

DECISION



M. Doyle P.I.
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

8070

FILE: B-192149

DATE: October 16, 1978

MATTER OF: Sea-Land Service, Inc.

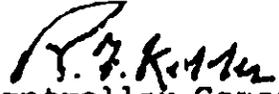
DIGEST:

Where GAO renders decision in response to specific expression of interest from court of competent jurisdiction, reconsideration request filed by interested party is dismissed--without consideration on merits--because court has not indicated an interest in our reconsideration of decision.

Sea-Land Service, Inc. (Sea-Land), requests reconsideration of our decision in the matter of Foss Alaska Line, 57 Comp. Gen. _____ (B-192149, September 12, 1978). That decision was rendered in response to an expression of interest from the United States District Court for the District of New Jersey in connection with civil action No. 78-1223, entitled Sea-Land Service, Inc. v. Brown, et al. The court's consent order filed on July 11, 1978, outlined a specific timetable for all permissible actions of the parties and stated that there shall be no further submissions to our Office. We can find no reference, express or implied, to a possible request for reconsideration in the consent order.

On September 22, 1978, a hearing was held in the court on this matter and we have reviewed a copy of the transcript. During the hearing, the court was advised by counsel for the Navy that our Office would not reconsider the earlier decision without a clear expression of interest from the court. At that time the court did not express an interest in our reconsidering the matter. A further hearing on the matter was held on October 3, 1978; however, there was no indication that the court expected a reconsideration by our Office.

It is the policy of this Office not to decide matters where the material issues are before a court of competent jurisdiction unless the court expresses an interest in receiving our views. 4 C.F.R. § 20.10 (1976); City and County of San Francisco, B-188130, March 30, 1978, 78-1 CPD 246. Here, we have complied with the court's request to provide our views and we have no indication that the court expects our Office to reconsider the earlier decision. Thus, in the absence of an expression from the court that we reconsider the matter, Sea-Land's reconsideration request is dismissed.


Deputy Comptroller General
of the United States