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NOV 03 2010

Department of Insurance  
State of Idaho

*Attorneys for Department of Insurance*

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

**STATE OF IDAHO**

In the Matter of:

BROTHERHOOD MUTUAL  
INSURANCE COMPANY,

Certificate of Authority No. 3098  
NAIC No. 13528.

Docket No. 18-2500-10

**ORDER PERMITTING DEVIATION  
FROM 2011 WORKER'S  
COMPENSATION RATES**

WHEREAS, BROTHERHOOD MUTUAL 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 negative ten (-10%) percent from the worker's compensation rates filed by the NCCI for 2011; 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 worker's compensation premium rates filed by the NCCI for 2011, 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 negative ten (-10%) percent from the worker's compensation rates filed by the NCCI for 2011, exclusive of terrorism rates, is GRANTED. This deviation from the Idaho worker's compensation premium rates filed by the NCCI for 2011 shall take effect January 1, 2011, and shall remain in effect for one year from that date unless terminated sooner with the approval of the Director.

DATED this 3<sup>RD</sup> day of November 2010.

  
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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 3<sup>rd</sup> day of November 2010, caused a true and correct copy of the foregoing order to be served upon the following by the designated means:

Linda Emenhiser, Sr. Rate & Filing Coordinator  
Brotherhood Mutual Insurance Company  
P.O. Box 2227  
Fort Wayne, IN 46801-2227

- first class mail  
 certified mail  
 hand delivery  
 via facsimile

Maggie Karpuk, State Relations Executive  
National Council on Compensation Insurance, Inc.  
30501 Agoura Road, Suite 201  
Agoura Hills, CA 91301

- 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  
Boise, ID 83720-0043

- first class mail  
 certified mail  
 hand delivery  
 via facsimile

  
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Teresa Jones  
Assistant to the Director