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Sent: 14 December 2011 14:17
To: Moriarty Richard; Jones Vanessa
Cc: Richard Senior; Peter Thorn; Peter Shirtcliffe; PerataSmith Barbara; mark.r.gardiner@ba.com
Subject: BMI Response to the Indicative Airport Licence Discussion Document

Richard

Thank you for the opportunity to comment on the Indicative Airport Licence and for the opportunity last week to discuss some of the issues that arise. Our comments refer solely to Heathrow Airport.

BMI has contributed to and supports the LACC response which you will receive today. Please note that you may read Mark Gardiner's comments as if they were our own.

We would however like to emphasise just two points:

i) we must be very careful to avoid unintended consequences and there is a risk that a very open resilience requirement will allow (indeed almost demand, as BAA cannot be seen to doing too little) an open cheque to pay for a gold plated response to these issues. BMI suggests therefore that there should be an obligation on the airport to **agree** a metric with the airlines to cover whatever element of resilience is being addressed. These metrics can be then attached to the licence as subsidiary documents, once agreed and investments plans agreed which are proportionate to the agreed metric.

ii) BMI would wish to reiterate that it sees no alternative to RAB based regulation of Heathrow Airport in the short term (Q6). In the longer term we are happy to explore alternatives but there should be no presumption that a better form of Regulation will be found for airports where substantial market power exists.

Best Regards

Tony Helliwell



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