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FILED 

JUL 18 2012

Department of Insurance
State of Idaho

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE
STATE OF IDAHO**

In the Matter of:

ZURICH AMERICAN INSURANCE
COMPANY

Certificate of Authority No. 3092
NAIC ID No. 16535

Docket No. 18-2784-12

**ORDER GRANTING REQUEST FOR
BLOCK NON-RENEWAL**

On June 8, 2012, the State of Idaho, Department of Insurance (Department), received from ZURICH AMERICAN INSURANCE COMPANY (ZURICH AMERICAN), a subsidiary of Zurich North America (ZNA), a letter dated June 6, 2012, seeking permission to block non-renew its pollution liability policies, which policies are identified as CST and D&R policies, issued to Idaho insureds. Such non-renewal would affect approximately three (3) Idaho policies. ZURICH AMERICAN further represented in its June 6, 2012 letter that ZNA will continue to offer pollution liability insurance under its site pollution policies, which provide broader coverage than the CST and D&R policies. ZURICH AMERICAN represented in a June 21, 2012

email to the Department that ZURICH AMERICAN intends to begin non-renewing the affected policies beginning October 19, 2012.

The proposed effective date of the contemplated block non-renewal complies with the one hundred twenty (120) day notice requirement set forth in Idaho Code § 41-1841(1).

The Director having reviewed the foregoing, the requirements of Idaho Code § 41-1841 having been met, and good cause appearing therefor,

NOW THEREFORE, IT IS HEREBY ORDERED that ZURICH AMERICAN is authorized, pursuant to Idaho Code § 41-1841, to effectuate a block non-renewal of all of its pollution liability policies issued to Idaho residents, which policies are identified as CST and D&R policies. Such non-renewal will affect approximately three (3) Idaho policies, beginning October 19, 2012. ZURICH AMERICAN shall provide reasonable notice to policyholders affected by the non-renewals authorized by this order in accordance with the notice provisions included in the company's applicable insurance policies.

THIS ORDER is a final order of the Director and is EFFECTIVE IMMEDIATELY.

NOTIFICATION OF RIGHTS

This is a final order of the Director. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. *See* Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may appeal this final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,

- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho, or
- iv. The real property or personal property that was the subject of the agency action is located.

An appeal must be filed within twenty-eight (28) days of (a) the service date of this final order, (b) an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. *See Idaho Code § 67-5273.* The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

DATED this 18TH day of July, 2012.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



WILLIAM W. DEAL
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 18th day of July, 2012, I caused a true and correct copy of the foregoing ORDER GRANTING REQUEST FOR BLOCK NON-RENEWAL to be served upon the following by the designated means:

Zurich American Insurance Company
Attn: James W. March, Sr. Asst. General Counsel
One Liberty Plaza
165 Broadway, 32nd Floor
New York, NY 10006

☒ first class mail
☐ certified mail
☐ hand delivery
☐ via facsimile

A. René Martin
Deputy Attorney General
Idaho Department of Insurance
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Teresa Jones
Assistant to the Director