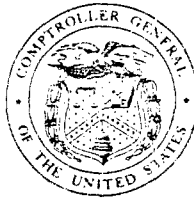


Proc I

DECISION



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

9606

FILE: B-194018

DATE: April 2, 1979

MATTER OF: Neil Blackwelder Enterprises, Inc.

DIGEST:

01357

Protest against procurement by Tennessee Valley Authority will not be considered because General Accounting Office is precluded by TVA Act from disallowing credit for expenditures which TVA Board has determined necessary to carry out purposes of TVA Act.

The protest is contended
Neil Blackwelder Enterprises, Inc. (Neil), protests the proposed award of a contract to another firm by the Tennessee Valley Authority (TVA) under invitation for bids (IFB) No. 54-824028. The basis for Neil's protest is that the proposed awardee has not submitted a bid which is responsive to certain of the terms in the IFB.

While our Office has authority under 4 C.F.R. § 20.1(a)(1978) to consider protests involving procurements by or for agencies of the Federal Government whose accounts are subject to settlement by the General Accounting Office, our Office does not consider protests involving procurement actions of the TVA. Under 16 U.S.C. § 831h(b) (1976), the General Accounting Office is precluded from disallowing credit for any expenditure which the TVA Board determines is necessary to carry out the TVA Act. Consequently, no useful proposal would be served by consideration of the protest. Motorola, Inc.-Communications Division B-190746, December 9, 1977, 77-2 CPD 453; Ipsco Fabricators, B-188351, February 28, 1977, 77-1 CPD 148.

Accordingly, the protest ^{was} is dismissed.

Milton J. Socolar
Milton J. Socolar
General Counsel

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