

# WYOMING

## JET CENTER LLC

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May 26, 2020

Mr. Jim Elwood, Executive Director  
Jackson Hole Airport  
P.O. Box 159  
Jackson, Wyoming 83001

By Certified Mail

RE: Continuation of Notice and Application for Leasehold Interest to operate a second Fixed Base Operation Facility at the Jackson Hole Airport (JAC)

Dear Mr. Elwood,

As the Jackson Hole Airport Board in March of this year terminated the Asset Purchase agreement with Jackson Hole Aviation, Wyoming Jet Center respectfully requests that the Board continue our application which was held in abeyance by the now terminated Asset Purchase Agreement with JHA. The basis for continuing our application can be found in numerous airport board motions, discussions and email including:

- At its public meeting of May 17, 2017, “..the Board adopted a motion (1) finding that a second FBO may- and therefore must - be accommodated at the Airport...”
- As noted in the September, 2017, Executive Discussion: “The Board is still considering the option to purchase the FBO from JH Aviation and operate it as "proprietary exclusive." If the Board does not make the purchase, it still plans to move forward with the issuance of the RFP for the second FBO.
- As noted by Board attorney Mike Morgan on November 1, 2017: “At its meeting today the Airport Board considered two FBO alternatives. Rather than issuing an RFP for a second FBO on the Airport, the Board decided to enter into an Asset Purchase Agreement (APA) under which it would purchase all assets of Jackson Hole Aviation LLC for \$26 million, plus inventory costs on date of closing.”

As we mentioned in our initial notification letter of March 10, 2017, to members of the Board, Wyoming Jet Center, LLC (WJC), a Wyoming Limited Liability Company, desires to develop and operate a Fixed Base Operator (FBO) for general aviation aircraft, and other aeronautical users in the Jackson Hole community. The owner member is a longstanding resident of the State of Wyoming familiar with operations at Jackson Hole Airport.

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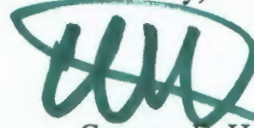
While the Jackson Hole Airport currently has only one FBO, Jackson Hole Aviation, LLC, there have historically been two FBOs serving the airport. As you are aware, as sponsor of a federally obligated airport accepting federal funds, you must make the airport available at reasonable terms and without unjust discrimination between type, kinds and classes of aeronautical activities, see FAA Airport Compliance Manual Order 5190.6B (Order) at Chapter 9. Furthermore, as such sponsor, you may not grant a special privilege or monopoly to anyone providing aeronautical services on the airport or engaging in aeronautical use. The intent of this restriction is to promote aeronautical activity, and protect fair competition at federally obligated airports. It is the responsibility of the airport district offices and regional divisions to ensure that the sponsor has not extended any exclusive right to any airport operator or user. See Advisory Circular; Exclusive Rights at Federally-Obligated Airports, AC No. 150/5590-6, January 4, 2007.

In continuing this process we look forward to working with you to facilitate and develop a second FBO, and, as our application states, we confirm our ability to meet the minimum standards for the operation of a second FBO at JAC.

Providing a leasehold interest to WJC to operate a second FBO will permit JAC to provide aeronautical services to the public and avoid the situation in which exclusive right is granted to one FBO. Reinstating a second FBO at JAC will also aid in meeting the "fair and reasonable" requirements of the U.S. Department of Interior Use Agreement, as well as the Federal Aviation Grant Assurance program, by introducing the opportunity for on airport competitive pricing. Furthermore, your obligation to avoid unjust discrimination between aeronautical users will be enhanced.

Nothing has changed from our original application which demonstrated WJC is desires to and is fully prepared to promptly move forward.

Sincerely,



Gregory E. Herrick  
Chairman and CEO  
Wyoming Jet Center, LLC