

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the)	APPLICATION NO. MR-1009
Prescription of Reasonable)	
Rates and Charges for Motor)	
Carriers Passengers and)	
Property for Hire Subject to)	ORDER NUNC PRO TUNC
The provision of Neb. Rev.)	
Stat.(Reissue 2006), Chapter)	
75, Articles 1 and 3.)	ENTERED: JULY 15, 2008

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 July 1, 2008, in Application No. MR-1009, it has come to our attention that a typographical error was made. The fuel surcharge was requested to be set as follows: 4 X (current diesel fuel price-2.00).

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the order which was entered July 1, 2008, remains in effect as entered but corrected in accordance with the findings contained herein.

MADE AND ENTERED at Lincoln, Nebraska, this 15th day of July, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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Gerald T. Rep

Frank E. Landis

Tim Schram

//s// Anne C. Boyle
//s// Frank E. Landis

Anne C. Boyle
Chair

ATTEST:

Michael R. H. H.
Executive Director