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E. Will. Young

DECISION



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

FILE: B-189906

DATE: August 2, 1978

MATTER OF: Trans Country Van Lines, Inc.

DIGEST:

Rates tendered for the transportation of electronic equipment apply on the support structure and dolly which are part of the unit of equipment and necessary for the functioning of the article.

By letter dated August 10, 1977, Trans Country Van Lines, Inc. (Trans Country), requests the Comptroller General of the United States to review the final action of the General Services Administration (GSA) in sustaining the disallowance of Trans Country's claim for \$642.47. See Section 201(3) of the General Accounting Office Act of 1975, 49 U.S.C. 66(b) (Supp. V 1975).

Trans Country contends that the rates proffered under its rate tender I.C.C. 150 do not apply to the commodities shipped, and that additional charges are due the carrier based on the rates named in Movers' & Warehousemen's Association Government Rate Tender I.C.C. 1-V.

GSA disallowed the carrier's claim because the shipping record did not establish that the articles shipped were ratable under the provisions of Government Rate Tender I.C.C. 1-V.

The shipment moved from the Westinghouse Electric Corporation plant in Baltimore, Maryland, to the Marine Corps Air Station at Cherry Point, North Carolina, under Government bill of lading A-7846893, issued on March 4, 1971. The bill of lading contains a reference to "ICC 150 Effective 10/1/70," and the carrier initially billed the charges at the rates named in Trans Country rate tender I.C.C. 150. The articles shipped were described on the bill of lading--in the terminology of the National Motor Freight Classification--as steel platform or warehouse frames and electrical instruments.

Since the claim record here did not show who owned the articles shipped, or furnish a complete description of the commodity, the Air Force Representative and Property Administrator, located at the Westinghouse Defense and Electronic

System Center in Baltimore, Maryland, was requested to furnish additional information. In response to our inquiry, we were advised that the articles shipped consisted of electronic equipment, owned by the Government, which had been shipped from storage at the Westinghouse plant, to the Marine Corps Air Station at Cherry Point, North Carolina, for use in testing radar systems in aircraft and in depot installations. The test unit consists of the electronic test tool, a support structure and a dolly. The support structure is designed to support the radar systems which are removed from the aircraft for testing. The dolly is a part of the unit and has the purpose of providing mobility for the electronic unit while in use.

Since the articles shipped were all component parts of a unit of electronic equipment designed to test aircraft equipment and to perform radar and other depot maintenance testing, the complete article is a unit of electronic equipment and as such, is ratable under Trans Country rate tender I.C.C. 150 which specifically provides that the rates named therein shall apply on the transportation of electronic equipment. The rates in Government Rate Tender 1-V do not apply because those rates apply only in the absence of an individual carrier tender. B-188097, July 19, 1977; B-186928, March 28, 1977.

GSA's action in disallowing the additional amount claimed by Trans Country thus was proper and is sustained.


Deputy Comptroller General
of the United States