

APR 14 1995

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPARTMENT OF INSURANCE
By 

In the Matter of)
)
COMMONWEALTH LIFE INSURANCE)
COMPANY; FIRST GENERAL)
INSURANCE COMPANY; and THE)
TRAVELERS INDEMNITY COMPANY)
OF AMERICA,)
)
)
Petitioners.)
_____)

Docket No. 8593

ORDER RE REQUEST
FOR REHEARING

On March 16, 1995, a Request for Rehearing was filed by counsel for Respondents Commonwealth Life Insurance Company, First General Insurance Company, and The Travelers Indemnity Company of America ("Petitioners"). The Department of Insurance ("Department") filed its response to the Request on March 31, 1995. On April 4, 1995, the Petitioners filed a supplemental pleading in support of their request.

The Request raised two grounds for rehearing, including whether: 1) the methodology used by the Department in issuing the assessments at issue constitute rulemaking; and 2) the second sentence of A.R.S. §20-230 violates Petitioners' due process rights.

The record has been completely reviewed, including those portions of the record relating directly to the Petitioners' request for rehearing. From this review, the conclusion has been made that the March 8, 1995 Order is fully support by law and fact.

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. . .

1 THEREFORE, IT IS ORDERED denying the Request for
2 Rehearing filed by Petitioners.

3 EFFECTIVE this 14th day of April, 1995.

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6 CHRIS HERSTAM
7 Director of Insurance

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9 GREGORY V. HARRIS
10 Chief Administrative Law Judge

11 NOTIFICATION OF RIGHTS

12 The final decision of the Director may be appealed to
13 the Superior Court of Maricopa County for judicial review
14 pursuant to A.R.S. §20-166.

15
16 COPY of the foregoing mailed/delivered
17 this 14th day of April, 1995, to:

18 Gay Ann Williams, Deputy Director
19 Charles R. Cohen, Executive Assistant Director
20 Gary Torticill, Assistant Director
21 Kelly McKay, Deputy Assistant Director
22 Brian Stephan, Auditor
23 Department of Insurance
24 2910 N. 44th Street, Suite 210
25 Phoenix, Arizona 85018

26 Patrick Irvine
27 Assistant Attorney General
28 1275 W. Washington
Phoenix, Arizona 85007

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Chris Crawford