

FEB 21 2007

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE

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In the Matter of the  
Surrender of the Certificate  
of Authority of  
Niagara Fire Insurance Company  
(NAIC No. 35106),  
Petitioner.

) Docket No. 07A-039-INS

ORDER

Based upon reliable evidence provided to the Director of Insurance by the Assistant Director of the Financial Affairs Division of the Department of Insurance, the Director finds as follows:

1. Petitioner, Niagara Fire Insurance Company, NAIC No. 35106, is a foreign insurer domiciled in Illinois. Petitioner received its certificate of authority to transact property and casualty insurance in Arizona on April 11, 1914.

2. Effective December 31, 2006 at 11:58 PM, Petitioner, the non-surviving entity, merged into The Buckeye Union Insurance Company (BUIC), NAIC No. 20788, the surviving entity, a foreign insurer domiciled in Illinois. The surviving entity is not authorized to transact insurance in Arizona. Petitioner has voluntarily surrendered its certificate of authority to Director.

3. On November 20, 2006, the Insurance Commissioner of Illinois approved the merger of Petitioner into BUIC.

1 4. Effective December 31, 2006 at 11:59 PM, BUIC, the non-surviving entity,  
2 merged into The Continental Insurance Company (CIC), NAIC No. 35289, the surviving  
3 entity, a foreign insurer domiciled in Pennsylvania. The surviving entity is authorized to  
4 transact insurance in Arizona.

5 5. On November 20, 2006, the Insurance Commissioner of Illinois approved the  
6 merger of BUIC into CIC.

7 6. Petitioner has no obligations under any policy of insurance to any  
8 policyholders or claimants who are residents of Arizona.

9 7. Petitioner is not the subject of any pending investigation or market conduct  
10 examination, and Petitioner does not owe this Department any filings or fees.

11 8. The Department holds a Workers' Compensation deposit in the amount of  
12 \$150,000 on behalf of the Petitioner.

13 9. Petitioner has deposited \$100.00 which has been credited to the Insurance  
14 Examiners' Revolving Fund ("IERF") pursuant to A.R.S. § 20-159.

15 IT IS ORDERED that:

16 1. The surrender of the Petitioner's certificate of authority is accepted.

17 2. The Workers' Compensation deposit of the Petitioner in the amount of  
18 \$150,000 shall be transferred to an account in the name of CIC with the Department,  
19 and shall be held as a Workers' Compensation deposit of CIC.

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1           3. The \$100.00 deposited by Petitioner which has been credited to the IERF  
2 shall be released to Petitioner.

3           Effective this 20<sup>th</sup> day of February, 2007.

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6 CHRISTINA URIAS  
7 Director Of Insurance  
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11 COPY of the foregoing mailed/delivered  
12 this 21<sup>st</sup> day of February, 2007, to:

13 Gerrie Marks, Deputy Director  
14 Mary Butterfield, Assistant Director  
15 Catherine O'Neil, Consumer Legal Affairs Officer  
16 Steven Ferguson, Assistant Director  
17 Leslie R. Hess, Financial Affairs Legal Analyst  
18 Ed Caldwell, Chief Financial Analyst – Foreign and Alternative Markets  
19 Department of Insurance  
20 2910 North 44<sup>th</sup> Street, Suite 210  
21 Phoenix, Arizona 85018

22 Doug Newton  
23 Industrial Commission of Arizona  
24 800 West Washington Street  
25 Phoenix, Arizona 85007-2922

Neifia Dority, General Manager, Svcs/Operation  
CNA  
State Specific Statutory Reporting  
333 South Wabash Avenue, 28<sup>th</sup> Floor  
Chicago, Illinois 60604

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