

FILED  
NOV 20 2020  
Department of Insurance  
State of Idaho

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

**STATE OF IDAHO**

In the Matter of:

COMMERCE AND INDUSTRY  
INSURANCE COMPANY

Certificate of Authority No. 695  
NAIC No. 19410

Docket No. 18-3861-20

**ORDER PERMITTING DEVIATION  
FROM 2021 WORKERS'  
COMPENSATION RATES**

On or about October 23, 2020, the Idaho Department of Insurance ("Department") received from COMMERCE AND INDUSTRY INSURANCE COMPANY ("COMMERCE AND INDUSTRY"), a New York-domiciled insurer licensed to transact workers' compensation insurance in the state of Idaho pursuant to Certificate of Authority No. 695, and a member of the National Council on Compensation Insurance, Inc. ("NCCI"), a request for permission to deviate from the workers' compensation rates filed by the NCCI for 2021 by a uniform percentage increase of fifteen percent (15%).

COMMERCE AND INDUSTRY 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 COMMERCE AND INDUSTRY's request to deviate from the Idaho workers' compensation premium rates filed by the NCCI for 2021, and the requirements of Idaho Code § 41-1614, has determined that the requested rate deviation is justified.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Idaho Code § 41-1614, that COMMERCE AND INDUSTRY's request to deviate by a uniform percentage increase of fifteen percent (15%) from the workers' compensation rates filed by the NCCI for 2021, exclusive of terrorism and catastrophe rating values, is GRANTED. This deviation from the Idaho workers' compensation premium rates filed by the NCCI for 2021 shall take effect on January 1, 2021, and shall remain in effect for one year from that date unless terminated sooner with the approval of the Director.

DATED and EFFECTIVE this 17 day of November, 2020.

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 fourteen (14) days of the service date of this order. The agency will dispose of the motion for reconsideration within twenty-one (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 twenty-eight (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 twenty-one (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 20<sup>th</sup> day of November, 2020, I caused a true and correct copy of the foregoing ORDER PERMITTING DEVIATION FROM 2021 WORKERS' COMPENSATION RATES to be served upon the following by the designated means:

Commerce and Industry Insurance Company  
175 Water Street, 18<sup>th</sup> Floor  
New York, NY 10038

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

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
- ☐ via facsimile

Edith L. Pacillo  
Deputy Attorney General  
Idaho Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, ID 83720-0043

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

  
Pamela Murray