

August 17, 2015

BY EMAIL DELIVERY

The Honorable Daniel R. Judson
Commissioner of Insurance
Massachusetts Division of Insurance
1000 Washington St., Suite 810
Boston, MA 02118-6200

DOIregreview2015@state.ma.us

Re: Comments on 211 CMR 23.09 and 211 CMR 26:09

Dear Commissioner Judson:

On behalf of Plymouth Rock Assurance Corporation (“Plymouth Rock”), and in response to the Division of Insurance’s request for comment on proposed changes to existing regulations, I provide the following comment with respect to 211 C.M.R. 23.09 *Consolidated or Combined Audits* and 211 C.M.R. 26.09 *Consolidated or Combined Audits* (together, the “Regulations”).

The Regulations are identical, and provide that “an insurer may make written application to the Commissioner for approval to file audited consolidated or combined financial statements in lieu of separate annual audited financial statements if the insurer is part of a group of insurance companies which utilizes a pooling or one hundred percent reinsurance agreement that affects the solvency and integrity of the insurer’s reserves and such insurer cedes all of its direct and assumed business to the pool.”

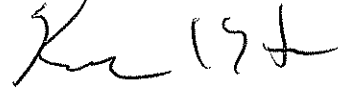
Plymouth Rock is part of the Plymouth Rock Group, which includes its affiliates Pilgrim Insurance Company and Mt. Washington Assurance Corporation, and they utilize the pooling arrangement described in the Regulations. Accordingly, Plymouth Rock seeks approval from the Commissioner each year to file an audited consolidated financial statement with Pilgrim and Mt. Washington.

Governor Baker’s Executive Order No. 562 seeks to reduce unnecessary regulatory burden. We respectfully submit that it is unnecessarily burdensome for insurance companies to have to request approval each year to file audited consolidated financial statements with group members. We likewise submit that the Division of Insurance staff is unnecessarily burdened by reviewing these repetitive requests year after year. To alleviate this burden, we recommend instead that the Regulations be amended to

reflect that any such approval shall be in effect for five years, unless the insurer seeks to revoke it earlier or the pooling arrangement ends.

Thank you for your attention to our comments. Please do not hesitate to contact me should you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'K. Henry', written in a cursive style.

Kathleen C. Henry
Interim General Counsel