

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Petition) Application No. C-2971
from residents of the Hildreth)
exchange, served by Citizens)
Telecommunications Company of) ORDER NUC PRO TUNC
Nebraska, requesting extended)
area service (EAS) to the Wilcox)
exchange, served by Great Plains)
Communications.) Entered: September 9, 2003

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 26, 2003, in Application No. C-2971, it has come to our attention that a number of typographical errors were made.

During the first month studied (April 2003), an average of 3.45 calls were made by each Hildreth resident to Wilcox. The second month of data (May 2003) produced an average of 3.53 calls per customer. The third month (June 2003) produced an average of 2.92 calls per customer.

During the first two months, only 28 percent of Hildreth residents made two or more calls to Wilcox. During month three, only 23 percent of Hildreth residents made two or more calls to Wilcox, respectively.

In either case, the usage study failed to satisfy Rule 002.27C3 and was appropriately dismissed.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the order which was entered August 26, 2003, remains in effect as entered but corrected in accordance with the findings contained herein.

MADE AND ENTERED at Lincoln, Nebraska, this 9th day of September, 2003.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director