FILED

DEC 29 2022

Department of Insurance
State of Idaho

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

In the Matter of:	Docket No. 18-4210-22
BERKSHIRE HATHAWAY DIRECT INSURANCE COMPANY, NAIC No. 10391	**ORDER PERMITTING DEVIATION FROM NCCI WORKERS' COMPENSATION RATES**

Berkshire Hathaway Direct Insurance Company (the "Company") is a Nebraska-domiciled insurer and member of the National Council on Compensation Insurance, Inc. ("NCCI"). The Company is licensed to transact workers' compensation insurance in Idaho under NAIC No. 10391.

On October 26, 2022, the Company asked the Idaho Department of Insurance ("Department") for permission to deviate from Idaho workers' compensation premium rates filed by the NCCI for calendar year 2023. The Company is requesting a uniform 5% decrease, effective January 1, 2023. The Company and the NCCI have each waived the right to a hearing on the deviation request.

The Department's Director ("Director"), having reviewed and being fully apprised of the Company's request and the requirements of Idaho Code § 41-1614, finds the requested rate deviation is justified.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Idaho Code § 41-1614, that the Company's request to deviate by a uniform 5% decrease from Idaho workers'

compensation premium rates filed by the NCCI for calendar year 2023, exclusive of terrorism and catastrophe rating values, is GRANTED. This deviation shall take effect on January 1, 2023, and shall expire one year from that date unless terminated sooner with the Director's approval.

DATED and EFFECTIVE this 28th day of December, 2022.

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, 3rd 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. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the order under appeal. Idaho Code § 67-5274.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 29th day of December, 2022, I caused a true and correct copy of the foregoing ORDER PERMITTING DEVIATION FROM NCCI WORKERS' COMPENSATION RATES to be served upon the following by the designated means:

Berkshire Hathaway Direct Insurance Company 1314 Douglas Street, Suite 1400 Omaha, NE 68102-1944	☒ First Class Mail ☐ Certified Mail ☐ Hand Delivery ☐ Facsimile ☐ Email:
Berkshire Hathaway Direct Insurance Company Amanda Hill 44 Rear W Market St. Wilkes Barre, PA 18701	☐ First Class Mail ☐ Certified Mail ☐ Hand Delivery ☐ Facsimile ☒ Email: amanda.hill@biberk.com
National Council on Compensation Insurance Todd Johnson, State Relations Executive 901 Peninsula Corporate Circle Boca Raton, FL 33487-1362	☐ First Class Mail ☐ Certified Mail ☐ Hand Delivery ☐ Facsimile ☒ Email: todd_Johnson@ncci.com
Karl T. Klein Deputy Attorney General Idaho Department of Insurance 700 W. State St., 3rd Floor PO Box 83720 Boise, ID 83720-0043	☐ First Class Mail ☐ Certified Mail ☐ Hand Delivery ☐ Facsimile ☒ Email: karl.klein@doi.idaho.gov

Penny Wilcox

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