

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application    ) Application No. C-3511  
of Qwest Corporation, Denver,        )  
Colorado, seeking interim period     )  
agreement with XO Communications    ) ORDER NUNC PRO TUNC  
Services, Inc., Salt Lake City,       )  
Utah, previously granted in           )  
Docket C-3295.                        ) Entered: January 24, 2006

BY THE COMMISSION:

O P I N I O N       A N D       F I N D I N G S

On January 18, 2006, the Commission entered an order granting the application of Qwest Corporation (Qwest), Denver, Colorado, seeking an interim period agreement amendment with XO Communications Services, Inc., Salt Lake City, Utah. In the application filed by Qwest on December 9, 2005, the parties inadvertently described the application as a request for approval of an "interim period agreement amendment" when, in fact, the parties sought approval of "interim period agreement". The Commission enters this order nunc pro tunc to correct this error and to strike the term "amendment" from all references to the agreement of the parties.

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).

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the order be corrected and to strike the term "amendment" from all references to the agreement of the parties in the order approved January 18, 2006.

MADE AND ENTERED at Lincoln, Nebraska, this 24th day of  
January, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director