

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Aquila, Inc.,) Application No. NG-0031
d/b/a Aquila Networks (Aquila),)
Omaha, seeking authority for) ORDER NUNC PRO TUNC
Limited Cost Recovery in the)
State of Nebraska.) Entered: September 13, 2005

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 September 7, 2005, in the above-captioned docket, it appears that a clerical error was made. The order states that staff recommends assessment to Kinder Morgan, which is incorrect. Therefore, the Commission hereby corrects its clerical error to remove any reference to Kinder Morgan and properly refer to Aquila.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the order which was entered September 7, 2005, remains in effect as entered but corrected in accordance with the findings contained herein.

MADE AND ENTERED at Lincoln, Nebraska, this 13th day of September, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director