



recoupment assessment. OAR 836-031-0855(8) requires a member insurer to file a certification on a form specified by the director by June 1 of each year following the completion of a 12-month recoupment assessment period referred to in OAR 836-031-0855(6). Pursuant to ORS 174.125, if the normal due date falls on a date that the director is not open for business, then the actual due date is the next date that the director is open for business. At all relevant times, Pennsylvania General was a member insurer of OIGA, was assessed by OIGA, recouped the assessment from its insureds, completed a recoupment assessment period, and filed its certification. Pennsylvania General was required to file its certification for 2008 by 6/1/09. Pennsylvania General filed its certification for 2008 on 6/23/09, 22 days late.

### **Action**

Pursuant to ORS 731.988(1), Pennsylvania General is assessed a civil penalty of \$2,200.00. The payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due. The payment shall be delivered to the Insurance Division at the Labor and Industries Building, 350 Winter Street NE, Salem, Oregon; or mailed to the Insurance Division at PO Box 14480, Salem, OR 97309-0405. The payment shall be *received* by the Insurance Division by the date of the final order.

Dated 9/14/09

/s/ Lee W. Erickson  
[Signature of Representative]  
Lee W. Erickson  
[Printed Name of Representative]  
Senior Manager Statutory Reporting  
[Printed Title of Representative]  
Pennsylvania General Insurance Company

### **FINAL ORDER**

The director incorporates herein the above stipulation, adopts it as the director's final decision in this proceeding, and orders that the action stated therein be taken.

Dated 10/12/09

/s/ Cory Streisinger  
Cory Streisinger  
Director  
Department of Consumer and Business Services