

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Nebraska Public) Application No. C-2683
Power District, Columbus,)
seeking authority to lease dark) ORDER NUNC PRO TUNC
fiber to Frontier)
Telecommunications Company of)
Nebraska, Burnsville, Minnesota.) Entered: May 14, 2002

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 May 7, 2002, in Application No. C-2683, it has come to our attention that a typographical error was made. The figure of \$86.69 on pages 10 and 11 (at the second line on both pages) is incorrect, and should actually be \$86.89, as indicated in other portions of the order. The Commission found that Nebraska Public Power District's costs were \$2,089,396, which yields a calculation of \$86.89 per fiber, not \$86.69 per fiber. Therefore, the Commission hereby corrects its clerical error to reflect the correct figure of \$86.89 on pages 10 and 11.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the order which was entered May 7, 2002, remains in effect as entered but corrected in accordance with the findings contained herein.

MADE AND ENTERED at Lincoln, Nebraska, this 14th day of May, 2002.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director