

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,     ) Application No. C-4240  
on its own motion, to determine     )  
the surcharge for the statewide     )  
Telecommunications Relay System     ) ORDER NUNC PRO TUNC  
to be effective July 1, 2010, in     )  
the State of Nebraska.             ) Entered: April 13, 2010

BY THE COMMISSION:

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

On April 6, 2010, the Commission entered an order establishing the Telecommunications Relay System (TRS) surcharge for the 2010-2011 fiscal year. In the order issued by the Commission on April 6, 2010, an incorrect language regarding the surcharge was inadvertently included on page three, in paragraph four and again in paragraph five of the order. The Commission enters this order nunc pro tunc to correct this error and to strike the term "access line" on page three, in paragraph four and in paragraph five and insert instead "telephone number" in the April 6, 2010, order.

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 "access line" on page three, in paragraph four and in paragraph five and insert instead "telephone number" in the order approved April 6, 2010.

MADE AND ENTERED at Lincoln, Nebraska, this 13th day of April, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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MADE AND ENTERED at Lincoln, Nebraska, this 13th day of April, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Gene Boyle*

Chairman

*Gerald L. Vap*

*Tim Schram*

ATTEST:

//s// Frank E. Landis  
//s// Gerald L. Vap

*Michael J. J. J.*

Executive Director