"	448,1	17.64	576,1	22.68
MONUMENT RH - SEAT	35.5"	448,1	17.64	576,1	22.68
MONUMENT CTR - SEAT	35.5"	497,8	19.59	545,4	21.47

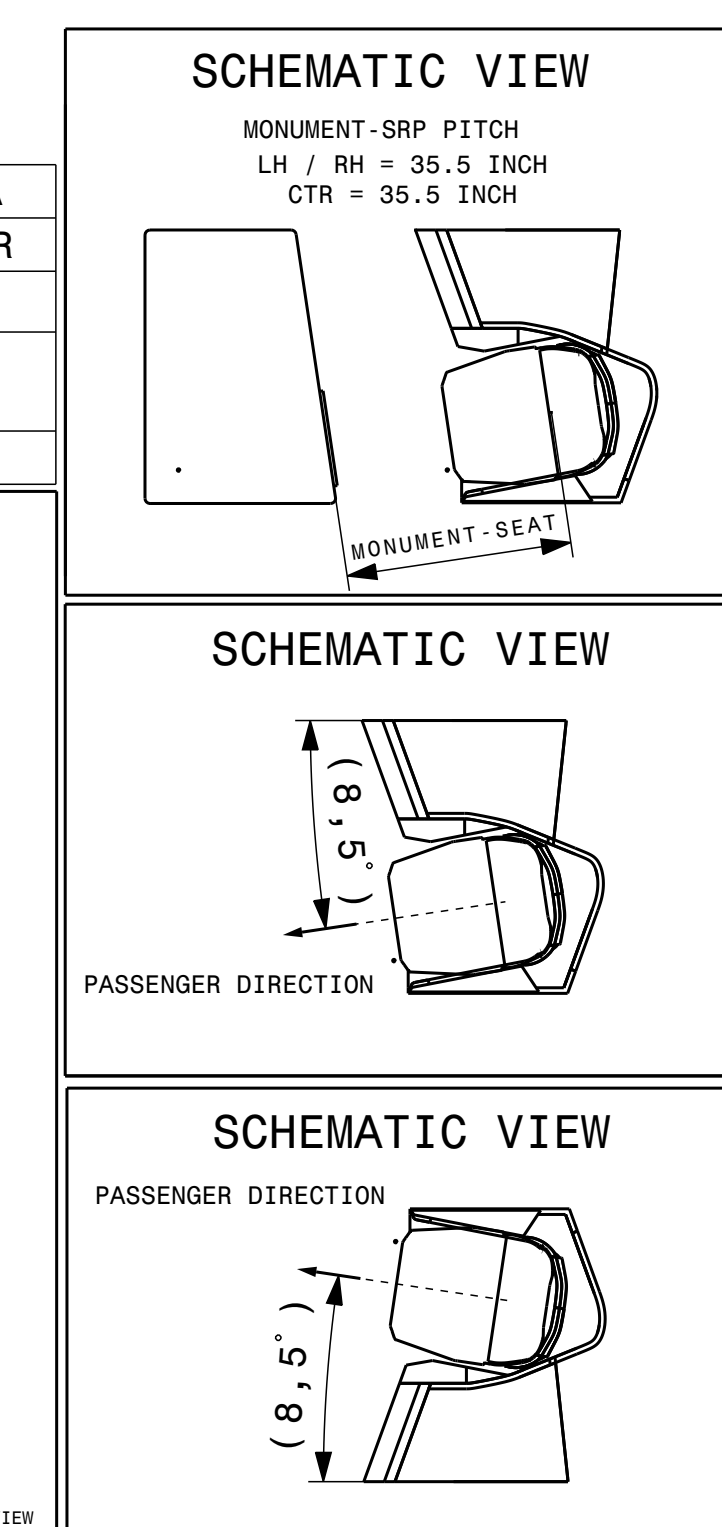
REFER:  
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 SEAT ASSEMBLY WITHOUT IFE 2D00001663  
 LOOSE PART KIT 2D00006881  
 ELECTRIC INSTALLATION-GENERAL 2D00003063  
 MONUMENT LH GENERAL ARRANGEMENT 2D00004465  
 MONUMENT CTR GENERAL ARRANGEMENT 2D00004485  
 MONUMENT RH GENERAL ARRANGEMENT 2D00004457  
 LAYOUT AIRCRAFT MANUFACTURER REFERENCE LOPA BIL-00233-050\_E  
 SEAT DEFINITION BOOK SDB OPP 6233  
 THIS DOCUMENT COMPLIES WITH D6-36230 AM  
 DEVIATION LETTERS  
 - FITTING COVER STAY OUT ZONE -D01205708 (REF: D6-36230-AM § 04.17.08.f.11)  
 - RESTRICTED MATERIALS - D01205709 (REF: D6-36230-AM § 03.10.02.f.01)  
 - SOFT CONTACT - D01184537 (REF: D6-36230-AM § 04.07.01)  
 - ABUSE LOAD SUBSTITUTION DOORS D01206309 (REF: D6-36230-AM § 03.05.04.01)  
 - DIMENSIONAL LIMITS - GAP TO SIDEWALL D01219991 (REF: D6-36230-AM § 03.47.07)  
 - RFID BARCODING - D01229261 (REF: D6-36230-AM § 03.02.05.f.01)  
 - MAXIMUM HEIGHT - D01235392 (REF: D6-36230-AM § 03.61.15.f.01)

