



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Teleconferencing Systems, Inc.

File: B-229928

Date: March 16, 1988

DIGEST

1. Protest challenging propriety of specifications for one line item included in solicitation is academic and will not be considered on the merits where the solicitation was amended to delete the item in question.
2. Protest which challenges specifications expected to be included in future solicitations is dismissed as premature.

DECISION

Teleconferencing Systems, Inc. (TSI) protests the proposed award of a contract for a high resolution graphics subsystem under request for quotations (RFQ) No. 876-037-TEC, issued by the American Telephone and Telegraph Company (AT&T), in accordance with the terms of its contract with the Defense Communications Agency (DCA) (Contract No. DCA200-78-H-005), under which AT&T is designated as the supplier and total system integrator of a Modular Video Teleconferencing System for the Strategic Defense Initiative Organization. The solicitation specified that the government standard for the graphics equipment was a system manufactured by DataBeam Corporation. TSI contends that this item description is part of an ongoing effort by AT&T to make sole-source acquisitions of this subsystem.

We dismiss the protest.

During our consideration of this matter, AT&T amended the RFQ to delete this requirement for a graphics subsystem. DCA informs us that AT&T instead will use equipment that it has previously contracted for with DataBeam. In view of this action, the issue raised by TSI concerning the propriety of the specifications for this item has been rendered academic. See Precision Manufacturing., Inc., B-224565, Jan. 12, 1987, 87-1 CPD ¶ 49.

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Further, we will not, as urged by TSI, consider this issue on the assumption that AT&T likely will include this same requirement in future solicitations once its current future solicitations once its current contract with DataBeam expires. Our Office only considers protests against specific procurement actions. A protest that is based upon speculation as to possible future conduct is premature and will not be considered. See BHT Thinning, B-222924, July 8, 1986, 86-2 CPD ¶ 45.1/

The protest is dismissed.



for Ronald Berger
Deputy Associate
General Counsel

1/ Both the agency and AT&T question our Office's jurisdiction to consider this protest because the matter protested involves AT&T's selection of a subcontractor rather than a direct award by the agency itself. Because the protest is dismissed as academic and premature, and thus will not be reviewed in any case, we will not decide this jurisdictional question here. See Major Tom Enterprises, Inc., B-228258, Jan. 27, 1988, 88-1 CPD ¶ 80.