

FILED

JAN 03 2023

Department of Insurance  
State of Idaho

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**

**STATE OF IDAHO**

In the Matter of:

BADGER MUTUAL INSURANCE  
COMPANY,  
Certificate of Authority No. 3886,  
NAIC No. 13420.

Docket No. 18-4185-22

**ORDER AUTHORIZING BLOCK  
NONRENEWAL**

On October 27, 2022, Badger Mutual Insurance Company (“Badger Mutual”) notified the Director of the Idaho Department of Insurance (“Director”) that Badger Mutual intended to discontinue offering and to block nonrenew its Dwelling Fire; Homeowners Elite; Personal Umbrella; and Commercial package policies delivered or issued for delivery in Idaho. Badger Mutual represented its proposed block nonrenewals would affect approximately (8) Dwelling Fire policies; (574) Homeowners Elite policies; (20) Personal Umbrella policies and (69) Commercial Package policies, which would be nonrenewed when they naturally expire on or after March 1, 2023.

Badger Mutual’ intended action is governed by Idaho Code § 41-1841, which states:

1) Any insurer intending to implement block cancellations or block nonrenewals . . . shall provide the [Director of the Idaho Department of Insurance] written notice of such intentions no later than [120] days prior to such intended action. Such notice shall fully set forth reasons for such action and shall include additional information that the director may deem appropriate. . . . (2) At the end of [60] days the intended insurer action shall be deemed approved . . . .”

The Director, having reviewed the record and acting pursuant to Idaho Code § 41-210(2), finds that Badger Mutual provided the Director with written notice of its intentions at least 120 days before the intended action is to occur, and that the notice fully set forth reasons for the action, along with any additional information that the Director may have required. The Director also finds that more than 60 days have run since Badger Mutual provided its notice to the Director.

Based on these findings,

NOW, THEREFORE, IT IS ORDERED that Badger Mutual's intended action is deemed approved by operation of Idaho Code § 41-1841(2). Badger Mutual may effectuate a block nonrenewal of its Dwelling Fire; Homeowners Elite; Personal Umbrella; and Commercial package policies delivered or issued for delivery in Idaho, at the policies' natural expiration date beginning March 1, 2023. Badger Mutual shall notify policyholders affected by the nonrenewals in accordance with Idaho law and the notice provisions in Badger Mutual' applicable insurance policies.

This Order is a final order of the Director and is effective immediately.

DATED this 31 day of January, 2023.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE

  
DEAN L. CAMERON  
Director

### **NOTIFICATION OF RIGHTS**

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

Any such motion for reconsideration shall be served on the Director of the Idaho Department of Insurance, addressed as follows:

Dean L. Cameron, Director  
Idaho Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, ID 83720-0043

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

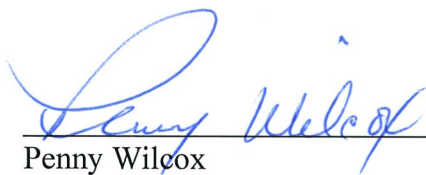
- i. A hearing was held;
- ii. The final agency action was taken;
- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho; or
- iv. The real property or personal property that was the subject of the agency action is located.

A petition for judicial review must be filed within 28 days of: (a) the service date of this final order, (b) the service of an order denying motion for reconsideration, or (c) the failure within 21 days to grant or deny a motion for reconsideration, whichever is later. *See* Idaho Code § 67-5273. Filing a petition for judicial review does not, by itself, stay the effectiveness or enforcement of the order under appeal. Idaho Code § 67-5274.

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3<sup>rd</sup> day of January, 2023, I caused a true and correct copy of the foregoing ORDER AUTHORIZING BLOCK NONRENEWAL to be served upon the following parties by the designated means:

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| BADGER MUTUAL INSURANCE CO.<br>Joanna R. Glaser, Corporate Counsel<br>1134 N. 9 <sup>th</sup> Street<br>Milwaukee, WI 53233                                  | <input checked="" type="checkbox"/> First Class Mail<br><input type="checkbox"/> Certified Mail<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Facsimile<br><input checked="" type="checkbox"/> Email: <a href="mailto:jglaser@badgermutual.com">jglaser@badgermutual.com</a> |
| Karl T. Klein<br>Deputy Attorney General<br>IDAHO DEPARTMENT OF INSURANCE<br>700 W. State St., 3 <sup>rd</sup> Floor<br>PO Box 83720<br>Boise, ID 83720-0043 | <input type="checkbox"/> First Class Mail<br><input type="checkbox"/> Certified Mail<br><input type="checkbox"/> Hand Delivery<br><input type="checkbox"/> Facsimile<br><input checked="" type="checkbox"/> Email: <a href="mailto:karl.klein@doi.idaho.gov">karl.klein@doi.idaho.gov</a>            |

  
Penny Wilcox