BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

In re Application of)	
)	DOCKETS TG-091025 and
Northwest Liquid Transport I, Inc.)	TG-091020 (consolidated)
for a certificate to operate as a temporary)	
Solid Waste Collection Company under)	ORDER 01
the provisions of RCW 81.77.)	
)	ORDER GRANTING APPLICATION
and)	OF NORTHWEST LIQUID
)	TRANSPORT I, INC. AND DENYING
Vanderveen Family Transport, Inc.)	APPLICATION OF VANDERVEEN
for a certificate to operate as a temporary)	FAMILY TRANSPORT, INC.
Solid Waste Collection Company under)	
the provisions of RCW 81.77.)	
)	

- On June 26, 2009, Northwest Liquid Transport I, Inc., (Northwest Liquid), filed an application for a temporary solid waste certificate pursuant to WAC 480-70-131 and the provisions of RCW 81.77.
- Northwest Liquid sought authority to provide specialized solid waste service to Nature's Path Food USA, Inc. Nature's Path is a cereal manufacturer located in Blaine Washington. Nature's Path requires a specialized solid waste collection company to collect and transport for disposal a mixture of sugar water and solids from its Blaine plant. Nature's Path can only store up to 12,000 gallons of waste material onsite. Northwest Liquid would use a vacuum truck to remove the waste approximately three times a week. According the applicant, Northwest Liquid owns five vacuum tankers.
- Northwest Liquid's application is complete and includes a contract between Nature's Path Food USA, Inc., and Northwest Liquid Transport I, Inc., and a "shipper support statement" from Nature's Path as required by WAC 480-70-131(3). Both parties signed the contract on June 23, 2009.
- On June 26, 2009, Vanderveen Family Transport Inc. (Vanderveen) also filed an application for a temporary certificate to provide the same specialized solid waste collection service to Nature's Path Food USA, Inc. that is sought by Northwest Liquid. The application was incomplete because it did not provide a shipper support statement as required by WAC 480-70-131(3). Nor does it appear that Vanderveen could provide a support statement from the shipper, because it is apparent from Northwest Liquid's application that the shipper has executed a contract with Northwest Liquid to meet its solid waste collection and transport needs regarding the sugar water waste material.

Therefore, Vanderveen's application fails to prove public need for Vanderveen's proposed service.

- Because the applications of Northwest Liquid and Vanderveen seek authority to provide the same solid waste collection service to the same customer, the Commission consolidated the two applications for joint consideration pursuant to WAC 480-07-320.
- Having considered the applications of both companies, the Commission finds that it is in the public interest to grant the application of Northwest Liquid for a temporary certificate to provide specialized solid waste collection service to Nature's Path. The Commission finds that the application of Vanderveen lacks the statement of shipper support required by WAC 480-70-131(3) and therefore fails to show that granting a temporary certificate to Vanderveen would be consistent with the public interest.

ORDER

7 **THE COMMISSION ORDERS** that the application of Northwest Liquid Transport I, Inc., is hereby granted, and a temporary certificate should be issued, authorizing the carrier to operate as a temporary solid waste collection company as follows:

SOLID WASTE COLLECTION SERVICES under contract with Nature's Path Food USA, Inc., located in Blaine Washington, to collect and transport for disposal a mixture of sugar water and solids from the plant in Whatcom County.

- This temporary certificate will end automatically, by operation of law and without further Commission action, when (1) the Commission enters an order approving withdrawal of Application TG-091025, or (2) the Commission enters an order granting Application TG-091026, or any timely received competing application for permanent authority. If the Commission denies, dismisses, or grants less than all of Application TG-091026, this temporary certificate will terminate on the last day for seeking judicial review of the Commission decision or, in the event of judicial review, on any later date that the reviewing court may order.
- 9 The Commission further orders that the contract filed in connection with this application will become effective at 12:01 a.m. on the day following the service date of this order.
- The Commission further orders the denial of Vanderveen Family Transport Inc.'s temporary application filed in TG-091020 to provide the same service to Nature's Path Foods USA, Inc. The application was filed incomplete and therefore did not provide proof of public need as required by WAC 480-70-131(3).

DATED at Olympia, Washington and effective July 9, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Jeffrey D. Goltz, Chairman

Patrick J. Oshie, Commissioner

Philip B. Jones, Commissioner