



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Lone Star Gas Liquids Processing, Inc.

File: B-225707

Date: March 23, 1987

DIGEST

To be subject to review by the General Accounting Office (GAO) under the Competition in Contracting Act of 1984 (CICA), a protest must pertain to a procurement of property or services by a federal agency. Protest concerning the sale of natural gas does not involve a procurement of property or services within the meaning of CICA, and the GAO will review it only where the federal agency involved has agreed to such review.

DECISION

Lone Star Gas Liquids Processing, Inc., protests the sale of natural gas from the Naval Petroleum Reserve No. 1, Kern County, California, under invitation for bids (IFB) No. DE-FB01-87FE61185, issued by the Department of Energy on December 23, 1986.

Under the Competition in Contracting Act of 1984 (CICA), our Office is authorized to review protests concerning proposed contracts for the "procurement of property or services" by a federal agency. See 31 U.S.C. § 3551(1) (Supp. III 1985). Here, the protest concerns a sale of energy products by the Department of Energy, and, as such, it does not involve a procurement of property or services within the meaning of CICA. Although our Bid Protest Regulations provide for the consideration of certain nonstatutory protests where the agency involved agrees to have us decide its protests, 4 C.F.R. § 21.11 (1986), the Department of Energy has not done so and has advised this Office that it does not desire us to consider the instant protest. As a result, there is no

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basis for review by our Office. See William Everett, B-220400, Nov. 1, 1985, 85-2 CPD ¶ 507, citing Equity Federal Savings Bank, 64 Comp. Gen. 697 (1985), 85-2 CPD ¶ 81.

The protest is dismissed.

Ronald Berger

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