

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

DOCUMENT MANAGEMENT SYSTEM
(DMS)

:
:
:

Docket OST-96-1436

COMMENTS OF
CROWELL & MORING LLP
AVIATION GROUP

Communications with respect to this document should be sent to:

R. Bruce Keiner, Jr.
Lorraine B. Halloway
Thomas Newton Bolling
CROWELL & MORING LLP
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004-2595
(202) 624-2500

November 20, 2000

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

DOCUMENT MANAGEMENT SYSTEM (DMS)	: : :	Docket OST-96-1436
-------------------------------------	-------------	--------------------

COMMENTS OF
CROWELL & MORING LLP
AVIATION GROUP

Crowell & Moring LLP's Aviation Group strongly supports the Department's commitment to improving its Document Management System (DMS) to build on the past five years of success and innovation. Fast and reliable information exchange between the Department and interested parties on matters before the Department is essential to the smooth functioning of the docket process and produces important and substantial public benefits. The DMS and the DMS Web Site should continue to grow and adapt to the changing needs and requirements of the public, and the Department should devote adequate resources to ensure enhancements can be implemented.

The proposed DMS changes in the Department's September 20, 2000, notice requesting comments should be adopted.¹ In addition, the following changes would further enhance and improve the DMS and DMS Web Site. The Department should

¹ See 65 Fed.Reg. 56976 (Vol. 65, No. 183, September 20, 2000).

ensure the DMS Daily Filing Report makes each DMS document record available on the DMS Web Site on the same day the document is submitted to the Department. All document images should be available on the DMS Web Site and for public inspection at the Department's Docket Management Facility no later than the next business day under ordinary circumstances.² In addition, documents submitted electronically should be included in the Daily Filing Report no later than other documents. The Department should also require all submitters of documents to the Department to include an electronic-mail address on the signature or cover page of the document to facilitate and encourage electronic service of documents. Another useful enhancement would be to publish and update a current list of the names and electronic-mail addresses for all submitters and their representatives in Excel spreadsheet format on the DMS Web Site to facilitate electronic service of pleadings even further.

These improvements will promote quick access to the most critical DMS information needed by interested parties. If interested parties are unaware of a particular DMS submission for a span of days or cannot access an image of it, the

² Additional time may be required for image processing of exhibits in route proceedings, fitness applications and other document-intensive proceedings. Primary documents should be made available in TIFF and PDF image formats on the next business day, however. Moreover, of course, documents submitted to the Department under seal with a motion for confidential treatment under Rule 12 of the Department's Rules of Practice should not be made available unless and until the Department decides the documents are ineligible for such treatment.

ability to review and consider the information and how it affects their interests could be compromised. The DMS works best when it provides the public with timely information. Electronic service of documents will also expedite receipt of pleadings submitted to the Department at less cost to participants.

The Department's DMS Web Site has produced important and substantial benefits and dramatically enhanced access to information on aviation developments. Improving the DMS and DMS Web Site further will stimulate more involvement in the issues before the Department and facilitate the exchange of information between the Department and interested parties on these issues. Crowell & Moring LLP's Aviation Group applauds the Department's extraordinary achievement in establishing the DMS, particularly on the DMS Web Site, and strongly urges the

Department to adopt its proposed changes and the foregoing suggestions for further improvement of the DMS and DMS Web Site.

Respectfully submitted,

CROWELL & MORING LLP
AVIATION GROUP

/s/ R. Bruce Keiner, Jr.

R. Bruce Keiner, Jr.
rbkeiner@cromor.com

/s/ Lorraine B. Halloway

Lorraine B. Halloway
lhalloway@cromor.com

/s/ Thomas Newton Bolling

Thomas Newton Bolling
tbolling@cromor.com

November 20, 2000

1763439