

DECISION



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

12468

PL-1
Mr. W. H. ...

FILE: B-195311.2

CPG 00157

DATE: January 8, 1980

MATTER OF: Allis-Chalmers Corporation—[request for
reconsideration]

DIGEST:

Since court has not indicated any interest in GAO's reconsideration of prior decision rendered in response to expression of interest from court, GAO will not reconsider decision.

Allis-Chalmers Corporation (Allis-Chalmers) requests reconsideration of our decision in the matter of Allis-Chalmers Corporation, B-195311, December 7, 1979, 79-2 CPD _____. That decision was rendered in response to an expression of interest from the United States District Court for the Middle District of Pennsylvania in connection with Civil Action No. 79-1153.

DLG03490

It is our policy not to decide matters where, as here, the material issues are before a court of competent jurisdiction. However, if the court expresses an interest in a decision by our Office, we will then consider the matter on the merits. See Dynatrend, Inc., B-192038, January 3, 1979, 79-1 CPD 4.

Here, the presiding judge did express an interest in our decision, and we therefore rendered the above-mentioned decision which denied Allis-Chalmers' protest. Allis-Chalmers on its own behalf now requests reconsideration. However, since our prior decision was in response to the court's request and the court has not indicated an interest in our Office reconsidering the decision we will take no further action on the merits of this matter.

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Reliable Trash Service--request for reconsideration, B-194760, August 31, 1979, 79-2 CPD 169; Sea-Land Service, Inc.--request for reconsideration, B-192149, December 19, 1978, 78-2 CPD 421.

Accordingly, Allis-Chalmers' request for reconsideration is dismissed.

A handwritten signature in cursive script that reads "Milton J. Socolar".

Milton J. Socolar
General Counsel