

17245 Mr. Hasfurther

DECISION



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

FILE: B-201867

DATE: March 5, 1981

MATTER OF: Defense Logistics Agency--Request for
Advanced Decision

DIGEST:

[Claim for refund of prompt payment discount] taken on basis that original invoices were mailed for payment on July 7 and that prompt payment discount period began to run as of that date is denied where contract provided that prompt payment discount period would begin to run from date correct invoice or voucher was received in specified Government office, where office never received original invoices and copies of original invoices were received on August 22 and payment was made on August 26.

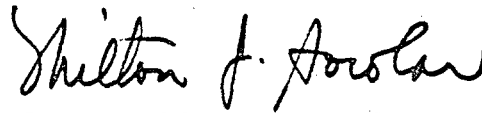
DL661259

The Accounting and Finance Officer, Defense Contract Administration Services Region Atlanta (DCAS), Defense Logistics Agency, [requests an advance decision on the claim of W. E. Bynum Company, Inc. (Bynum), for the refund of \$136 in allegedly unearned prompt payment discounts taken on two invoices] under contract No. DLA720-80-C-0499.

[Bynum contends that it mailed the original invoices] (Nos. 16591 and 16592) to DCAS on July 7, 1980. Bynum, [after various attempts to ascertain why no payment had been received, learned on August 20 from DCAS that the invoices had never been received.] Thereafter, [Bynum sent copies of the original invoices to DCAS, and these were received by DCAS on August 22. Payment to Bynum was issued by DCAS on August 26. Bynum contends that the prompt payment discount period, during which time the Government had the right to take the discount, began to run on July 7 when it mailed the invoices to the Government, not on August 22 when DCAS received the copies of the invoices.] Accordingly, Bynum requests that the discount amount taken be returned to it.]

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[The contract provided] the following as to when the prompt payment discount period would begin to run: "Time will be computed * * * from the date the correct invoice or voucher is received in the office specified by the Government." Since the original invoices were never received--through no fault of the Government--by DCAS, the prompt payment discount period did not begin to run until the August 22 receipt by DCAS of the invoice copies, assuming they were "correct" under the contract clause. [Because payment was made] on August 26, [the claim for refund of the discount taken is denied.]
B-172812, January 13, 1972; Philadelphia Scientific Controls Inc., B-184351, January 27, 1976, 76-1 CPD 48.



Acting Comptroller General
of the United States