

4764

04476



DECISION

J. Veckel
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-190746 DATE: December 9, 1977

MATTER OF: Motorola, Inc. - Communications Division

DIGEST:

Protest under TVA procurement will not be considered since General Accounting Office is precluded by TVA Act from disallowing credit for expenditures which TVA Board determines necessary in carrying out TVA Act, and remedial action, if considered necessary, would be impossible.

Motorola, Inc., Communications Division, has protested the award of a contract to another firm by the Tennessee Valley Authority (TVA) under invitation for bids No. 3-100741.

While our Office will under 4 C.F.R. § 20.1(a) (1977) entertain protests against various procurement actions taken by or for an agency of the Federal Government whose accounts are subject to settlement by the General Accounting Office, 16 U.S.C. § 831h(b) (1970) precludes our Office from disallowing credit for any expenditure which the TVA Board determines necessary to carry out the TVA Act. Consequently, even should we disagree with the propriety of the TVA actions, we would be unable to effect any remedial action, and thus no useful purpose would be served by our consideration of the protest. Insulated Cable Corporation, B-188494, March 25, 1977, 77-1 CPD 216.

Accordingly, we will not consider the protest.

Paul G. Dembling
Paul G. Dembling
General Counsel