

## STATE OF CALIFORNIA

### DEPARTMENT OF INSURANCE

**45 Fremont Street, 21st Floor**

**San Francisco, California 94105**

**CDI File No. RH06050472 December 20, 2006**

### **NOTICE OF AVAILABILITY OF CHANGED TEXT, NOTICE OF ADDITIONAL DOCUMENTS RELIED UPON AND OPPORTUNITY FOR COMMENT**

On January 31, 2006 California Insurance Commissioner John Garamendi issued a Notice of Proposed Action proposing to adopt Title 10, California Code of Regulations, Chapter 5, Subchapter 4.75, Article 1, section 2636. The proposed regulation will implement guidelines relating to the rates charged for policies of residential property insurance and will establish certain acknowledgements to be made pursuant to the sale or renewal of a policy of residential property insurance.

Pursuant to the requirements of Government Code Section 11346.8(c) the California Department of Insurance is providing notice of changes made to the proposed **RH06050472 Experience Rating in Residential Property Lines of Insurance** which was the subject of a regulatory hearing on April 13, 2006 and written and oral comments were received.

This Notice will also serve to identify for the public those additional documents that the Commissioner intends to rely upon.

### **PUBLIC COMMENT INVITED:**

The Commissioner has proposed changes to the text of the regulations in response to public comments and now solicits written comments on those changes only, which are attached. Comments submitted on unchanged portions of the proposed regulations will not be considered.

The Commissioner believes the changes made are either nonsubstantial or are sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action. Accordingly, pursuant to the provisions of California Government Code section 11346.8(c) the Commissioner is soliciting written public comment on these changes only. A copy of the changes, with the proposed changes clearly indicated, is available for public comment for at least 15 days.

### **DOCUMENTS RELIED UPON**

The Department hereby provides notice that it intends to rely upon the following documents, which contain relevant information and/or "technical theoretical or empirical stud[ies], report[s], or other similar document[s]" (Gov. Code section 11347.):

1. Actuarial Standard of Practice No. 12 entitled "Risk Classification (for All Practice Areas)" Revised Edition Developed by the Task Force to revise ASOP No. 12 of the General Committee of the Actuarial Standards Board and Adopted by the Actuarial Standards Board December 2005.

The document listed above is part of the file for this rulemaking action. Any member of the public may view this document between the hours of 9:00 a.m. and 4:00 p.m. by contacting one of the

contact persons listed below and arranging for an appointment to view the rulemaking file at the Department's offices at 45 Fremont Street 21<sup>st</sup> Floor, San Francisco, California 94105.

**CONTACT PERSONS:**

All written comments submitted in response to this Notice of should be directed to the following:

Donald Hilla, Senior Staff Counsel

California Department of Insurance  
45 Fremont Street, 21st Floor

San Francisco, CA 94105

Telephone: (415) 538-4108

If he is unavailable, inquiries may be addressed to the following backup contact person:

Lara Sweat, Senior Staff Counsel  
California Department of Insurance  
45 Fremont Street, 21<sup>st</sup> Floor

San Francisco, CA 94105

Telephone: (415) 538-4192

**DEADLINE FOR WRITTEN COMMENTS:**

All written materials must be received by the Insurance Commissioner, c/o the contact person at the address listed above, no later than **5:00 p.m. on January 8, 2007.**

All written comments received by the deadline, which pertain to either the addition of material to the rulemaking record, or the proposed changes will be reviewed and responded to by CDI as part of the compilation of the rulemaking file. Please comment on the additional material only.

**COMMENTS TRANSMITTED BY E-MAIL OR FACSIMILE:**

The Commissioner will accept written comments transmitted by e-mail provided they are sent to the following e-mail address: [hillad@insurance.ca.gov](mailto:hillad@insurance.ca.gov). If you are sending a comment via e-mail in PDF format, please include a Word form of the document in addition to the PDF version. The Commissioner will also accept written comments transmitted by facsimile provided they are sent to the contact person listed above at the following facsimile number: (415) 904-5490. **Comments sent to other e-mail addresses or other facsimile numbers will not be accepted. Comments sent by e-mail or facsimile are subject to the deadline for written comments set forth above.**

**AUTOMATIC MAILING:**

A copy of this notice will automatically be sent to all those who testified at the public hearing, all those who submitted written comments at the public hearing, all persons whose comments were received during the public comment period, all persons who requested copies of information regarding the regulations, and all persons who requested notification of the availability of such

changes.

Dated: December 20, 2006 JOHN GARAMENDI

Insurance Commissioner

By: \_\_\_\_\_

Donald Hilla

Senior Staff Counsel

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