

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
OKLAHOMA PROPERTY AND)
CASUALTY COMPANY, INC.)
)
Respondent.)

Case No. 12-0719-DIS

FILED

AUG 10 2012

INSURANCE COMMISSIONER
OKLAHOMA

CONDITIONAL ADMINISTRATIVE ORDER

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner (“the Insurance Commissioner”), and alleges and states as follows:

JURISDICTION

1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and, as such, is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., including specifically those relating to the Oklahoma Insurance Holding Company Act, 36 O.S. § 1651 et seq.

2. The Respondent herein, Oklahoma Property and Casualty Company (“the Company”) is an insurer authorized to transact accident and health, property, casualty, marine, surety and vehicle insurance business in the State of Oklahoma pursuant to Certificate of Authority Number 6220 (NAIC Number 36382).

3. If a hearing is requested by the Company, the Insurance Commissioner, pursuant to Okla. Admin. Code § 365:1-7-5, upon written request reasonably made by a person affected

by the hearing and at such person's expense, shall cause a full stenographic record of the proceedings to be made by a competent court reporter.

4. If a hearing is requested by the Company, the Insurance Commissioner, pursuant to 36 O.S. § 319, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and who will preside over that hearing.

FINDINGS OF FACT

1. The Company is part of an insurance holding company system and is subject to the requirements of the Oklahoma Insurance Holding Company Act, including 36 O.S. § 1654 requiring the filing of certain registration reports, referred to as Forms B and C, on May 1 of each year, and payment of accompanying specified fees.

2. The Company failed to file its Form B and Form C on May 1, 2012, and only submitted these Forms to the Insurance Commissioner on May 25, 2012, after reminder from the Insurance Commissioner's staff. Even then, the Forms were completed in a cursory manner. The Company still has not paid the \$100 renewal fee to be submitted with the registration statement under 36 O.S. § 1661 and did not provide an electronic copy of its filings to the HCAFilings@oid.ok.gov as required by Okla. Adm. Code 365:25-7-76.

3. In calendar year 2011, the Company also filed its Forms B and C late, and did not file its required Management Discussion and Analysis. The Company did not receive a fine in that instance, but the Insurance Commissioner's staff instructed the Company about due dates and its responsibilities under Oklahoma law for filing Forms B and C and other required documents.

CONCLUSIONS OF LAW

1. The Company has violated its responsibilities under the Oklahoma Insurance Company Holding Act, 36 O.S. § 1651 et seq. by failing to timely file its Forms B and C in calendar year 2012 and failing to pay the required \$100 filing fee.

2. Pursuant to 36 O.S. § 1658.2 (A), the Company's violations of its filing requirements in 2012 carry a fine of \$200 per day with a maximum fine of \$20,000. The fine for the Company's violations of its 2012 filing requirements at the daily rate times 24 days equals \$4,800 (plus the \$100 filing fee).

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that the Company shall:

1. Pay a fine of \$2,400 (plus the \$100 filing fee).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Order is a Conditional Order. Unless the Company requests a hearing with respect to the Findings set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the date of mailing of this Order. Such request for a hearing, if desired, shall be made in writing, addressed to Kelley C. Callahan, Senior Attorney, Oklahoma Insurance Department, 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma, 73112 and must be served on the Oklahoma Insurance Department within the thirty (30) days allotted. The proceedings on any such requested hearing will be conducted in accordance with the Oklahoma Insurance Code and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 through 403. If the Company serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as a notice of the

matters to be reviewed at the hearing, and the Findings, Conclusions, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing, at which the Insurance Commissioner will seek the full penalties available at law.

WITNESS My Hand and Official Seal this 10th day of August, 2012.




PAUL WILKENING
Chief Deputy Insurance Commissioner
Oklahoma Insurance Department

CERTIFICATE OF MAILING

I, Kelley Callahan, hereby certify that a true and correct copy of the above and foregoing Conditional Administrative Order was mailed postage prepaid with return receipt requested on this 10th day of August, to:

Eric Acton
Oklahoma Property and Casualty Company, Inc.
2025 Heritage Park Drive
Oklahoma City, OK 73120

And that a copy was delivered to the Oklahoma Insurance Department Financial and Examination Division.


Kelley Callahan
Senior Attorney

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0003 9967 9411

OFFICIAL RECEIPT

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	



Total Postage	Eric Acton
Sent To	Oklahoma Property and Casualty Company, Inc.
Street, Apt. No. or PO Box No	2025 Heritage Park Drive
City, State, Zip	Oklahoma City, OK 73120 sms/12-0719-DIS/Cond. Ord.

PS Form 3800, January 2001

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Eric Acton
 Oklahoma Property and Casualty
 Company, Inc.
 2025 Heritage Park Drive
 Oklahoma City, OK 73120
 sms/12-0719-DIS/Cond. Ord.

RECEIVED OKLAHOMA INSURANCE DEPARTMENT

AUG 15 2012

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Amitt Williams*

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

8-13-12

D. Is delivery address different from item 1? Yes No

Legal Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
(Transfer from service label)

7001 0320 0003 9967 9411

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540