

FILED
APR 11 2022 AM
Department of Insurance
State of Idaho

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE
STATE OF IDAHO

In the Matter of:

ATLANTIC SPECIALTY INSURANCE
COMPANY,

Certificate of Authority No. 3600
NAIC ID No. 27154

Docket No. 18-4086-22

**ORDER AUTHORIZING BLOCK
NONRENEWAL**

On March 21, 2022, the Idaho Department of Insurance (“Department”) received notice from ATLANTIC SPECIALTY INSURANCE COMPANY (“ATLANTIC”) of its intent to discontinue offering and to block nonrenew its public entity risks policies delivered or issued for delivery in Idaho. ATLANTIC represented its proposed block nonrenewal would affect approximately 2 policies in Idaho, and that the affected policies will be nonrenewed when they naturally expire on or after **July 19, 2022**, with each policyholder receiving at least 60 days’ notice of nonrenewal.

The Director of the Department (“Director”), having reviewed the foregoing and Idaho Code § 41-1841(1), and acting pursuant to Idaho Code § 41-210(2), finds that ATLANTIC’S proposed effective date of the contemplated block nonrenewal of April 1, 2022, **does not** comply with the 120-day notice requirement to the Director, as set forth in Idaho Code § 41-1841(1) (“Any insurer intending to implement . . . block nonrenewals of insurance policies shall provide the

director written notice of such intentions no later than one hundred twenty (120) days prior to such intended action”). Based on these findings, and good cause appearing,

NOW, THEREFORE, IT IS ORDERED that ATLANTIC is authorized, pursuant to Idaho Code § 41-1841, to effectuate a block nonrenewal of its public entity risk policies delivered or issued in Idaho, **beginning no sooner than July 19, 2022**, which is 120 days after ATLANTIC’S notice to the Director. ATLANTIC shall provide at least 60 days advance notice to policyholders affected by the nonrenewals authorized by this Order in accordance with Idaho law and the notice provisions in ATLANTIC’S applicable insurance policies.

This Order is a final order of the Director and is effective immediately.

DATED this 17th day of April, 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 11th day of April, 2022, I caused a true and correct copy of the foregoing ORDER AUTHORIZING BLOCK NONRENEWAL to be served upon the following parties by the designated means:

Bridget Delaney
Assoc. General Counsel
ATLANTIC SPECIALTY INSURANCE
COMPANY C/O INTACT INSURANCE
SPECIALTY SOLUTIONS
605 Highway 169 N. Suite 800
Plymouth, MN 55441-6533

- ☒ First Class Mail
- ☐ Certified Mail
- ☐ Hand Delivery
- ☐ Facsimile
- ☒ Email: bdelaney@intactinsurance.com

Karl T. Klein
Deputy Attorney General
IDAHO DEPARTMENT OF INSURANCE
700 W. State St., 3rd Floor
PO Box 83720
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- ☐ First Class Mail
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Pamela Murray