

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Rockstar ) APPLICATION NO. BR-541/B-1947  
Transportation, Omaha, seeking )  
to establish its rates and )  
charges subject to the ) ORDER NUNC PRO TUNC  
Provisions of Neb. Rev. Stat. )  
Chapter 75, Articles 1 and 3. )  
ENTERED: January 9, 2018

BY THE COMMISSION:

On November 17, 2017, Rockstar Transportation ("Applicant"), Omaha, filed an application for authority to amend its published rates, which were granted on an emergency basis on November 28, 2017. Pursuant to Neb. Rev. Stat. § 75-121 and Commission rules, Applicant's rates were published in The Daily Record. Omaha, on November 30, 2017.

Subsequent to the granting of the rates, Applicant informed the Commission that the published rate schedule did not include a rate for Holiday Light Tours at \$250 for two hours, \$100 each hour after. Upon inspection, it was determined that the rate was included in the original rate application and was not included in either the November 28, 2017 order or The Daily Record publication.

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

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.<sup>1</sup> Clerical errors may be corrected by an order nunc pro tunc, but not judicial errors.<sup>2</sup>

Based on the above, the Commission finds that an order nunc pro tunc should be entered. The November 28, 2017 Commission order granting Applicant's rates should be amended as follows:

Proposed and granted rates should read:

<u>Description</u>	<u>Rates</u>
Base Charge:	
Friday and Saturday:	\$99/hour, 4 hour minimum
After 4 hours	\$45/30 minutes
Sunday through Thursday:	\$99/hour, 3 hour minimum
After 3 hours	\$45/30 minutes

<sup>1</sup> *Interstate Printing Co. v. Dept. of Revenue*, 236 Neb. 110 (1990).

<sup>2</sup> *Larson v. Bedke*, 211 Neb. 247 (1982).

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Weddings:	\$150/hour, 2 hour minimum
After 2 hours	\$100/hour
Holiday Light Tours	\$250 for first two hours, \$100/hour thereafter
Airport & Concerts	\$175/hour for first hour
New Year's Eve, New Year's Day, Christmas Eve, Christmas Day	\$150/hour
St. Patrick's Day	\$125/hour, 4 hour minimum
Mileage	\$1.00/mile outside of Omaha
Gift cards for Fundraisers	\$100 gift card towards a 4 hour run

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the November 28, 2017 Order should be corrected as set forth herein.

IT IS FURTHER ORDERED that the remainder of the November 28, 2017 Order remains in effect as entered.

IT IS FINALLY ORDERED that public notice of this action be published in The Daily Record, Omaha, Nebraska, pursuant to the provisions of Neb. Rev. Stat. § 75-121 and Commission rules.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 9<sup>th</sup> day of January, 2018.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING

*Mary Ridder*  
Chairman

ATTEST:

*Michelle S. [Signature]*  
Executive Director

*Crystal Snodden*  
*Tim Schran*  
*Paul [Signature]*  
//s//Frank E. Landis  
//s//Mary Ridder