

LAWRENCE G. WASDEN  
Attorney General

THOMAS A. DONOVAN  
Deputy Attorney General  
Idaho Department of Insurance  
700 W. State Street  
P.O. Box 83720  
Boise, Idaho 83720-0043  
Telephone: (208) 334-4210  
Facsimile: (208) 334-4298  
I.S.B. NO. 4377  
Attorneys for Department of Insurance

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**FILED**

**DEC 07 2007**

**Department of Insurance  
State of Idaho**

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

**STATE OF IDAHO**

In the Matter of:	)	Docket No. 18-2423-07
	)	
COMMERCE AND INDUSTRY	)	<b>ORDER PERMITTING</b>
INSURANCE COMPANY	)	<b>DEVIATION FROM</b>
	)	<b>2008 WORKERS</b>
Certificate of Authority No. 695	)	<b>COMPENSATION RATES</b>
NAIC No. 19410	)	
_____	)	

WHEREAS, COMMERCE AND INDUSTRY INSURANCE COMPANY (Applicant) is a member of the National Council on Compensation Insurance, Inc. (NCCI); and


WHEREAS, Applicant has applied for permission to deviate by a uniform percentage of a plus fifteen (+15%) percent from the NCCI rates filed for 2008; and

WHEREAS, both the Applicant and the NCCI have indicated in writing that they do not request a hearing on the application; and

WHEREAS, the Director of the Department of Insurance, having read and being fully apprised of the Applicant's request to deviate from the Idaho workers compensation premium rates filed by the NCCI for 2008, has determined that the requested rate deviation is justified;

NOW, THEREFORE, IT IS HEREBY ORDERED that, pursuant to Idaho Code § 41-1614, the Applicant's request for a uniform percentage deviation of a plus fifteen (+15%) percent from the workers compensation rates filed by the NCCI for 2008, exclusive of terrorism rates, is GRANTED. This deviation from the Idaho workers compensation premium rates filed by the NCCI for 2008 shall take effect January 1, 2008, and shall remain in effect for one year from that date unless terminated sooner with the approval of the Director.

DATED this 7<sup>th</sup> day of December 2007.

  
\_\_\_\_\_  
WILLIAM W. DEAL  
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 petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5246(4), Idaho Code.

Pursuant to Sections 67-5270 and 67-5272, Idaho code, 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

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

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have on this 7<sup>th</sup> day of December 2007, caused a true and correct copy of the foregoing order to be served upon the following by the designated means:

Joseph Russo, Assistant Manager, State Filings Dept.  
Commerce and Industry Insurance Company  
DBG Legal Services  
175 Water Street, 17<sup>th</sup> Floor  
New York, NY 10038

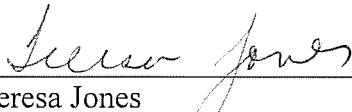
first class mail  
 certified mail  
 hand delivery  
 via facsimile

Michael A. Taylor, State Relations Executive  
National Council on Compensation Insurance, Inc.  
1 Lincoln Center  
10300 SW Greenburg Road, Suite 550  
Portland, OR 97223

first class mail  
 certified mail  
 hand delivery  
 via facsimile

Thomas A. Donovan  
Deputy Attorney General  
Idaho Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720

first class mail  
 certified mail  
 hand delivery  
 via facsimile

  
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Teresa Jones  
Assistant to the Director