SEAT PART MARKING: 6720CT90-XX-YYZ  
 COLOUR CODE  
 SEQUENTIAL NUMBER  
 LEFT POSITION FOR NUMBER OF SEAT PLACES OF EACH UNIT  
 RIGHT POSITION FOR INSTALLATION ALLOCATION (LH, CTR LH, CTR RH)  
 CUSTOMER IDENTIFICATION  
 SEAT TYPE DESIGNATION



INCH	DIMENSIONAL TOLERANCES					
	0.2-1.2	>1.2-4.7	>4.7-12.4	>12.4-39.4	>39.4-78.7	>78.7-118.1
MM	6-30	>30-120	>120-315	>315-1000	>1000-2000	>2000-3000
MAX. INCH	±0.04	±0.06	±0.08	±0.12	±0.16	±0.24
MAX. MM	±1	±1.5	±2.0	±3.0	±4.0	±6.0

TOLERANCE FROM HARD TO UPHOLSTERED SURFACE ±0.25" (±6,35mm)



3D-NTEL-MODELS (BODY CONTOUR) AIRCRAFT MANUFACTURER ICM IC845Z9999-8  
 SEAT BELT SCHROTH 7-HS11A14YV-3004 SEATBELT LH SCHROTH 7-HS01A14YV-3004 SEATBELT RH INSTALLED BY REGARO AIRCRAFT SEATING  
 LIFE VEST P/N 66601-101 LIFE VEST SEAL P/N PT000880 INSTALLED BY BOEING  
 SEAT PLACES 30 PAX

POS	SEAT P/N INTEGRATED	QTY	DENOMINATION	REMARK	PAX	SCG (mm)	SCG (inch)	SCGF (mm)	SCGF (inch)	SCGH (mm)	SCGH (inch)	MAX. INTEGRATED SEAT WEIGHT (kg)	MAX. INTEGRATED SEAT WEIGHT (lbs)
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480	6720CT90-13-081	1	SEAT SGL CTR LH STD-CL		1	350	13,78	280	11,02	525	20,67	118,9	262,13
470	6720CT90-14-071	1	SEAT SGL CTR RH LR-CL		1	320	12,60	265	10,43	465	18,31	94,7	208,78
460	6720CT90-13-071	1	SEAT SGL CTR LH LR-CL		1	320	12,60	265	10,43	465	18,31	94,7	208,78
150	6720CT90-14-021	3	SEAT SGL CTR RH STD-CL		3	320	12,60	255	10,04	490	19,29	113,4	250,00
140	6720CT90-13-021	3	SEAT SGL CTR LH STD-CR		3	325	12,80	250	9,84	490	19,29	114,6	252,65
130	6720CT90-14-011	3	SEAT SGL CTR RH STD-CR		3	350	13,78	320	12,60	505	19,88	111,0	244,71
120	6720CT90-13-011	3	SEAT SGL CTR LH STD-CL		3	355	13,98	280	11,02	525	20,67	119,1	262,57
410	6720MT90-00-021	1	MONUMENT CTR FR		-	-	-	-	-	-	-	-	-
400	6720CT90-12-081	1	SEAT SGL RH STD-CR		1	310	12,20	495	19,49	495	19,49	110,9	244,49
390	6720CT90-11-081	1	SEAT SGL LH STD-CL		1	310	12,20	495	19,49	495	19,49	110,9	244,49
380	6720CT90-12-071	1	SEAT SGL RH LR-CR		1	285	11,22	490	19,29	465	18,31	91,8	202,38
370	6720CT90-11-071	1	SEAT SGL LH LR-CL		1	285	11,22	490	19,29	465	18,31	91,8	202,38
360	6720CT90-12-061	3	SEAT SGL RH STD-CL		3	320	12,60	435	17,13	500	19,69	106,3	234,35
350	6720CT90-11-061	3	SEAT SGL LH STD-CR		3	320	12,60	435	17,13	500	19,69	106,3	234,35
340	6720CT90-12-051	2	SEAT SGL RH STD-CR		2	310	12,20	495	19,49	495	19,49	112,0	246,92
330	6720CT90-11-051	2	SEAT SGL LH STD-CL		2	310	12,20	495	19,49	495	19,49	112,0	246,92
320	6720MT90-02-021	1	MONUMENT RH FR-CL		-	-	-	-	-	-	-	-	-
310	6720MT90-01-021	1	MONUMENT LH FR-CL		-	-	-	-	-	-	-	-	-

SUPPLIER ADDRESS:  
 REGARO  
 Aircraft Seating GmbH & CO.KG  
 Daimlerstrasse 21  
 74523 Schwaebisch Hall  
 GERMANY  
 CAGE CODE C1084

CHANGE LOPA REVISION  
 01  
 02  
 03  
 04

BOEING REJECTS AFTER CDR

SHIFT SL1 INTO CTL SEATS

RECARO  
 All proprietary rights reserved according to DIN 84 paragraph 21.

MANUAL DRAWING CHANGE IS STRICTLY PROHIBITED.



# Attachment D

Videos Showing Egress and Ingress Transfers in Mock-Up  
Business Class Suites of B787-8 and B787-9

Submitted with Electronically-Filed Copy of Application