



**NACC**  
National Airlines  
Council of Canada



**CNLA**  
Conseil national des lignes  
aériennes du Canada

February 28, 2020

Ms. Marcia Jones  
Chief Strategy Officer  
Canadian Transportation Agency  
15 Eddy Street  
Gatineau, QC K1A 0N9  
*Via Email: [otc.ceta-ceat.cta@otc-cta.gc.ca](mailto:otc.ceta-ceat.cta@otc-cta.gc.ca)*

Dear Ms. Jones:

**Re: ATPDR Phase II – Submission by the National Airlines Council of Canada**

On behalf of the National Airlines Council of Canada (NACC), I am writing to share our views on key issues raised in the Agency's Accessible Transportation for Persons with Disabilities Phase II Consultations.

As a preliminary comment, the NACC members are committed to working with the government to address the challenges faced by passengers with disabilities. While industry has a key role to play, we also firmly believe the federal government has responsibilities beyond the creation of regulatory obligations, and in fact needs to examine ways in which federal funding can be utilized to further transportation accessibility, and marshal broader international agreement to establish uniform standards and solutions.

With respect to the substantive proposals of Phase II, NACC firmly opposes the application of One Person, One Fare (1p1f) policy on international routes. A regime with 1p1f on international routes will harm the Canadian aviation industry and will result in significant cost to Canadian carriers. Indeed, passengers will be incentivized to transit through Canada for international to international itineraries. This impact will be only slightly lower if 1p1f international is imposed on all carriers flying to/from Canada versus only Canadian carriers, with much of the proposed benefit going to non-Canadians using Canada as a transit point. NACC envisions the potential for connectivity for Canadians to be reduced as marginal routes are cancelled or frequencies reduced.

No other sector is required to provide its service and product for free. Requiring for-profit carriers to subsidize international service is not a substitute for a public, societal solution for accessibility. Further, as the Agency itself recognizes, 1p1f international violates many of Canada's bilateral air services agreements. If there is ever to be an aviation eco-system that includes 1p1f for international routes, it must only be implemented through the development of global standards, created through international organizations to ensure broad harmonization and adoption, and supported by government funding.



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NACC also opposes any requirement to accept Emotional Support Animals (ESAs) onboard and calls for full alignment with the US DOT Notice of Proposed Rulemaking (NPRM) on service animals. The US DOT NPRM provides clear guidance that is practical to implement and meets the needs of persons with legitimate service dogs. NACC urges the Agency to fully align with this NPRM during its development of Phase II requirements associated with service dogs, including but not limited to, the exclusion of emotional support animals.

It is well-documented that the US ESA rule has caused endless operational and compliance issues (primarily safety and fraud), which is why the US DOT has proposed removing ESAs entirely from aircraft. Moreover, other passengers frequently complain about untrained and misbehaving animals being onboard, due to concerns about allergies and overall discomfort. Furthermore, the combination of 1p1f with a requirement to accept ESAs will result in significant cost to Canadian carriers for the same reasons outlined above for 1p1f international. In order to manage space restrictions, allergies and concerns of fraud, NACC's view is that service animals should be limited to one per passenger and restricted to dogs only. If rules applicable to ESAs or service animals other than dogs are to be implemented, it can only be done through international organizations to ensure global standards and harmonization.

NACC has reviewed the draft guidance material provided by the Agency and we submit that the implementation of Phase I cannot proceed at present in the absence of complete, detailed and final guidance. The current absence of detail in the guidance materials leaves too much room for ambiguity and interpretation, and once again sets carriers up for failure, as well as creating mass passenger confusion. All parties are better served by clear, detailed guidance that prevents unnecessary and time-consuming adjudication before the Agency.

For these reasons, NACC requests that Phase II be postponed until full impact of regulations has been considered and all draft guidance materials have been prepared, with guidance materials being published in parallel with Gazette II to properly support implementation.

Finally, in addition to the points raised above, NACC would also like to note the unique challenges that NACC members may face as a result of an operation with smaller aircraft (e.g. less space for mobility devices, no IFEs) and providing services into smaller airports (e.g. less resources and equipment).

Thank you for taking the time to review these concerns. We remain available to discuss further.

Sincerely,

Mike McNaney  
President and CEO  
National Airlines Council of Canada