



In the Matter of:

BIOSPHERICS, INC.

ARB Case No. 97-001

In re: General Services Administration
Contract No. GS00K94AFD2465
for information services, Cumberland,
Allegany County, Maryland

DATE: October 28, 1996

ORDER OF REMAND

The Administrative Review Board, United States Department of Labor, is in receipt of a Wage and Hour Division Administrator's motion, requesting that the Board dismiss the captioned Petition for Review on the ground that the July 31, 1996 Wage and Hour Division letter from which appeal was sought is not a final appealable decision under the Board's rules of practice. *See* 29 C.F.R. Part 8 (1996). Petitioner Biospherics, Inc., filed a response to the Administrator's motion to dismiss and does not object to a remand for the purpose of Wage and Hour reconsidering this matter and subsequently issuing a final determination. Accordingly, for good cause shown and there being no opposition, it is hereby

Ordered, that the captioned matter is **dismissed without prejudice** and, further, is remanded to the Wage and Hour Division for reconsideration and issuance of a final determination. It is further

Ordered, that the Wage and Hour Division shall complete reconsideration of this matter and issue a final determination **on or before the expiration of 75 days** from the date of this Order.

SO ORDERED.

David A. O'Brien
Chair

Karl J. Sandstrom
Member

Joyce D. Miller
Alternate Member