

**STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION**

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OREGON

In the Matter of the Certificate of Authority of)	SUSPENSION ORDER
NATIONAL CONTRACTORS INSURANCE)	
COMPANY, INC. A RISK RETENTION)	Case No. INS 15-09-001
GROUP, BIGFORK, MONTANA		

INTRODUCTION

The Insurance Commissioner of the State of Oregon (Commissioner) hereby issues a Suspension Order to NATIONAL CONTRACTORS INSURANCE COMPANY, INC. A RISK RETENTION GROUP (NCIC-RRG) under Oregon Revised Statutes (ORS) 731.256 and 731.418 because the Commissioner has reason to believe the following:

FINDINGS OF FACT

Since May 27, 2009, NCIC-RRG, a Montana corporation, has been issued a registration as a foreign risk retention group pursuant to ORS 735.315 to offer liability insurance as defined in ORS 735.305(6).

On or about July 30, 2015, at the request of the Montana, the Montana First Judicial District Court, Lewis and Clark County issued an order, BDV-2015-563, placing NCIC-RRG into liquidation.

Liquidation is a form of delinquency proceeding.

ULTIMATE FINDINGS OF FACT

The insurance supervisory official of the state of Montana commenced a delinquency proceeding against NCIC-RRG.

CONCLUSIONS OF LAW

Such condition is a ground under ORS 735.340 and 731.418(2) for suspending a risk retention group's registration without a hearing.

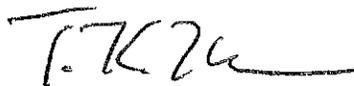
ORDER

Pursuant to ORS 735.340 and 731.418, the Oregon registration issued to NCIC-RRG is suspended. The period of suspension shall be continuous from the date of this order until rescinded by further written order of the Commissioner, pursuant to ORS 731.426(1). Pursuant to ORS 731.426(2), during the period of suspension, NCIC-RRG shall not solicit or issue new policies of insurance in this state or assume any Oregon risk. During the period of suspension, NCIC-RRG shall also not issue renewal policies in this state. NCIC-RRG shall file its annual financial statement and pay any fees and taxes required to be paid. NCIC-RRG shall service any existing policies of insurance issued to persons residing in Oregon in accordance with Oregon Law.

Pursuant to ORS 731.422(2), the authority of all producers to represent NCIC-RRG within the state of Oregon is also suspended. The period of suspension shall be for the same period that the certificate of authority issued to NCIC-RRG is suspended. During the period of suspension, a producer may represent NCIC-RRG only to the extent that NCIC-RRG may service any existing policies of insurance issued to persons residing in Oregon and that NCIC-RRG has authorized the producer to represent it.

NCIC-RRG is hereby ordered to provide a copy of this suspension order to all appointed producers within 14 days of the date of this order. The company shall provide to the Commissioner within 21 days from the date of this order an affidavit certifying that notice to appointed producers has been provided.

Issued the 10th day of September, 2015.



TK Keen
Deputy Administrator

RIGHT TO A HEARING

The party has the right to a hearing pursuant to ORS 183.415. A party may request a hearing by sending a written request to the Insurance Division. A party may send the request to the Insurance Division by delivering it to the Labor and Industries Building, 350 Winter Street NE, Salem, Oregon; or mailing it to PO Box 14480, Salem, OR 97309-0405, or faxing it to 503-378-4351; or e-mailing it to mitchel.d.curzon@state.or.us. The Insurance Division must *receive* the request within 21 days from the date this notice was *sent* to the party.

If the Insurance Division receives from or on behalf of a party a written request for a hearing by the due date described above, then the Insurance Division will refer the request to the Office of Administrative Hearings (OAH). OAH will schedule the hearing and notify the party of the date and location of the hearing and other related information. OAH will conduct the hearing in accordance with the Oregon Administrative Procedures Act, ORS Chapter 183; and related rules, Oregon Administrative Rules (OAR) 137-03-0502 *et seq.* A party that is a corporation, partnership, limited liability company, unincorporated association, trust, or government agency must be represented at a hearing by an attorney licensed in Oregon except as otherwise provided by law. Subsequently, OAH will issue a proposed order, and the Commissioner will issue a final order.

If the Insurance Division does not receive from or on behalf of a party a written request for a hearing by the due date described above; or a party that has timely requested a hearing withdraws the request, notifies the Insurance Division or OAH that the party will not appear at a hearing, or does not appear at a scheduled hearing, then the Commissioner will issue a final order by default taking the action proposed therein. If the Commissioner issues a final order by default, then the record of this proceeding to date, including the designated portion of the Insurance Division's file on the party, automatically become part of the contested case record for the purpose of proving a *prima facie* case.

Pursuant to the Suspension Order dated September 10, 2015 case number INS 15-09-001 issued by Laura N. Cali, Oregon Insurance Commissioner, Department of Consumer and Business Services, I certify that all current appointed producers in the state of Oregon have been notified regarding National Contractors Insurance Company, Inc. A Risk Retention Group's suspension, and have been advised of its terms relating to producer representation during the period of suspension.

I am _____ (title) and am authorized by
_____ (company) to act on its behalf in this matter.

Signature

Print Name

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary public in and for the state of

My commission expires _____.