



United States
General Accounting Office
Washington, D.C. 20548

Office of the General Counsel

B-230894.2; B-230895.2; B-230896.2; B-230897.2; B-230899.2

April 20, 1988

Union Natural Gas Company
16479 Dallas Parkway
Dallas, Texas 75248-2616

Attention: Mr.

Gentlemen:

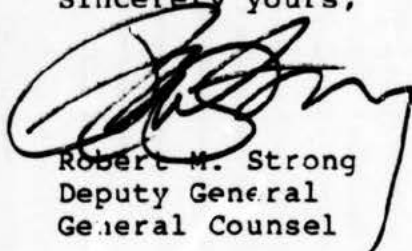
This responds to your April 13, 1988, letter concerning our disposition of five of the six protests you filed in our Office by letter of March 18. We dismissed four of them (B-230894, B-230895, B-230897, B-230899) on April 5, and one (B-230896) on April 11, under section 21.2(a)(3) of our Bid Protest Regulations, 4 C.F.R. part 21 (1988), because you did not protest to our Office within 10 working days after initial adverse agency action on protests you filed with the respective contracting activities.

You now argue, basically, that the protests to our Office were timely because you appealed the initial adverse actions within the Department of Defense, and you filed with our Office within 10 working days after your appeals were denied. You ask that we therefore reopen the subject files.

There is no merit to your position. Our Bid Protest Regulations clearly require that where an agency-level protest was filed initially, any subsequent protest to our Office must be filed within 10 working days of initial adverse agency action. Continued pursuit of a denied protest with the contracting agency thus does not toll the 10 working day period for filing with the General Accounting Office.

Also, we point out for your records that B-230895 concerned the Fort Benning procurement (you list it as an "unknown" reference in your April 13 letter), and B-230896 concerned the White Sands solicitation (you list it as B-230895).

Sincerely yours,



Robert M. Strong
Deputy General
General Counsel