

DECISION



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

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S. Reutershan
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FILE: B-192723

DATE: FEB 14 1979

MATTER OF: Patrick T. Schluck - Actual subsistence
expense - cable television rental fee

DIGEST: Claim for Cable television rental fee expense incurred
by employee in authorized temporary quarters
in connection with permanent change of
station may be reimbursable to such employee
provided that the expense is ordinarily in-
cluded in the price of a room in the location
concerned.

4 This is in response to a request of August 22, 1978, from
Elizabeth A. Allen, an authorized certifying officer of the
Internal Revenue Service for an advance decision as to whether
Patrick T. Schluck is entitled to reimbursement for a cable tele-
vision (TV) rental charge which he incurred while in authorized
temporary quarters in connection with a permanent change of
station.

The record indicates that Mr. Schluck was transferred from
Cheyenne, Wyoming, to Sheridan, Wyoming, with a reporting date
of May 21, 1978. While in temporary quarters, he incurred
several expenses for which he now claims reimbursement. These
expenses included room rental, utility bills, a phone service
charge, and a cable TV rental charge of \$8 a month. The certi-
fying officer requests our decision as to the legality of reim-
bursing Mr. Schluck for the cable TV expense.

The authority for the reimbursement of subsistence expenses
to an employee occupying temporary quarters in connection with a
permanent change of station is 5 U.S.C. § 5724a(a)(3) (1976).
The regulations which implement the statute, the Federal Travel
Regulations (~~FTR~~ ~~(FPMR 101-7)~~), provide in chapter 2, paragraph
2-5.4(a) (1973); that an employee occupying temporary quarters
in connection with a permanent change of station shall be reim-
bursed for "actual subsistence expenses incurred provided these
are incident to occupancy of temporary quarters and are reason-
able in amount." The regulation further provides that "allow-
able subsistence expenses include only charges for meals
(including groceries consumed during occupancy of temporary
quarters), lodging, fees, and tips incident to meals and lodg-
ing, and dry cleaning and pressing of clothing."

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In 52 Comp. Gen. 730 (1973) we held that the costs of lodging incurred by an employee on temporary duty who rents an apartment rather than obtaining lodging at a hotel or motel includes those items, such as TV rental charges which are for accommodations or services ordinarily included in the price of a hotel or motel room. We also held that "special user fees such as cable TV charges" are reimbursable as lodging costs "if such facilities in the area concerned are ordinarily included in the price of a room * * *." 52 Comp. Gen. at 73. We followed that case in 56 Comp. Gen. 40 (1976) in holding that a reasonable fee paid for the rental of a TV set was reimbursable to an employee who had rented an apartment while on temporary duty in a high-rate geographical area. In 56 Comp. Gen. 40 we stated that the 1973 case had implicitly overruled our earlier decision B-160914, March 20, 1967 which had held that TV rental fees were not reimbursable as an expense of occupying temporary quarters at a new duty station. Thus, the expense of TV or cable TV is reimbursable under the same standards for both temporary duty and temporary quarters in connection with a transfer.

In the instant case, we have no objection to reimbursing Mr. Schluck for the \$8 cable TV rental fee provided that this service is "ordinarily included in the price of a room" in the area concerned. If the agency determines that such a fee is ordinarily included in the price of a room in Sheridan, Wyoming, the claim may be paid.

R.F.KELLER

Deputy Comptroller General
of the United States