

**STATE OF CALIFORNIA  
DEPARTMENT OF INSURANCE  
45 Fremont Street, 24th Floor  
San Francisco, California 94105**

**NOTICE OF AVAILABILITY OF REVISED TEXT**

**ELECTRONIC FILING REGULATION**

**REGULATION FILE: REG-2010-00008**

**Date: November 10, 2010**

On July 30, 2010, the Insurance Commissioner of the State of California (Commissioner) issued a Notice of Proposed Action proposing the adoption of amendments to California Code of Regulations, Title 10, Chapter 5, Subchapter 2, Article 1, "Document Submission and Approval Procedures; Fees." sections 2201, 2205, 2206, 2207, 2216, 2217 and 2218.10 and adding Subchapter 3, Article 1.5, "Corporate Affairs Bureau – Electronic Filing." The notice was published in the California Regulatory Notice Register on July 30, 2010. On September 15, 2010, the Commissioner held a public hearing and received oral testimony and written public comment in response to the Notice.

**PUBLIC COMMENT INVITED ON REVISED TEXT:**

As a result of the written comments, the Commissioner has proposed further changes to the following sections:

- 2206, changing the effective date of the form filing regulation to April 1, 2011, providing also for a different effective date for workers' compensation forms and rates;
- 2217, adding additional dispositional terms, "No Objection" and "Authorized Without Review;"
- 2218, changing the effective date for workers' compensation form and rate filings to July 1, 2011, also clarifying that forms are to be submitted to the Workers' Compensation Insurance Rating Bureau through SERFF, and that workers' compensation rates are to be filed through SERFF with the Department's Rate Filing Bureau for Workers' Compensation Insurance, as provided in title 10 California Code of Regulations, section 2509.30 et. seq. (in particular, section 2509.32(a));
- 2277.52, changing the effective date of the corporate application filing regulation to April 1, 2011.

These are in addition to the amendments to these and other sections of California Code of Regulations ("CCR") Title 10, Chapter 5, Subchapter 2, Articles 1 and 1.5 previously proposed on July 30, 2010. A copy of the changes, with the proposed changes clearly indicated, is attached to the mailed copies of this notice. Deletions from the prior proposed text are indicated in bold double strikethrough; additions are indicated in bold double underline. A copy of the changes, with the proposed changes clearly indicated, will be available for public inspection and comment for at least 15 days before the proposed regulation is adopted, amended, or repealed. This document may be inspected between the hours of 9:00 a.m. and 4:00 p.m., by arrangement with the contact person listed below, at the Department's offices at 45 Fremont

Street, 24<sup>th</sup> Floor, San Francisco, California 94105.

The Commissioner believes that the changes made are either nonsubstantial, solely grammatical in nature, or are sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action. Accordingly, pursuant to the provisions of California Government Code Section 11346.8(c), the Commissioner is soliciting written public comment on the changes. Comments submitted on unchanged portions of the proposed amendments will not be considered.

**SUBMISSION OF WRITTEN COMMENTS:**

All persons are invited to submit written comments on the proposed regulations **no later than 5:00 p.m. on November 26, 2010**. All written comments, whether submitted at the hearing, or by U.S. mail, or by e-mail or facsimile, must be received by the Insurance Commissioner, c/o the contact person at the address listed below, **no later than 5:00 p.m. on November 26, 2010**. Any written materials received after that time will not be considered.

**COMMENTS TRANSMITTED BY E-MAIL OR FACSIMILE:**

The Commissioner will accept written comments transmitted by e-mail provided they are sent to the following e-mail address: [HinzeB@insurance.ca.gov](mailto:HinzeB@insurance.ca.gov). The Commissioner will also accept written comments transmitted by facsimile provided they are sent to the attention of the contact person at the following facsimile number: (415) 904-5896. **Comments sent to other e-mail addresses or other facsimile numbers will not be accepted. Comments sent by e-mail or facsimile are subject to the 5:00 p.m. November 26, 2010 deadline for written comments set forth above.**

**CONTACT PERSONS:**

Written comments should be addressed to the contact person:

Bruce Hinze, Staff Counsel III  
California Department of Insurance  
45 Fremont Street, 23rd Floor  
San Francisco, CA 94105  
Telephone: (415) 538-4392  
(415) 904-5896 (facsimile)  
[hinzeb@insurance.ca.gov](mailto:hinzeb@insurance.ca.gov)

Questions regarding procedure, the hearing, comments, or the substance of the proposed action should be addressed to the contact person listed above. If he is unavailable, inquiries may be addressed to the backup contact person:

Jack K. Hom  
Staff Counsel III  
California Department of Insurance  
45 Fremont Street, 24<sup>th</sup> Floor  
San Francisco, California 94105

Telephone: (415) 538-4129  
(415) 904-5896 (facsimile)  
[homj@insurance.ca.gov](mailto:homj@insurance.ca.gov)

**WEBSITE POSTINGS:**

Documents concerning these proposed regulations are available on the CDI's website. To access them, go to <http://www.insurance.ca.gov>. Find at the right-hand side of the page the heading 'QUICK LINKS.' The third item in this column under this heading is 'For Insurers'; on the drop-down menu for this item, select 'Legal Information.' When the 'INSURERS: LEGAL INFORMATION' screen appears, click the third item in the list of bulleted items near the top of the page: 'Proposed Regulations.' The 'INSURERS: PROPOSED REGULATIONS' screen will be displayed. Select the only available link: 'Search for Proposed Regulations.' Then, when the 'PROPOSED REGULATIONS ' screen appears, you may choose to find the documents either by conducting a search or by browsing for them by name.

To browse, click on the 'Currently Proposed Regulations' link. A list of the names of regulations for which documents are posted will appear. Find in the list the link to 'Electronic Filing' and click it. Links to the documents associated with these regulations will then be displayed.

To search, enter "REG-2010-00008" (the CDI's regulation file number for these regulations) in the search field. Alternatively, search by keyword ("electronic filing," for example, or "OASIS"). Then, click on the 'Submit' button to display links to the various filing documents.

**AUTOMATIC MAILING:**

A copy of this Notice, and the text of the revised proposed amendments, will automatically be sent to all those who testified at, or attended, the public hearing and provided contact information, those who submitted written comments at the public hearing, all persons whose comments were received during the public comment period, all persons who requested copies of information regarding the regulations, and all persons who requested notification of the availability of such changes.

Dated: November 10, 2010

STEVE POIZNER  
Insurance Commissioner

By: \_\_\_\_\_/s/  
Bruce Hunter Hinze  
Staff Counsel III

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