

FILED

FEB 12 2004

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

INSURANCE COMMISSIONER
OKLAHOMA

IN THE MATTER OF THE RATE FILING)
BY THE MEDICAL PROTECTIVE)
COMPANY)

FILE NO. 04-0215-PRJ

NOTICE OF HEARING

The State of Oklahoma, ex rel. Carroll Fisher, Insurance Commissioner, states as follows:

LEGAL AUTHORITY AND JURISDICTION

1. Carroll Fisher 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, Okla. Stat. tit. 36, §101 et seq.

2. The Insurance Commissioner, upon written request reasonably made by a person affected by a hearing and at such person's expense, shall cause a full stenographic record of the proceedings to be made by a competent court reporter.

3. The Insurance Commissioner, pursuant to Title 36, Section 6821(C) of the Oklahoma Statutes, may conduct a hearing by request of a policyholder or policyholder's representative or by the Commissioner's own motion that a hearing is necessary.

MATTERS ASSERTED

1. The Medical Protective Company is an authorized insurer in the State of Oklahoma, holding certificate of authority number 4937.
2. On or about December 30, 2003, The Medical Protective Company filed a Rate Application with the Commissioner, seeking a 105% rate increase, with a proposed effective date of June 1, 2004. The Oklahoma Insurance Department file number is 03-5275C.

3. Simultaneous with its filing and pursuant to 36 O.S. § 6821, The Medical Protective Company notified policyholders of the desired rate increase.
4. Pursuant to Section 6821, the Insurance Commissioner will hold a hearing on the matter of the rate application on his own motion.

MATTERS TO BE CONSIDERED

The matters to be considered before the Commissioner at the hearing are:

1. Whether the insurer's rate increase is excessive;
2. Whether the insurer's rate increase is inadequate;
3. Whether the insurer's rate increase is unfairly discriminatory;
4. Whether the insurer's rate increase is in other violation of Section 6821 of Title 36.

ORDER OF THE COMMISSIONER

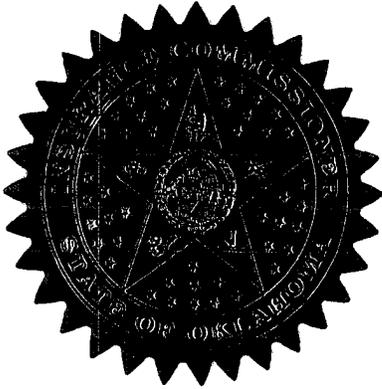
WHEREFORE, notice is hereby given of a hearing to be held at 8:30 o'clock a.m. on the 26th day of March, 2004, at the Office of the Insurance Commissioner, 2401 N.W. 23rd Street, Suite 28, Oklahoma City, Oklahoma 73107, to determine if The Medical Protective Company's rate request should be granted. The proceedings will be conducted in accordance with the Oklahoma Insurance Code, Okla. Stat. tit. 36, §101 et seq., the Oklahoma Administrative Procedures Act, Okla. Stat. tit. 75, §250 et seq., and rules of the Oklahoma Insurance Department.

Policyholders may submit written comments to be reviewed by the Commissioner and by The Medical Protective Company. Comments must be received by Monday, March 1st, 2004 at 1 p.m. Policyholders may also present oral statements at the hearing. The Commissioner must be notified in writing by March 1st, 2004 at 1 p.m.

WITNESS My Hand and Official Seal this 12th day of February, 2004.

Carroll Fisher

CARROLL FISHER
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Robert Noll

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CERTIFICATE OF MAILING

I, Robert Noll, hereby certify that a true and correct copy of the above and foregoing Notice of Hearing was mailed postage prepaid on this 12th day of February, 2004, to the Oklahoma Secretary of State.

Copies of this notice were posted on the bulletin board and the web site (www.insurance.state.ok.us) of the Oklahoma Insurance Department, as well as delivered to the Oklahoma State Medical Association.



Robert Noll
Assistant General Counsel