

PLM-II

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DECISION



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

FILE: B-193133

DATE: August 13, 1979

Request for Payment Under Commuted-Rate System for transport
MATTER OF: Challis Broughton - Shipment of household goods

DIGEST: For the purpose of computing the commuted rate, the weight of household goods transported must be determined either by the actual scale weight or by the constructive weight of the goods determined on the basis of properly loaded van space occupied. That test has not been met by estimated weight and itemization of effects, but no showing of properly loaded van space.

DLB-62572

This action is in response to a request for reconsideration of our decision B-193133, April 24, 1979. That decision was issued upon a request for an advance decision on a claim of Mr. Challis Broughton for payment under the commuted-rate system for transportation of household goods by a U-Haul and a private truck incident to a permanent change of station (PCS). In that decision we determined that insufficient documentation had been presented concerning weights of the household goods transported by Mr. Broughton to support payment under the commuted-rate system. Further, no information had been presented which could be used to justify payment of the commuted rate based upon the constructive weight. In lieu of the commuted rate we authorized the payment of actual expenses to the extent that actual expenses had been shown by the claimant.

With his request for reconsideration, Mr. Broughton has submitted an estimate of the weight of the household goods made by the Aero Mayflower Transit Company Agency in Cincinnati, Ohio, on May 4, 1978, shortly before his move. In addition, Mr. Broughton has supplied a list of the items shipped including measurements and "extended weight." Based upon the additional information he requests payment at the commuted rate based upon a constructive weight.

Paragraph 2-8.2b(4) of the Federal Travel Regulations provides that:

"(4) Constructive weight. If no adequate scale is available at point of origin, at any point en route, or at destination, a constructive weight, based on 7 pounds

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per cubic foot of properly loaded van space, may be used. Such constructive weight also may be used for a part-load when its weight could not be obtained at origin, en route, or at destination, without first unloading it or other part-loads being carried in the same vehicle, or when the household goods are not weighed because the carrier's charges for a local or metropolitan area move are properly computed on a basis other than the weight or volume of the shipment (as when payment is based on an hourly rate and the distance involved). However, in such instances the employee should obtain a statement from the carrier showing the amount of properly loaded van space required for the shipment. (See also 2-8.3a(3) with respect to proof of entitlement to a commuted rate payment when net weight cannot be shown.)"

Where evidence to support a claim for shipping household effects does not establish the cubic feet of properly loaded van space, the employee is not entitled to reimbursement at the commuted rate but may be reimbursed actual expenses incurred if evidence submitted reasonably supports the shipment of the claimed weight of household goods.

The itemized list of household goods shipped showing measurements and constructive weight based on 7 pounds per cubic foot submitted by Mr. Broughton is not a statement of properly loaded van space occupied by his household goods. Although the evidence submitted is sufficient to permit reimbursement to Mr. Broughton of the actual expenses he incurred in moving his household goods himself, it will not support payment at the commuted rate. Accordingly, the decision of April 24, 1979, is affirmed.


Deputy Comptroller General
of the United States