

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska        ) Application No. 911-042.33  
Public Service Commission, on        )  
its own motion, seeking to        )  
administer funding for public        )  
safety answering points for the        ) ORDER NUNC PRO TUNC  
implementation and provision of        )  
Enhanced Wireless 911 service:        )  
City of Lincoln.                        )  
  ) Entered: May 22, 2012

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 Approving Use of Funding entered May 1, 2012, in Application No. 911-042.33, it has come to our attention that a clerical error was made. The Order approves the use of wireless funds for 69% of Lincoln's total cost, consistent with its wireless/wireline 911 call ratio. The ratio should have reflected that 72% of Lincoln's 911 calls are wireless and the amount of funding adjusted accordingly. Therefore, the Commission enters this order nunc pro tunc to correct the errors and amends the original order as follows.

1. Each reference to 69% is changed to 72%.
2. Paragraph two is replaced with the following:

Therefore, Lincoln is requesting approval to use funding in the amount of **\$407,372.40** for the equipment and software and **\$26,892.72** for maintenance, representing 72% of the total costs.

3. Paragraph three of the "Opinions and Findings" section is replaced with the following:

Based upon the above, the Commission finds that use of wireless funding by Lincoln should be approved in the

amount of **\$407,372.40** for the equipment and software and **\$26,892.72** for maintenance.

4. The order is replaced with the following:

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that City of Lincoln request to use wireless funds for the purchase of equipment, software, and maintenance is hereby approved, as set forth herein in the amount of **\$407,372.40** for the equipment and software and **\$26,892.72** for maintenance.

The foregoing changes replace the similar paragraphs in the May 1, 2012 order. All other terms and conditions of the prior order remain in full effect.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the May 1, 2012 order remains in effect as entered but is corrected as set forth herein.

MADE AND ENTERED at Lincoln, Nebraska, this 22<sup>nd</sup> day of May, 2012.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Deputy Director

amount of **\$407,372.40** for the equipment and software and **\$26,892.72** for maintenance.

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IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that City of Lincoln request to use wireless funds for the purchase of equipment, software, and maintenance is hereby approved, as set forth herein in the amount of **\$407,372.40** for the equipment and software and **\$26,892.72** for maintenance.

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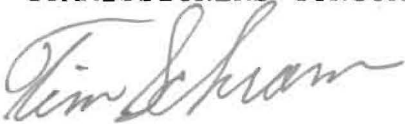
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NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s// Rod Johnson  
//s// Frank Landis

Chairman



ATTEST:



Deputy Director