

**DEPARTMENT OF INSURANCE**45 FREMONT STREET, SUITE 2100  
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October 23, 2009

**To:** Certain Interested and Affected Parties  
**From:** Harry J. LeVine  
**Re:** Invitation to Prenotice Public Discussions on Contemplated Regulations  
Regarding Standards for Approval of Insurer Names

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Pursuant to California Government Code Section 11346.45, California Insurance Commissioner Steve Poizner will hold a prenotice public discussions regarding the contemplated addition of California Code of Regulations, Title 10, Chapter 5, Subchapter 3, Article 1.3, Sections 2278.50 through 2278.59 (Standards for Approval of Insurer Names.) California Insurance Code Sections 700, 720, 790.10 and *CalFarm Ins. Co. v. Deukmejian*, (1989) 48 Cal.3d 805, and *20th Century Ins. Co. v. Garamendi*, (1994) 8 Cal. 4th 216 authorize the Commissioner to promulgate these regulations.

You are hereby invited to participate in the prenotice public discussion. The purpose of the discussion is to permit interested and affected persons an opportunity to present statements or comments with respect to the attached draft regulations text.

The public discussion will be held on the following date, time and location:

**Date:** December 8, 2009

**Time:** 10:00 a.m. to noon.  
If necessary, from 1:30 to 4:30 p.m.

**Location:** California Department of Insurance  
Administrative Hearing Bureau Hearing Room  
45 Fremont Street, 22nd Floor  
San Francisco, CA 94105

The facility to be used for this public discussion is accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the undersigned, by November 24, 2009, in order to make special arrangements.

Space is limited so we ask that you limit your organization's representation to one individual.

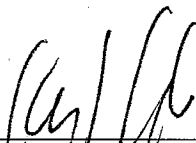
A copy of the proposed regulations is attached. Participants should be prepared to present specific comments on, and alternate regulation language for, the attached draft regulation text at this public discussion. All persons are invited to submit written statements.

Please be advised that participation in this prenotice public discussion will be in addition to, and not in substitution of, any participation in the formal rulemaking process. This invitation to prenotice public discussion does not constitute a Notice of Proposed Action under the Administrative Procedure Act. Consequently, comments (oral or written) received in connection with the prenotice public discussion will not be included in the rulemaking file, which will not be opened until such time as formal notice is issued. Similarly, the Department is not required to respond to comments received before the Notice of Proposed Action has been filed and the rulemaking file opened. For this reason, if you wish to have comments included in the rulemaking file, or to require the Department to respond to them as part of the process by which it adopts these regulations, you must present your comments during the formal public comment period according to the procedures outlined in the Notice of Proposed Action at the time that document is issued, regardless of whether the comments have been made in connection with this prenotice public discussion. The Commissioner nonetheless welcomes your participation in this discussion and hopes that the regulations that may subsequently be proposed will benefit from your input.

All inquiries regarding the contemplated regulations and/or the public discussion should be directed to the undersigned.

Participants are requested to RSVP by November 30, 2009. Please RSVP by providing to Jean Hipon, as the address below, your name, the name of the organization (if any) you represent, your mailing address, telephone number, and e-mail address. Building security procedures may make gaining access to the prenotice public discussion difficult for people who have not given their information to Ms. Hipon prior to the discussion date.

Jean Hipon  
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email: [hiponj@insurance.ca.gov](mailto:hiponj@insurance.ca.gov)



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Harry J. Levine