

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) GD-2986
Public Service Commission)
seeking to determine potential)
grain dealer claims to the) ORDER NUNC PRO TUNC
security of previously licensed)
grain dealer, Able LLC, Auburn,)
Nebraska.) Entered: August 29, 2017

BY THE COMMISSION:

The purpose of an order nunc pro tunc is to correct the record which has been made so that it will truly record the action taken which, through inadvertence or mistake, was not truly recorded. Interstate Printing Co. v. Dept. of Revenue, 236 Neb. 110, 459 N.W.2d 519 (1990). Clerical errors may be corrected by an order nunc pro tunc, but not judicial errors. Larson v. Bedke, 211 Neb. 247, 318 N.W.2d 253 (1982).

Upon review of the Commission's order entered August 15, 2017, in Docket No. GD-2986, it has come to our attention that a typographical error was made. Page 2 of the order, in paragraph two of the Evidence section, the Department mistakenly identified Kevin Wheeler as the claimant who had been paid in full. Kevin Schlange had actually been paid in full. Kevin Wheeler added additional documentation to define his claim. The sentences impacted should read as follows:

"One claimant, Kevin Schlange, responded he had been paid for his grain and did not have a claim. One claimant, Kevin Wheeler, disagreed because he had soybeans that were not listed on the original claim. He provided additional documentation and the Department agreed with his assessment."

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the order which was entered August 15, 2017, remains in effect as entered but corrected in accordance with the findings contained herein.

MADE AND ENTERED at Lincoln, Nebraska, this 29th day of August 2017.

NEBRASKA PUBLIC SERVICE COMMISSION

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Docket No. GD-2986

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COMMISSIONERS CONCURRING:

Mary Ridd

Crystal Knodes

Frank E. Landis

//s//Frank E. Landis

//s//Tim Schram

Tim Schram

Chairman

ATTEST:

Phil [Signature]

Executive Director