BEFORE THE STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER

FILED

2017 NOV -8 A 8:34

HEARINGS UNIT
OFFICE OF
INSURANCE COMMISSIONER

In the Matter of:	Docket No. 17-0299
FAR EAST BROADCASTING COMPANY, INC.	**NOTICE OF HEARING**
Charitable Organization.	

TO: Scott C. Hassel
Far East Broadcasting Company, Inc.
15700 Imperial Highway
La Mirada, CA 90638

COPY TO: Mike Kreidler, Insurance Commissioner
James T. Odiorne, J.D., CPA, Chief Deputy Insurance Commissioner
Doug Hartz, Deputy Commissioner, Company Supervision Division
Toni Hood, Deputy Commissioner, Legal Affairs Division
Ross Valore, Insurance Enforcement Specialist, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

This Notice is provided pursuant to RCW 48.04.010 and RCW 34.05.434.

On September 19, 2017, Sara Froyland, CPA, Senior Financial Analyst of the Company Supervision Division of the Office of Insurance Commissioner ("OIC") sent a proposed Consent Order Imposing a Fine pursuant to RCW 48.30.050(2) to Far East Broadcasting Company, Inc. ("Far East"). Far East is a charitable organization registered under RCW Chapter 48.38 that sells charitable gift annuities. The Consent Order imposed a $500 fine for Far East's failure to file its annual report and actuarial certification within sixty days of the end of its fiscal year (August 29, 2017) as required by RCW 48.38.010(10). Far East filed the report and actuarial certification on August 31, 2017.

On October 17, 2017, Scott Hassel of Far East filed a Demand for Hearing requesting relief from the penalties due to filing the annual report and actuarial certification late. He stated he had misinterpreted the due date as August 31 rather than exactly 60 days (August 29). He further stated he had tried to obtain an extension, but that there is no legal provision for an extension and none was given.

On November 6, 2017, the undersigned held a first prehearing conference. Ross Valore, Insurance Enforcement Specialist with the OIC's Legal Affairs Division appeared on behalf of the OIC, and Scott Hassel appeared on behalf of Far East.

After considering the views of the Parties, the undersigned enters the following Order:

By December 1, 2017, the parties shall serve and file dispositive Motions. By December 12, 2017, the parties shall serve and file Responses to such Motions. By December 19, 2017, the parties shall serve and file Replies to such Responses. I expect to rule without oral argument as soon as possible after briefing is complete.

Assuming this matter is not resolved based upon the dispositive Motions, a hearing will be conducted telephonically on January 17, 2018, at 10:00 a.m., Pacific Standard Time. The parties will participate telephonically by dialing 1-855-929-3239, followed by access code 803 067 224. The hearing is expected to require less than one day, but will continue until completed. The purpose of the hearing is to consider whether a fine should be levied against Far East pursuant to RCW 48.38.050(2) for failing to file its annual report and actuarial certification by the deadline in RCW 48.38.010(10).

By January 10, 2018, the parties shall exchange witness and exhibit lists, briefs and any other documents they expect to offer into evidence at the evidentiary hearing consistent with WAC 10-08-140, and file them with the Hearings Unit at the address below. That said, the undersigned expressly notes that he will *not* entertain evidence from either party submitted after the January 10, 2018 deadline for the reasons specified in WAC 10-08-140(2)(b).

The hearing will be governed by the Administrative Procedure Act, RCW Chapter 34.05, and the model rules of procedure contained in WAC Chapter 10-08. All parties may be represented and may examine witnesses, respond, and present evidence and argument on all relevant issues.

A party who fails to attend or participate in the hearing or another stage of this proceeding may be held in default in accordance with Chapter 34.05 RCW. See RCW 34.05.434(2)(i).

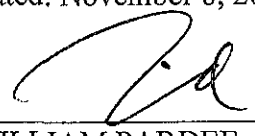
William Pardee, Presiding Officer, has been designated by the Insurance Commissioner to hear and determine this matter. The hearing will be held under the authority granted by the Insurance Commissioner per RCW Chapter 48.04.

Pursuant to WAC 284-02-070(1)(c), accommodation will be made for persons needing assistance due to difficulty with language or disability. Further, pursuant to WAC 10-08-040(2) and in accordance with RCW Chapter 2.42, if a limited English speaking or hearing impaired or speech impaired party or witness needs an interpreter, a qualified interpreter will be appointed. There will be no cost to the party or witness, except as may be provided by RCW Chapter 2.42. A Request for Accommodation form, with instructions, is attached to this Notice.

All case related documents and correspondence shall be directed to the Hearings Unit, Office of Insurance Commissioner, P.O. Box 40255, Olympia, Washington 98504-0255;

HearingsU@oic.wa.gov. All interested individuals and entities who have questions or concerns concerning this proceeding should direct them to the Hearings Unit paralegal, Dorothy Seabourne-Taylor, at the same address. Ms. Seabourne-Taylor's telephone number is (360) 725-7002.

Dated: November 8, 2017



WILLIAM PARDEE
Presiding Officer

CERTIFICATE OF SERVICE

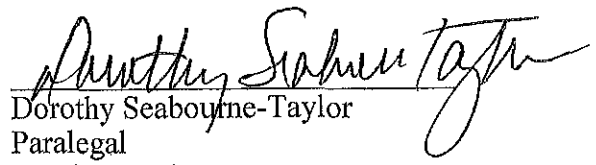
The undersigned certifies under the penalty of perjury under the laws of the state of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the state of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be filed and served the foregoing Notice of Hearing on the following people at their addresses listed below:

Scott C. Hassel
Far East Broadcasting Company, Inc.
15700 Imperial Highway
La Mirada, CA 90638

Mike Kreidler, Insurance Commissioner
James T. Odiorne, J.D., CPA, Chief Deputy Insurance Commissioner
Doug Hartz, Deputy Commissioner, Company Supervision Division
Toni Hood, Deputy Commissioner, Legal Affairs Division
Ross Valore, Insurance Enforcement Specialist, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

Dated this 8th day of November, 2017, in Tumwater, Washington.



Dorothy Seabourne-Taylor
Paralegal
Hearings Unit

OFFICE OF INSURANCE COMMISSIONER
HEARINGS UNIT
Fax: (360) 664-2782

To request an interpreter, complete and send this form to:

Hearings Unit
Office of Insurance Commissioner
P.O. Box 40255
Olympia, WA 98504-0255
HearingsU@oic.wa.gov

REQUEST FOR ACCOMMODATION FOR LANGUAGE OR DISABILITY

I am a party in Matter No.17-0299 before the Insurance Commissioner.

I request accommodation for the following disability (insert your disability):

_____

I request an interpreter for myself or a witness who will be testifying at the evidentiary hearing.

Please check the statements that apply:

☐ I am a non-English-speaking person and cannot readily speak or understand the English language. My primary language is _____ (insert your primary language). I need an interpreter who can translate to and from the primary language and English.

☐ I am unable to readily understand or communicate the spoken English language because:

- ☐ I am deaf.
- ☐ I have an impairment of hearing.
- ☐ I have an impairment of speech.

[Please state below or on the reverse side any details which would assist the Commissioner or Presiding Officer in arranging for a suitable accommodation for your disability, an interpreter or in providing appropriate mechanical or electronic amplification, viewing, or communication equipment.]

Date: _____ Signed: _____

Please print or type your name: _____
Address: _____
_____
Telephone: _____