

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-1339  
of Innovative Telecom Corporation )  
of Nashua, New Hampshire, seeking ) ORDER NUNC PRO TUNC  
authority to operate as a resale )  
common carrier of telecommunications )  
services within the state of )  
Nebraska. ) Entered: September 5, 1996

BY THE COMMISSION

The Commission enters this order nunc pro tunc to correct the order previously issued in C-1339 on August 20, 1996. That order approved the applicant, Innovative Telecom Corporation to operate as a resale carrier of intrastate interexchange intraLATA and interLATA telecommunications services within the state of Nebraska, including alternate operator services. The order contains an error which was brought to the Commission's attention by the applicant's legal counsel on August 28, 1996.

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).

The order entered by the Commission on August 20, 1996 authorizes Innovative Telecom Corporation to obtain a certificate of public convenience and necessity to operate as a reseller of intrastate telecommunications services within the state of Nebraska, including alternate operator services. The authorization to provide alternate operator services was in error and should not have been included. Innovative Telecom Corporation did not seek authority to provide, nor will they provide, alternate operator services.

After examining the record, and being fully advised, the Commission finds that the August 20, 1996 order does not accurately reflect the authorization requested. Therefore, the Commission should issue an order nunc pro tunc to correct the original order.

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the previous order granted in Application No. C-1339 on August 20, 1996 be amended by this order nunc pro tunc to reflect that the certificate of public convenience and necessity granted to Innovative Telecom Corporation be and it is hereby altered to authorize Innovative Telecom Corporation to operate as a resale carrier of intrastate interexchange interLATA and intraLATA telecommunications services within the state of Nebraska.


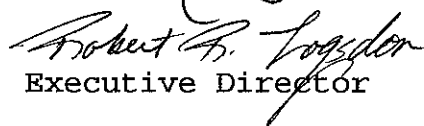
MADE AND ENTERED at Lincoln, Nebraska this 5th day of September, 1996.

COMMISSIONERS CONCURRING:

  
//s//Rod Johnson  
//s//Frank E. Landis  
//s//James F. Munnelly  
//s//Daniel G. Urwiller

Chairman

ATTEST:

  
  
Executive Director