No. 411
May 11, 1964 - 10:30 A.M.
Approved:- Roberto Sánchez Vilella,
Secretary of State
By:- Adolfo Pineta Soria
Assistant Secretary of State

ECONOMIC DEVELOPMENT ADMINISTRATION
OFFICE OF THE ADMINISTRATOR
SAN JUAN, PUERTO RICO

RESOLUTION FOR THE PUERTO RICO PORTS AUTHORITY

The Executive Director of the Puerto Rico Ports Authority, Mr. Rubén Sánchez, met on April 30, 1964 with the Economic Development Administrator, Mr. Rafael Durand, in the office of the latter.

Mr. Sánchez submitted to the consideration of the Administrator a request for a revisal of the existing rates, fees, rentals and other charges applicable to the use of space and the exercise of privileges at the Puerto Rico International Airport.

Mr. Sánchez explained to Mr. Durand that it is the regular policy of the Ports Authority to review at least every three years the rates, fees, rentals and other charges applicable to the use of space and the exercise of privileges at the Puerto Rico International Airport, in order to determine whether changes are required in said charges so as to recover the cost of providing, operating and maintaining said facilities and services.

He further informed Mr. Durand that the Ports Authority has made an analysis of the rates, fees, rentals and other charges now prevailing at the Airport which has demonstrated the need for the revision of said rates, fees, rentals and other charges and for the immediate effectiveness of said revision.

Mr. Sánchez submitted to Mr. Durand a memorandum dated April 29, 1964 which more fully explains the economic principles followed for the revision of the structure of rates in order to comply with the statutory standards provided for in Section 6(1) of the Puerto Rico Ports Authority Act.

Attached to said memorandum, which is incorporated by reference to these minutes, appears the schedule of rates, fees, rentals and other charges proposed by the Ports Authority for the period

beginning June 1st., 1964 and ending May 31, 1967.

After considering the merits of the request submitted by the Executive Director, the Economic Development Administrator has decided to adopt and promulgate the general structure of rates at the International Airport recommended by the Executive Director with immediate effectiveness as of June 1st., 1964 and therefore has approved the following resolution:

RESOLUTION NO. 543

Regulation to establish the general structure of rates, fees, rentals and other charges during the period beginning June 1st., 1964 and ending May 31, 1967 for the use of the facilities and services at the Puerto Rico International Airport.

BE IT RESOLVED

I. DEFINITIONS

1. Extended Flights - Flights arriving from or departing for foreign airports or the Continental United States shall be considered and assessed as "extended flights".

2. Local Flights - Flights arriving from or departing for any airport in the Commonwealth of Puerto Rico or the American Virgin Islands shall be considered and assessed as "local flights".

3. Certificated Scheduled Airlines - Airlines duly certificated by the Civil Aeronautics Board thru a certificate of public necessity and convenience or any other certificate assigning regular routes or schedules by said Board will be considered as "Certificated Scheduled Airlines".

4. Itinerant Air Carriers - Itinerant, iregular, uncertificated, non-scheduled, or other similar commercial air carriers not mantaining their own flight operations and certificated dispatchers and other services and activities common to certificated scheduled air carriers will be considered "Itinerant Air Carriers".

5. Non-commercial aircraft - Aircraft privately or corporately owned not engaged in the carriage of persons or baggage commercially or for hire, and not operating under any type of certificate currently issued by the Civil Aeronautics Board for such services, will be considered as "non-commercial aircraft".

6. Maximum Allowable Gross Weight - Shall mean the maximum gross take off weight as authorized by the Federal Aviation Agency for each type of aircraft to operate at the Puerto Rico International Airport.

II. FLIGHT FEES

1. Civil Commercial Aircraft of each certificated scheduled airline or foreign flag air carrier or itinerant air carrier, departing on revenue flights shall be assessed the following flight fees:

   (a) 35.25 cents per thousand pounds in the case of revenue departures to points in the Mainland United States or foreign countries.

   (b) 26.44 cents per thousand pounds in the case of revenue departures to points in Puerto Rico or the American Virgin Islands.

2. Civil Commercial Aircraft of each certificated schedules airline or foreign flag air carrier, or itinerant air carrier departing on non-revenue flights shall be assessed 21.15 cents per thousand pounds of allowable gross take-off weight of the aircraft per departure on non-revenue flight.

3. Non-commercial aircraft with a maximum allowable take-off weight over 7,500 pounds shall be assessed the following flight fees:

   (a) 35.25 cents per thousand pounds in the case of departures to points in the Mainland United States or foreign countries.

   (b) 26.44 cents per thousand pounds in the case of departures to points in Puerto Rico or the American Virgin Islands.

4. Civil Commercial or Non-commercial Aircraft with a maximum take-off weight under 7,500 pounds will not be subject to pay the flight fees as previously established. In lieu of flight fees, a three (3) cents charge per gallon on aviation fuel sold by any authorized tenant established at the Puerto Rico International Airport shall be assessed to such aircraft.

