

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of	)	APPLICATION NO. B-1517
Comstock Corporation dba Action Cab,	)	SUPPLEMENT 1
Grand Island, Nebraska, seeking to	)	
acquire, through transfer, the	)	ORDER NUNC PRO TUNC
authority granted in Certificate	)	
B-1507, Supplement 1, to Hastings	)	ENTERED: MAY 1, 2001
Taxi and Transportation Services,	)	
L.L.C., Grand Island.	)	

BY THE COMMISSION:

OPINION AND FINDINGS

It was brought to the Commission's attention that an order nunc pro tunc should be entered to correctly reflect the authority granted by the Commission in the application of Comstock Corporation dba Action Cab, Grand Island, seeking to acquire, through transfer, the authority granted in Certificate B-1507, Supplement 1, to Hastings Taxi and Transportation Services, L.L.C., Hastings. The Commission has reviewed the files and records of the Commission and finds that a portion of the authority granted in the order of December 21, 2000, to Comstock Corporation dba Action Cab was inadvertently left in the authority granted to Hastings Taxi and Transportation Services, L.L.C., Hastings. 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 529 (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).

From the evidence adduced in these proceedings and being fully informed in the premises the Commission is of the opinion and finds that:

1. The order entered herein on December 21, 2000, should be corrected nunc pro tunc.
2. The authority should read as follows for Hastings Taxi and Transportation Services, L.L.C.:

SERVICE AND TERRITORY AUTHORIZED:

COMMON: (A) Taxicab operations within Hastings and vicinity;  
(B) operating limousine service between the Clarke Hotel, 3rd and Hastings Avenue, Hastings, and the terminal building at Grand Island Airport, Grand Island, and return.

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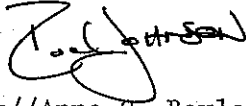
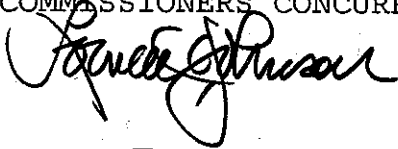
O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission, that its order entered herein December 21, 2000, be, and it is hereby, amended nunc pro tunc and that a Certificate of Public Convenience and Necessity be issued to Hastings Taxi and Transportation Services, L.L.C., setting forth the authority in the foregoing findings. All of the other findings, conditions and orders set forth in the previous order shall remain in full force and effect.

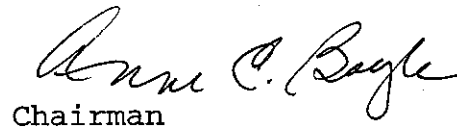
MADE AND ENTERED at Lincoln, Nebraska, this 1st day of May, 2001.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s//Anne C. Boyle

  
Chairman

ATTEST:

  
Executive Director