

Alseveroff



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: MC II Generator and Electric Service, Inc.--
Reconsideration

File: B-266356.2

Date: November 28, 1995

DECISION

MC II Generator and Electric Service, Inc. seeks reconsideration of our dismissal of its protest of the award of Contract No. F04606-95-D-0403-001 to Essex Electro Engineers, Inc., by the Department of the Air Force.

We dismiss the reconsideration request because the matter involved is currently pending before a court of competent jurisdiction.

It is our policy not to decide protests where the matter involved is the subject of litigation before a court of competent jurisdiction unless the court requests our decision. Section 21.11(b), 60 Fed. Reg. 40,737, 40,743 (Aug. 10, 1995) (to be codified at 4 C.F.R. § 21.11(b)); Robinson Enters.-Request for Recon., B-238594.2, Apr. 19, 1990, 90-1 CPD ¶ 402. The matter raised by the protest is currently before a court, and since there is no indication that the court requests, expects, or is interested in our decision, we will not consider the protest. Adams & Assocs. Travel, Inc. et al., B-216673 et al., Feb. 1, 1985, 85-1 CPD ¶ 124.

Accordingly, the request for reconsideration is dismissed.

Comptroller General
of the United States

065333/155810