

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application ) Application No. C-3364  
of Hartman Telephone Exchanges, )  
Inc. Haigler, seeking approval ) ORDER NUNC PRO TUNC  
to do business as BWTelcom. )  
 ) Entered: May 17, 2005

BY THE COMMISSION:

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

On February 24, 2005, an application was filed by Hartman Telephone Exchanges, Inc. (Hartman) Haigler, seeking to adopt the trade name BWTelcom. Notice of the application was published in The Daily Record, Omaha, Nebraska, on March 14, 2005. On April 19, 2005, in Application C-3364, the Commission entered an order granting the application. After issuing its order, the Commission discovered that "BWTelcom" was spelled incorrectly throughout the order.

For clarification purposes, the Commission has approved the applicant's request to do business as "BWTelcom" rather than "BWTelecom" in connection with business dealings in the state of Nebraska.

The purpose of a 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).

Accordingly, upon consideration of this error, the Commission finds it appropriate to enter this order nunc pro tunc to correct its April 19, 2005, original order.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the correct spelling of the trade name in the April 14, 2005 order in Application C-3364 is "BWTelcom", and said application be, and is hereby, corrected accordingly.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. C-3364

PAGE 2

MADE AND ENTERED at Lincoln, Nebraska, this 17th day of May, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Louella Johnson*

*Aune C. Boyle*

//s// Frank E. Landis

//s// Gerald L. Vap

Chairman

*Gerald L. Vap*

ATTEST:

*Ad S Pollack*

Executive Director