

PL II

**DECISION**



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

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FILE: B-193856

DATE: April 12, 1979

MATTER OF: Commander James H. Baker, USN

*[Allegation that Excess Costs of Shipping Household Goods Was Based on Erroneous Weight Certificates]*

DIGEST: A showing that the serial numbers of certified weight certificates were in reverse order is not sufficient to challenge the correctness of the weight shown on the certificates when they appear otherwise proper. Thus, when a Navy member's household goods excess weight charge was based on such proper certificates, his claim for the amount collected from him may not be allowed on the basis that reweigh certificates had two different truck numbers, or that a subsequent shipment of his goods 3 years later weighed less.

This action is in response to correspondence dated October 30, and November 3, 1978, from Commander James H. Baker, USN, in effect appealing our Claims Division's April 13, 1978 determination that the Navy's collection of excess costs of shipping his household goods was proper.

Incident to his ordered permanent change of station from Alexandria, Virginia, to China Lake, California, Commander Baker was authorized shipment of his household goods. The record shows that his household goods were picked up in two vehicles at Alexandria, Virginia, which when weighed on July 2 and 3, 1975, totaled a combined net weight of 16,570 pounds. When the shipment arrived in California it was placed in storage on July 10, 1975. Prior to delivery to Commander Baker's residence from storage, the household goods were reweighed in two lots on July 23 and 24, 1975, and the combined net weight was found to be 16,700 pounds.

The carrier was paid freight charges based on the lower weight of 16,570 pounds. Also using the lower weight, the Navy found that Commander Baker had exceeded his household goods weight allowance by 1,790 pounds and collected \$632.12 from him for the excess freight charges.

Commander Baker disagreed with the collection action indicating that he felt the weights of his household goods were improperly obtained. In particular he noted that the serial

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numbers on the weight certificates used to determine the weight of household goods loaded July 2, 1975, on one of the two vehicles at Alexandria were in reverse sequence. That is, the certificate showing the gross weight of the loaded vehicle had a lower number (17790) than the serial number (17791) on the certificate showing the tare weight. This, Commander Baker indicates, casts doubt on the weights since the tare weight should have been obtained before the gross weight.

He also questions the weight obtained in reweighing the goods in California. He indicates that the weight of part of his goods loaded was obtained by weighing the truck unloaded on July 23, 1975, and then weighing it loaded on July 24, 1975. He says that the normal procedure is to weigh the truck loaded before delivery and then weigh it again after delivery. He also questions the weight certificates for that truck on the basis that the truck and trailer numbers shown on the certificate for the loaded vehicle are different from those shown on the certificate for the unloaded vehicle.

In addition to questioning the weight certificates Commander Baker has submitted documents covering his subsequent move in September 1978 from China Lake to Seattle, Washington, in which move the weight of his household goods was determined to be 15,580 pounds. He has submitted inventories of his goods with estimated weights to support his position that although he had more goods at the time of the move to Seattle, the weight of those goods was less than the amount his goods were determined to weigh in the move to China Lake.

Matters of whether and to what extent authorized weight allowances have been exceeded in the shipment of household goods are questions of fact considered to be primarily for administrative determination which we ordinarily will not question in the absence of evidence showing them to be clearly in error. B-189888, March 22, 1978.

In this case the carrier based its charges, and the Navy based its collection action against Commander Baker, on the weight obtained in Alexandria. That weight was determined from weight certificates from a certified scale which appear proper on their face. The fact that the serial numbers on the certificates may be

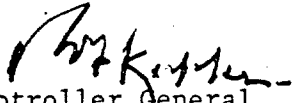
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out of sequence or in reverse order is not sufficient to overcome the fact that in all significant respects those certificates appear proper. This is particularly so in lieu of any showing of a requirement that the certificates be used in any particular order.

As to the certificates obtained in the reweigh in California, since no basis to question the weight of the goods at origin has been presented, the validity of the reweigh would not affect the outcome of the case.

As to the comparison of the weight of Commander Baker's household goods when they were shipped in September 1978 with the weight of his goods in July 1975, it has long been our view that the weight of a prior or subsequent move is not necessarily indicative of the weight of the move in question because of the possibility of inclusion or exclusion of items which would vary the prior or subsequent weights. B-189388, August 23, 1977. Commander Baker has submitted lists of his goods shipped in 1975 and those shipped in 1978 and has offered explanations as to items added and removed between the moves. However, over 3 years elapsed between the moves, thus there is the obvious possibility of fading memories, as well as differences in packing and acceptable variances in scales.

Therefore, considering all of the above, it is our view that there is not a clear showing that the weight upon which the carrier based its charges and the Navy charged Commander Baker, as obtained from the certified weight certificates in Alexandria was incorrect. Accordingly, the determination of our Claims Division which found the Navy's collection action proper is sustained and Commander Baker's claim is denied.

  
Deputy Comptroller General  
of the United States