

THE INSURANCE DEPARTMENT OF THE STATE OF DELAWARE

Statutory Authority: 18 Delaware Code Sections 311 and 1113

(18 Del. C. §§ 1113)

IN RE:)
) **Docket No. 1080**
REGULATION 1215)

EMERGENCY ORDER

Pursuant to 29 *Del. C.* § 10119, it is necessary to promulgate an amendment to Regulation 1215 relating to Recognition of Preferred Mortality Tables for use in Determining Minimum Reserve Liabilities

REASONS FOR EMERGENCY ACTION

A. Due to current economic conditions, the Department believes that applying the provisions of current Regulation 1215, which were effective February 11, 2007, retroactively to January 1, 2004 serves the best interest of the general public by improving the capital condition of insurance companies.

B. The Department has completed the work necessary to submit the proposed amended regulations for public comment and by issuing this emergency order will permit time for public comment and the consideration of further amendments prior to final adoption of the amendments.

DECISION AND ORDER

1. The proposed amendments to Regulation 1215 are promulgated as an emergency regulation effective March 1, 2009.

2. This order shall be effective until September 1, 2009 or until the attached amendment to Regulation 1215 is adopted pursuant to the Delaware Administrative Procedures Act whichever shall first occur. The Department will receive, consider and respond to petitions by any interested person for the reconsideration or revision of the emergency regulation.

3. The Department gives public notice of the proposed amendment to Regulation 1215 as required by 29 *Del. C.* § 10115 as follows:

**PUBLIC NOTICE OF PROPOSED
DEPARTMENT OF INSURANCE REGULATION**

**RELATING TO RECOGNITION OF PREFERRED MORTALITY
TABLES FOR USE IN DETERMINING MINIMUM RESERVE
LIABILITIES**

INSURANCE COMMISSIONER KAREN WELDIN STEWART hereby gives notice of proposed amendments to Department of Insurance **Regulation 1215** relating to **Recognition of Preferred Mortality Tables for use in Determining Minimum Reserve Liabilities**. The docket number for this proposed regulation is 1080.

The Delaware Code authority for the change is 18 *Del. C.* §§ 311, and 1113. The text can also be viewed at the Delaware Insurance Commissioner's website at www.delawareinsurance.gov and clicking on the link for "Proposed Regulations."

Any person can file written comments, suggestions, briefs, and compilations of data or other materials concerning the proposed amendment. Any written submission in response to this notice and relevant to the proposed change must be received by the Department of Insurance no later than 4:30 p.m., Monday, April 6, 2009 by delivering said comments to Mitch Crane, Esquire, Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904, or sent by fax to 302.739.2021 or emailed to mitch.crane@state.de.us.

Since the wording of the attached emergency regulation is identical to the wording the Department intends to adopt as a final regulation, public comment on the emergency regulation shall be deemed to be public comment on the proposed regulation as would otherwise be permitted under 29 *Del. C.* § 10115.

IT IS SO ORDERED this 17th day of February, 2009

s/ Karen Weldin Stewart, CIR-ML
Insurance Commissioner