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July 24, 2015

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**VIA EMAIL AND U.S. MAIL**

Hon. George Finkle (Ret.)  
OIC Presiding Officer  
Hearings Unit, Office of Insurance Commissioner  
P.O. Box 40255  
Olympia, WA 98504-0255

**Re: OIC's Request for Stay - Washington Counties Insurance Fund, 15-0034**

Dear Judge Finkle:

Washington Counties Insurance Fund ("WCIF") respectfully opposes the Request for Stay submitted by the Office of the Insurance Commissioner ("OIC") on July 17, 2015. As an initial matter, a stay of the briefing schedule is simply not applicable to this case. All briefing has been completed, and the Order flowing from that briefing has been issued.

However, the OIC's Request for Stay includes a mischaracterization of your July 1, 2015 Order ("the Order") that must be corrected. In its Request for Stay, the OIC states, as to the Order and the parallel order issued in the consolidated appeals filed by the Building Industry Association of Washington Health Insurance Trust, the Master Builders Association of King and Snohomish Counties and MBA Trust, the Northwest Marine Trade Association and NMTA Trust, and Cambia Health Solutions: "I understand these decisions to remand the 2014 disapprovals in those cases to the OIC Rates and Forms division for review based on the standard that association health plans are permitted to rate at the employer level." (OIC's Request for Stay, p. 1).

WCIF's motion for summary judgment expressly requested that the OIC's disapprovals of the 2014 filings at issue ("the Filings") "be overturned and that the 2014 rate and form Filings be approved by the OIC." (WCIF's Motion for Summary Judgment, p. 20). The Order granted WCIF's motion in its entirety. It is WCIF's understanding that the Order therefore requires the OIC to overturn its disapprovals of the Filings and to immediately approve them. Nothing in the Order indicated that this matter has instead been remanded to the OIC.



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To the extent the OIC's request for a stay of the (non-existent) briefing schedule was intended to extend to a stay of the effect of the Order itself, the OIC has failed to articulate any reasonable basis for such a request. The OIC's approval of the 2014 Filings has already been unnecessarily delayed by the OIC's baseless rejections; no further delay in approval of the Filings is justified.

Best regards,

Maren R. Norton

cc: AnnaLisa Gellermann, Deputy Commissioner, Legal Affairs Division  
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