

**DECISION**



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

*Revised*  
1-1

8289

FILE: B-193118

DATE: November 8, 1978

MATTER OF: Nixdorf Computer Corporation

**DIGEST:**

Where no proposals are received, propriety of protested RFP is academic, and objection against possible use of same specifications in future RFP is premature.

Nixdorf Computer Corporation (Nixdorf) protested to our Office on October 6, 1978, that no one vendor could offer a data entry system meeting all the mandatory specifications of request for proposals (RFP) No. 78-14, issued by the Federal Communications Commission (FCC), and that development of such a system could be accomplished only at excessive cost.

We have been advised by the FCC that proposals were due by the close of business on October 6, 1978, that no proposals were received, and that the procurement will have to be conducted again.

We believe these developments render Nixdorf's protest academic, because it does not involve any award or proposed award of a contract under the RFP. Further, any objection to the possible use of the same specifications in a future RFP is premature at this time. See Franklin Solid Waste Service, Inc., B-188961, June 22, 1977, 77-1 CPD 445. The proper time to protest would be after such an RFP is issued and prior to the closing date for receipt of initial proposals. Section 20.2(b)(1), GAO Bid Protest Procedures, 4 C.F.R. Part 20 (1977).

The protest is dismissed.

*William A. Aronson*

General Counsel