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**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF CALIFORNIA**

In the Matter of the Request for Finding of Eligibility to Seek Compensation of:

File No. IE-2024-0002

CONSUMER WATCHDOG

**ORDER CONCERNING CONSUMER
WATCHDOG’S REQUEST FOR FINDING
OF ELIGIBILITY TO SEEK
COMPENSATION**

The California Insurance Commissioner Ricardo Lara (Commissioner) requests further information regarding Consumer Watchdog’s (Requester) Request for Finding of Eligibility to Seek Compensation (Request).

I. APPLICABLE LAW

In November 1988, California voters approved Proposition 103, which made changes in the regulation of automobile insurance, as well as the approval of premium rates for property and casualty lines of insurance in California. (Ins. Code §§ 1861.01, et seq.) Proposition 103 also allows for public participation through consumer intervention. (Ins. Code § 1861.10.) The Commissioner has implemented Proposition 103’s statutory provisions concerning consumer participation through regulations. (California Code of Regulations, Title 10 (“10 CCR”) §§ 2661.1, et seq.) Any person who “represents the interests of consumers” and intends to raise any issue relevant to a rate proceeding is permitted to intervene. (Ins. Code §§ 1861.01(a); 10 CCR §§ 2661.2, 2661.3(g).) Recognizing the importance of public participation, the Legislature also authorized the award of certain costs, expenses, and reasonable attorneys’ fees to an intervenor who makes a “substantial contribution” to a rate decision. (Ins. Code § 1861.10(b); 10 CCR § 2661.2(a), (d), (k), (l).)

1 To seek compensation for substantially contributing to a rate decision, the proposed
2 intervenor must first file a verified request for finding of eligibility to seek compensation with the
3 Office of the Public Advisor. (Ins. Code § 1861.10(b); 10 CCR §§ 2661.3(g), 2662.2(a).) The
4 request must include a showing that the proposed intervenor “represents the interests of
5 consumers,” as well as documentation reflecting the composition of the group’s members and
6 board of directors, funding sources, and certain corporate records. (Ins. Code § 1861.10(b); 10
7 CCR §§ 2662.2(a), 2661.2(j).) The proposed intervenor may also be required to submit additional
8 information in support of the request. (*Id.* at § 2662.2(a).)

9 **II. BRIEF SUMMARY OF PROCEDURAL HISTORY**

10 On or about June 3, 2024, Requester submitted a Request for Finding of Eligibility to
11 Seek Compensation (“Request”). Requester’s prior finding of eligibility is valid thru July 12,
12 2024. The Commissioner published notice of the Request on the Department’s website on or
13 about June 4, 2024, informing interested parties that the present Request had been submitted to
14 the Department. Thereafter, interested parties notified the Department they wished to submit
15 comments. These notices were posted on the Department’s website, and the Department has
16 requested comments by June 28, 2024.

17 On or about June 17, 2024, the Public Advisor notified Requester that the Commissioner
18 could not reach a determination regarding the completeness of the Request because the
19 Department was not receiving comments on the present Request from interested parties until June
20 28, 2024, and requested a waiver of the deadline in 10 CCR 2662.2(c). Requester agreed to
21 extend the deadline to July 12, 2024. However, as set forth in the Order below, the Commissioner
22 will not issue a decision before August 2, 2024.

23 ///

24 **III. ORDER**


- 25 1. Parties that wish to comment on the present Request shall submit comments to the
26 Department by June 28, 2024.
- 27 2. Consumer Watchdog may file a response to the above comments by July 12, 2024.
- 28 3. The Commissioner shall issue an order concerning the Request by August 2, 2024,

1 unless he determines a hearing is necessary. Consumer Watchdog's Request will not be deemed
2 approved or denied until the Commissioner issues his decision on this Request.

3 4. If Consumer Watchdog's Request is granted, it will be effective as of July 12,
4 2024.

5
6 Dated: June 19, 2024

RICARDO LARA
California Insurance Commissioner

7
8
9 By 
10 LUCY F. WANG
11 *Deputy Commissioner, Office of the*
12 *Special Counsel*
13 *California Department of Insurance*
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PROOF OF SERVICE
In the Matter of the Request for Finding of Eligibility to Seek Compensation of:
CONSUMER WATCHDOG
Case No. IE-2024-0002

I am over the age of eighteen years and am not a party to the within action. I am an employee of the Department of Insurance, State of California, employed at 1901 Harrison Street, 4th Floor, Oakland, California 94612. On June 19, 2024, I served the following document(s):

ORDER CONCERNING CONSUMER WATCHDOG'S REQUEST FOR ELIGIBILITY TO SEEK COMPENSATION

on all persons named on the attached Service List, by the method of service indicated, as follows:

If **U.S. MAIL** is indicated, by placing on this date, true copies in sealed envelopes, addressed to each person indicated, in this office's facility for collection of outgoing items to be sent by mail, pursuant to Code of Civil Procedure Section 1013. I am familiar with this office's practice of collecting and processing documents placed for mailing by U.S. Mail. Under that practice, outgoing items are deposited, in the ordinary course of business, with the U.S. Postal Service on that same day, with postage fully prepaid, in the city of Oakland and the county of Alameda, California.

If **OVERNIGHT SERVICE** is indicated, by placing on this date, true copies in sealed envelopes, addressed to each person indicated, in this office's facility for collection of outgoing items for overnight delivery, pursuant to Code of Civil Procedure Section 1013. I am familiar with this office's practice of collecting and processing documents placed for overnight delivery. Under that practice, outgoing items are deposited, in the ordinary course of business, with an authorized courier or a facility regularly maintained by one of the following overnight services in the city of Oakland and the county of Alameda, California: Express Mail, UPS, Federal Express, or Golden State overnight service, with an active account number shown for payment.

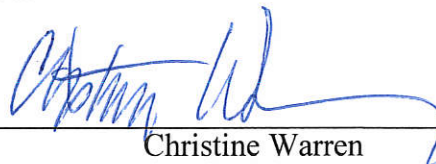
If **FAX SERVICE** is indicated, by facsimile transmission this date to fax number stated for the person(s) so marked.

If **PERSONAL SERVICE** is indicated, by hand delivery this date.

If **INTRA-AGENCY MAIL** is indicated, by placing this date in a place designated for collection for delivery by Department of Insurance intra-agency mail.

If **EMAIL** is indicated, by electronic mail transmission this date to the email address(es) listed.

Executed this date at Oakland, California. I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



Christine Warren

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SERVICE LIST
In the Matter of the Request for Finding of Eligibility to Seek Compensation of:
CONSUMER WATCHDOG
Case No. IE-2024-0002

<u>Name/Address</u>	<u>Phone/Fax Numbers</u>	<u>Method of Service</u>
Pamela Pressley CONSUMER WATCHDOG 6330 San Vicente Blvd., Suite 250 Los Angeles, CA 90048 pam@consumerwatchdog.org	Tel: (310) 392-0522 Fax: (310) 392-8874	Via EMAIL