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

In the Matter of the Petition to Participate
of

CONSUMER FEDERATION of
CALIFORNIA EDUCATION
FOUNDATION,

Petitioner.

Intervenor Participation File # IP-2024-00005

ORDER DENYING CONSUMER
FEDERATION of CALIFORNIA
EDUCATION FOUNDATION’S PETITION
TO PARTICIPATE in the Proposed Regulatory
Action Regarding Complete Property and
Casualty Rate Applications

Regulatory Action File #:
REG-2019-00025

As set forth below, the California Insurance Commissioner Ricardo Lara (Insurance Commissioner) denies Petitioner Consumer Federation of California Education Foundation’s (“Petitioner”) Petition to Participate and Notice of Intent to Seek Compensation (“Petition”) in the above proceeding concerning the Proposed Regulatory Action regarding Complete Property and Casualty Rate Applications.

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, §§ 2661.1, et seq.) Cal. Code Regs. § 2661.2, permits intervention if the intervenor’s issues are relevant to the issues of the proceeding:

Any person shall be permitted to intervene in any proceeding on any rate application or in any proceeding subject to Chapter 9 of Part 2 of Division 1 of the California Insurance Code if the issues to be raised by the intervenor or participant are relevant to the issues of the proceeding...

1 Intervenor may be awarded with reasonable advocacy fees if they demonstrate they (1) represent
2 the interests of consumers, and (2) have made a substantial contribution to the adoption of “any
3 order, regulation or decision” by the commissioner. (Ins. Code § 1861.10.)

4 **II. RELEVANT PROCEDURAL HISTORY**

5 On or about April 6, 2021, the Commissioner held a workshop concerning complete
6 property and casualty insurance rate applications.

7 On February 9, 2024, the Commissioner issued a Notice of Proposed Action and Notice of
8 Public Hearing concerning regulatory amendments specifying what data should be initially included
9 in a complete rate application. The Commissioner held the public hearing on March 26, 2024.

10 On March 26, 2024, the Petitioner submitted its verified Petition to Participate, and Notice
11 of Intent to Seek Compensation. The Petition describes the subject matter of the regulatory action
12 and asserts Petitioner “will testify at this hearing, and if determined following this hearing,
13 through future submissions of material in response to future considerations of the proposed
14 amendments.” (Petition at pp. 2-3.)

15 Petitioner contends that it will “attend and participate in this proceeding without
16 unreasonably [sic] delaying this proceeding or any other proceedings before the Insurance
17 Commissioner.” (Petition at p. 4.)

18 Petitioner further stated it intends to seek compensation in this proceeding and submitted
19 its Preliminary Budget for purposes of participation in the total sum of \$14,850. (Petitioner, Exh.
20 A.)

21 **III. FINDINGS**

22 Petition meets the requirements set forth in Cal. Code Regs. §§ 2652.1 through 2652.3,
23 inclusive. Petitioner has verified that it will be able to attend and participate in the proceedings
24 without unreasonably delaying this or any other proceeding before the Commissioner. (See Cal.
25 Code Regs., §§ 2661.4, 2652.4.) The Commissioner finds that the amount of compensation
26 sought is not grounds for denying intervention.

27 However, the Petition cites no specific issues to be raised or positions to be taken on any
28 issue to the extent known, which fails to comply with Cal. Code Regs. § 2661.4.

1 **IV. ORDER**

2 For the foregoing reasons, Petitioner’s Petition to Participate is hereby **DENIED WITH**
3 **LEAVE TO AMEND.**

4 Petitioner has fourteen (14) calendar days to file an amended Petition. The amended
5 Petition shall be deemed timely filed if filed during this fourteen (14) calendar day period.

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7 Dated: April 10, 2024

RICARDO LARA
Insurance Commissioner

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10 By 
11 Lucy Wang
12 Deputy Commissioner and Special Counsel
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PROOF OF SERVICE
In the Matter of the Petition to Participate of
CONSUMER FEDERATION OF CALIFORNIA EDUCATION FOUNDATION,
Petitioner
Case No. IP-2024-00005

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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 April 10, 2024, I served the following document(s):

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**ORDER DENYING CONSUMER FEDERATION OF CALIFORNIA
EDUCATION FOUNDATION'S PETITION TO PARTICIPATE in the
Proposed Regulatory Action Regarding Complete Property and Casualty
Rate Applications - Regulatory Action File #: REG-2019-00025**

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

SERVICE LIST
In the Matter of the Petition to Participate of
CONSUMER FEDERATION OF CALIFORNIA EDUCATION FOUNDATION,
Petitioner
Case No. IP-2024-00005

| <u>Name/Address</u> | <u>Phone/Fax Numbers</u> | <u>Method of Service</u> |
|---|--|--------------------------|
| Richard Holober Douglas Heller CONSUMER FEDERATION OF CALIFORNIA EDUCATION FOUNDATION 273 Delmar Way San Mateo, CA 94403 holober@consumercal.org douglassheller@ymail.com | Tel: (650) 307-7033 Fax: N/A | Via EMAIL |
| Lisbeth Landman-Smith Elsa Carre Rate Enforcement Bureau CALIFORNIA DEPARTMENT OF INSURANCE 1901 Harrison Street, 4 th Floor Oakland, CA 94612 Lisbeth.Landsman@insurance.ca.gov Elsa.Carre@insurance.ca.gov Nikki.McKennedy@insurance.ca.gov | Tel: (916) 492-3561 Fax: (510) 238-7830 | Via EMAIL |