

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

5 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.

6 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.

8 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.

10 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