5. The above charges include the right to use aircraft loading positions as provided in airport regulations, but no right to park aircraft therein.

6. The above charges include six (6) hours parking on areas designated for such purposes.

III. AIRCRAFT PARKING CHARGE

1. Aircraft not permanently based at the Airport will be charged for parking not heretofore provided for, at a rate of ten (10) cents per thousand pounds of maximum take-off gross weight of the aircraft per day. A minimum parking charge of $1.50 for each day or fraction thereof will be levied regardless of aircraft weight.

2. Aircraft based at the Airport in excess of one calendar month will be considered permanently based at the Airport and would be eligible for 50% reduction in the parking fees set forth in sub paragraph (1), including the minimum charge mentioned therein.

3. The above charges do not apply to companies directly leasing hangars or parking areas for permanent aircraft storage or other similar facilities when using their own leased areas.

IV. GOVERNMENT-OWNED AIRCRAFT

Aircraft owned by the United States of America, by the Commonwealth of Puerto Rico, or by any of its municipalities or its public corporations shall not be assessed any fees or charges under this Resolution.

V. RENTALS

A. Passengers Terminal

Type of Space (1)	Floor (2)	Unit (3)	Rate for PRIA (4)
1. Enclosed Space (Air Conditioned)	Ground	sq. ft.	$8.00
	1	"	10.25
	2	"	10.25
	3	"	9.75
	4	"	9.75
	5-7	"	7.50
2. Enclosed Space (Not Air Conditioned)	Ground	sq. ft.	7.00
	1	"	9.25
	2	"	9.25
	4	"	8.00
	5-7	"	5.50
3. Interior tug drives (for baggage delivery)			6.00
4. Canopied space			5.00
5. Open ramp areas			4.00
6. Open Terrace			2.75

B. For the rental of Cargo Terminal, the following:

$2.00 per square foot

C. Inspection Areas

For the use of space by the Federal Inspection Agencies for the purpose of clearing passengers and its properties, arriving

from the Virgin Islands and foreign points a fee, collected from the air carrier of:

Item (1)	Unit (2)	Amount to be Collected Years ending June 30		
		1965 (3)	1966 (4)	1967 (5)
Passenger from foreign points	One	$0.889	$0.814	$0.764
Passenger from Virgin Islands	"	0.416	0.384	0.359
Passenger to Mainland U. S.	"	0.012	0.011	0.011
Freight from V. I. and foreign points	1,000 pounds	2.67	2.48	2.32

VI. The rentals fixed in paragraph VA above shall constitute minimum rentals in order to maintain the ability to recover not less than the break even cost of the facilities or services provided. However in contract executed with concessionaire higher rentals may be established.

VII. RECOVERY OF RENTAL COSTS RELATIVE TO GATE LOBBIES AND BAGGAGE DELIVERY SPACE

The Authority shall establish, after consultation with the airlines operating at the Puerto Rico International Airport, a formula through which the Authority will recover from the airlines the rentals for gate lobbies and baggage delivery space.

VIII. The rates, fees, rentals and charges imposed by this resolution shall be paid as determined by the Authority and failure to pay such charges when due shall be sufficient cause for the Authority to deny such delinquent any further right to utilize space or exercise privileges at the aiport.

IX. Any amount due for the rates, fees, rentals and other charges established herein, and not paid within the term fixed by the Authority will accrue interest at a rate of nine percent (9%) per annum.

X. Until further revision the rates, fees, rentals, and other charges for the use of the facilities or services at the Ponce and Mayaguez airport shall be those provided for in resolution No. 411 approved on June 1st., 1961.

XI. DATE OF EFFECTIVENESS

The provisions of this resolution shall come into effect as of June 1, 1964 in accordance with Article 6(1) of Act 125, approved May 7, 1942, as amended.

XII. This regulation is approved pursuant to Section 6(1) of Act No. 125 approved May 7, 1942, as amended (23 L.P.R.A. 336).

XIII. In accordance with the powers vested on the Economic Development Administrator by said Section 6 (1) of Act No. 125 approved May 7, 1942, as amended, a public hearing shall be held with respect to the charge authorized by the present resolution. This hearing will be of an informative, quasi-legislative character before a hearing officer that will be appointed by this Administrator. It is understood that after hearing and submission of the report by the hearing officer, the Administrator pursuant to the powers vested in him by the Act, may alter, suspend or revoke such charges.

There being no further matter to be submitted to the consideration of the Economic Development Administrator, the meeting was adjourned.

VICENTE ORTIZ COLON
Secretary

APPROVED:

RAFAEL DURAND

C E R T I F I C A T E

I, VICENTE ORTIZ COLON, Secretary of the Puerto Rico Ports Authority, hereby CERTIFY that the preceding is the Resolution No. 543 approved by the Economic Development Administrator on April 30, 1964.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Puerto Rico Ports Authority this 30th day of April, 1964.

VICENTE ORTIZ COLON
Secretary