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**FILED**  
**FEB 21 2019**  
Department of Insurance  
State of Idaho

*Attorneys for the Department of Insurance*

**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. 18-3616-19

**ORDER PERMITTING DEVIATION  
FROM 2019 WORKERS'  
COMPENSATION RATES**

On or about December 27, 2018, the Idaho Department of Insurance (Department) received from BERKSHIRE HATHAWAY DIRECT INSURANCE COMPANY (BERKSHIRE), a Nebraska-domiciled insurer licensed to transact workers' compensation insurance in the state of Idaho pursuant to Certificate of Authority No. 1108, 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 2019 by a uniform percentage decrease of fifteen percent (15%).

BERKSHIRE and the NCCI have each waived their right to a hearing on the deviation request.

The Department's Director (Director), having reviewed and being fully apprised of BERKSHIRE's request to deviate from the Idaho workers' compensation premium rates filed by the NCCI for 2019, 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 BERKSHIRE's request to deviate by a uniform percentage decrease of fifteen percent (15%) from the workers' compensation rates filed by the NCCI for 2019, exclusive of terrorism and catastrophe rating values, is GRANTED. This deviation from the Idaho workers' compensation premium rates filed by the NCCI for 2019 shall take effect on March 15, 2019, and shall remain in effect for one year from that date unless terminated sooner with the approval of the Director.

DATED this 21 day of February, 2019.

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).

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 21<sup>st</sup> day of February, 2019, I caused a true and correct copy of the foregoing ORDER PERMITTING DEVIATION FROM 2019 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
- via facsimile

Adam Pevarnik  
Berkshire Hathaway  
100 1<sup>st</sup> Stamford Place, Suite 200  
Stamford, CT 06902

- first class mail
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- hand delivery
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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

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Pamela Murray