

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

In the Matter of **Prudential Property and Casualty Insurance Company.**

) **STIPULATION** and  
) **FINAL ORDER**  
) File No. 300593 IV  
) Case No. INS 02-01-033

**STIPULATION**

The Director of the Department of Consumer and Business Services (director), by and through the Insurance Division, commenced the above entitled administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take disciplinary action against Prudential Property and Casualty Insurance Company (Prudential P & C).

Prudential P & C enters into this Stipulation to conclude this proceeding without further administrative or judicial proceedings, as provided by ORS 183.415(5) and related rules. The person signing this Stipulation on behalf of Prudential P & C represents that he or she is so authorized by Prudential P & C.

Prudential P & C waives the right to receive a notice of proposed action, to receive a notice of rights and procedures in contested cases, to have a hearing, to be represented by an attorney at the hearing, and to judicial review of the Final Order. Prudential P & C admits and agrees to the following facts, conclusions, and action.

**Facts and Conclusions**

Licensing

Prudential P&C has been licensed in Oregon as an insurer since 1/1/76. Prudential P&C's Oregon Insurance Division company number is 2071 and its NAIC identification number is 032352. Prudential P&C's principal mailing address is 23 Main Street, Holmdel, NJ 07733.

Using Driving Record Information More Than Three Years Old

Prudential P&C violated ORS 746.265(2)(a) by initially deciding to charge Andrew L. Eddins (Eddins) of The Dalles, Oregon an additional \$50 in premium to

renew a personal automobile insurance policy, number 63 7A731837, from 12/12/00 to 6/12/01, because Eddins was in an automobile accident on 11/27/97, which was more than three years before the policy renewed.

**Action**

Prudential P & C shall pay a civil penalty of \$5,000 pursuant to ORS 731.988. Payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due. Payment shall be delivered or mailed to the Insurance Division at 350 Winter Street NE, Room 440, Salem, OR 97301-3883. Payment shall be received by the Insurance Division by the date of the Final Order.

Dated February 13, 2002

/s/ Wayne W. Haley  
[Signature of Representative]

Wayne W. Haley  
[Printed Name of Representative]

Vice President, Automobile Underwriting  
[Printed Title of Representative]

Prudential Property and Casualty Insurance  
Company

**FINAL ORDER**

The director makes the following final decision in this proceeding in accordance with ORS 731.248 and 183.415(5) and related rules.

The director adopts, and incorporates herein by this reference, the Facts, Ultimate Facts, Conclusions, and Action in the above Stipulation as the Findings of Fact, Ultimate Findings of Fact, Conclusions of Law, and Order, respectively, of this order.

Dated February 28, 2002

/s/ Mary C. Neidig  
Mary C. Neidig  
Director

Department of Consumer and Business Services