STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION

In the Matter of **Great American Spirit Insurance Company**	)	**STIPULATION** and **FINAL ORDER**
	)	Case No. INS 10-09-020

STIPULATION

The Director of the Oregon Department of Consumer and Business Services (director) commenced this administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take enforcement action against Great American Spirit Insurance Company (Great American Spirit).

Great American Spirit desires to conclude this proceeding without a hearing by entering into this stipulation pursuant to ORS 183.417(3).

Great American Spirit waives all rights relative to an administrative hearing and judicial review thereof.

Great American Spirit stipulates to the following facts, conclusions, action, and to the issuance of a final order incorporating this stipulation.

Facts and Conclusions

Licensing Information

Great American Spirit has been licensed in Oregon as a foreign insurer since 11/8/89. Great American Spirit's last recorded principal business address is located in Cincinnati, Ohio.

Filed OIGA Recoupment Assessment Certification Late

Great American Spirit is subject to enforcement action pursuant to Oregon Administrative Rules (OAR) 836-031-0855(8) because of the following circumstances. ORS 734.550 requires all insurers who are licensed in Oregon as insurers and authorized to transact generally property and casualty insurance to be members of the Oregon Insurance Guaranty Association (OIGA). ORS 734.570(3) requires OIGA to assess its member insurers an amount necessary to pay OIGA's expenses. If OIGA assesses its member insurers, then a member insurer must either recoup the assessment from its insureds pursuant to ORS 734.579(1), expense any amount unrecouped pursuant to OAR 836-031-0855(7), or payback or carry over any excess

amount recouped pursuant to OAR 836-031-0855(9), and annually file with the director a certification pursuant ORS 734.579(2) and OAR 836-031-0855(8). 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). At all relevant times, Great American Spirit was a member insurer of OIGA, was assessed by OIGA, and recouped or otherwise disposed of the assessment. Great American Spirit was required to file its certification for 2009 by 6/1/10. Great American Spirit filed its certification for 2009 on 7/15/10, 45 days late.

Action

Pursuant to ORS 731.988(1), Great American Spirit is assessed a civil penalty of $4,500. 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 or mailed to the Insurance Division at the Labor and Industries Building, 350 Winter Street NE Room 300, Salem, Oregon 97301-3880; 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 October 11, 2010

/s/ Lisa A. Pennekamp
[Signature of Representative]
Lisa A. Pennekamp
[Printed Name of Representative]
Assistant Vice President
[Printed Title of Representative]

Great American Spirit 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 November 2, 2010

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