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**BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH**

<b>COMPLAINANT:</b>	:	<b>NOTICE OF INFORMAL</b>
	:	<b>ADJUDICATIVE PROCEEDING</b>
UTAH INSURANCE DEPARTMENT	:	<b>AND ORDER</b>
	:	
<b>RESPONDENT:</b>	:	<b>REVOCAION OF CERTIFICATE</b>
	:	<b>OF AUTHORITY</b>
R&Q REINSURANCE COMPANY	:	
Attn: John Fischer	:	
101 Summer Street, 5 <sup>th</sup> Floor	:	<b>DOCKET No.</b> <u>2011-196 EX</u>
Boston, MA 02110	:	
Utah Org. Id. No. 830	:	Enf. Case No. <u>2977</u>
	:	

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated (U.C.A.), Sections 31A-2-201 and 63G-4-201 and Utah Administrative Code (U.A.C.), Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

**FINDINGS OF FACT**

1. The Respondent is an insurer domiciled in the Commonwealth of Pennsylvania and holding a Utah Certificate of Authority for all Property and Casualty Lines, Utah Organization Identification No. 830.

2. In a financial examination of the Respondent's financial condition as of December 31, 2009, conducted by the Commonwealth of Pennsylvania and published June 8, 2011, the capital and surplus reported by the Respondent was reduced by \$11,122,000.00.

3. This reduction resulted in Respondent having a negative risk based capital position and a mandatory action level.

4. As of the date of this Order, Respondent has failed to increase its capital and surplus above the mandatory action level.

Having entered his Findings of Fact, the Commissioner now enters his:

**CONCLUSIONS OF LAW**

1. Grounds exist for delinquency proceedings under Chapter 27a of the Utah Insurance Code if Respondent were a domestic insurer.

2. Respondent's Certificate of Authority should be revoked pursuant to U.C.A. § 31A-14-217.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

**ORDER**

**IT IS HEREBY ORDERED:**

1. Respondent's Certificate of Authority in the State of Utah is revoked as of the date this Order becomes final.

2. Respondent is still subject to regulation by the Utah Department of Insurance until a release of regulation is obtained pursuant to the requirements of the Utah Insurance Code.

3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

**NOTIFICATION**

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, 160 East 300 South, Fifth Floor, P.O. Box 140874, Salt Lake City, Utah 84114-0874, Telephone Number (801) 366-0375. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal on this matter.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

SEP 15 2011

DATED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2011.

NEAL T. GOOCH  
INSURANCE COMMISSIONER



MARK E. KLEINFELD, Esq.  
Administrative Law Judge  
Utah Insurance Department  
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