



Comptroller General
of the United States

1140168

Washington, D.C. 20548

Decision

Matter of: Tri-State Motor Transit Company
File: B-253451.2
Date: August 5, 1994

DIGEST

Under Item 180 of the Military Traffic Management Command's Freight Traffic Rules Publication No. 1A, a carrier is allowed a diversion charge when, after the date of shipment and issuance of the bill of lading, the government requests that the destination on the bill of lading become a stop-off and that the shipment be sent to a new destination.

DECISION

Tri-State Motor Transit Company requests that we review the General Services Administration's (GSA) denial of its claim for diversion/reconsignment charges on Government Bill of Lading (GBL) transaction C-1,851,898. We reverse GSA's settlement.

The GBL showed that this shipment originated at the Naval Research Facility in Okahumpka, Florida, on December 2, 1989, with a destination at the Naval Underwater Systems Center in Fort Lauderdale, Florida. After the GBL was issued and prior to delivery, the government requested that Fort Lauderdale become a stop in-transit and that Port Everglades become the destination. In its Certificate of Settlement of August 18, 1993, GSA allowed Tri-State \$40 for a stop-off at Fort Lauderdale, but GSA denied an additional charge for diversion.

In our view, the circumstances surrounding this shipment meet all of the requirements for a diversion under Item 180 of the Military Traffic Management Command's Freight Traffic Rules Publication No. 1A. Item 180 defines a diversion (or reconsignment) as a change in the original destination point, or a change in the route or other instructions that require a change in billing or an additional movement of the

¹Item 215 of Military Traffic Management Command's Freight Traffic Rules Publication No. 1A indicates that stop-off service is available at a point between the origin and destination for the purpose of completing loading and/or partially unloading.

shipment. GSA's own Certificate of Settlement confirms that Fort Lauderdale became the intermediate point and Port Everglades became the destination; thus, a diversion occurred.

GSA's settlement is reversed.

/s/ Seymour Efros
for Robert P. Murphy
Acting General Counsel