

FILED  
DEC 07 2021  
Department of Insurance  
State of Idaho

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

**STATE OF IDAHO**

In the Matter of:

BERKSHIRE HATHAWAY DIRECT  
INSURANCE COMPANY

Certificate of Authority No. 1108  
NAIC No. 10391

Docket No. 18-4031-21

**ORDER TERMINATING DEVIATION  
FROM 2021 NCCI WORKERS'  
COMPENSATION RATES AND  
PERMITTING DEVIATION FROM 2022  
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 Certificate of Authority No. 1108.

On April 28, 2021, following the Company's request, the Director of the Idaho Department of Insurance ("Director") issued an order in Docket No. 18-3909-21 authorizing the Company to deviate from Idaho workers' compensation rates filed by the NCCI for 2021. Per the order, the 2021 rate deviation took effect on May 1, 2021, and was to remain in effect for one year unless terminated sooner with the Director's approval.

On or about November 9, 2021, the Company asked the Director for permission to deviate from Idaho workers' compensation premium rates filed by the NCCI for calendar year 2022. The Company sought a uniform percentage decrease of 10% effective January 1, 2022. The Company and the NCCI have each waived the right to a hearing on the deviation request.

**ORDER TERMINATING DEVIATION FROM 2021 NCCI WORKERS' COMPENSATION RATES AND  
PERMITTING DEVIATION FROM 2022 NCCI WORKERS' COMPENSATION RATES - 1**

The 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 percentage decrease of 10% from Idaho workers' compensation premium rates filed by the NCCI for calendar year 2022, exclusive of terrorism and catastrophe rating values, is GRANTED. This deviation shall take effect on January 1, 2022, and shall expire one year from that date unless terminated sooner with the Director's approval.

IT IS FURTHER ORDERED that the Company's prior-approved rate deviation, authorized by the Director's order in Docket No. 18-3909-21, shall simultaneously terminate effective January 1, 2022.

DATED and EFFECTIVE this 6<sup>th</sup> day of December, 2021.

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. 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 7<sup>th</sup> day of December, 2021, I caused a true and correct copy of the foregoing ORDER TERMINATING DEVIATION FROM 2021 NCCI WORKERS' COMPENSATION RATE AND PERMITTING DEVIATION FROM 2022 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

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

Karl T. Klein  
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
- ☐ facsimile

  
Pamela Murray