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FAX COVER SHEET

DATE: February 3, 2010
TO: Patricia D. Petersen, Chief Hearing Officer
COMPANY: State of Washington Office of Insurance Commissioner
FROM: Michelle A. Blackwell
RE: In the Matter of Advantage Dental Plan, Inc.
Notice of Intent to Revoke Certificate of Registration No. 173
Consent Order No. D09-0091

FAX NUMBER: 360-664-2782 PAGES: _____ (Including this Cover Sheet)

MESSAGE:

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February 3, 2010

VIA FACSIMILE: 360-664-2782
and
FIRST CLASS MAIL

Patricia D. Petersen
Chief Hearing Officer
State of Washington
Office of Insurance Commissioner
PO Box 40255
Olympia, Washington 98504-0255

Dear Judge Petersen:

Re: *In the Matter of Advantage Dental Plan, Inc.*
Notice of Intent to Revoke Certificate of Registration No. 173
Consent Order No. D09-0091

Our law firm represents Advantage Dental Plan, Inc. (Advantage) in the above-referenced matter. Enclosed please find Advantage's Corrected Request for Hearing.

After filing Advantage's original Request for Hearing, we discovered an inconsistency within the Consent Order regarding the proper form at issue. The findings of fact refer to the additional data statement as Form IC-13A-IC and further state Advantage failed to file Form IC-13A-HC. The conclusions of law refer only to Form IC-13A-HC. This may be a distinction without a difference as our search of the Insurance Commissioner's website and follow up telephone calls to that office revealed that no Form IC-13A-IC actually exists. Perhaps this was simply a typographical error in the Consent Order.

Our original Request for Hearing referred to Form IC-13A-IC. The Corrected Request for Hearing amends the original to restate that Form IC-13A-HC is the proper form at issue. By copy of this letter, I am requesting the Insurance Commissioner's Staff Attorney, Charles D. Brown, to promptly notify me in writing if the basis for the Insurance Commissioner's order is

WATKINSON LAIRD RUBENSTEIN BALDWIN & BURGESS, P.C.

February 3, 2010

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NOT Form IC-13A-HC. Otherwise, we will presume that the basis for appeal is now properly stated. In addition, we have restated the objection to clarify how the electronic filing occurred.

Please contact me if you have any questions.

Sincerely,



Michelle A. Blackwell

MB:lms

Enclosure

c: Client (w/enc.)
Charles D. Brown (w/enc.)
Donald R. Laird (w/o enc.)

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BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF WASHINGTON

In the Matter of:
NOTICE OF INTENT TO REVOKE
CERTIFICATE OF REGISTRATION NO. 173
ISSUED TO ADVANTAGE DENTAL PLAN,
INCORPORATED

Consent Order No. D09-0091
CORRECTED
REQUEST FOR HEARING
(Administrative Law Judge requested)

Advantage Dental Plan, Incorporated (**Advantage Dental**) hereby requests a hearing in accordance with the provisions of RCW 48.04 and RCW 34.05 to object to the Insurance Commission's Notice of Intent to Revoke Certificate of Registration No. 173 Issued to Advantage Dental Plan, Incorporated (**Notice**).

Advantage Dental raises the following objection to the Notice:

1. Advantage Dental electronically uploaded Form IC-13A-HC to the Washington Insurance Commission's website pursuant to the Step-By-Step FTP Upload Instructions on January 8, 2010, in accordance with Consent Order No. D09-0091.

WHEREFORE, Advantage Dental requests that the Hearing Officer provide the following relief:

1. That the Hearing Officer stay the entry of an order revoking Certificate of Registration No. 173; and

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2. That the Hearing Officer enter an order striking the Insurance Commission's order revoking Certificate of Registration No. 173.

DATED this 3rd day of February 2010.

WATKINSON LAIRD RUBENSTEIN BALDWIN & BURGESS, P.C.

By: Michelle A. Blackwell
Michelle A. Blackwell, WSBA #40355
Email: mblackwell@wlrllaw.com
Of Attorneys for Advantage Dental Plan, Inc.

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REQUEST FOR HEARING
Corrected Request for Hearing (020310mab).doc