

**BEFORE THE COMMISSIONER OF INSURANCE  
OF THE STATE OF KANSAS**

In the Matter of Buckeye State       )  
Mutual Insurance Company        )

Docket No. 3006-SO

**ORDER TO RESCIND**

Pursuant to the authority granted to the Commissioner of Insurance by Kansas Statutes Annotated (K.S.A.) 40-2,123 and 40-2,125,

I, Kathleen Sebelius, the duly elected and qualified Commissioner of Insurance of the State of Kansas, hereby make the following findings of fact, conclusions of law, and order, to wit:

**Findings of Fact**

1. Buckeye State Mutual Insurance Company ("Buckeye") is a mutual insurance company authorized to transact the business of insurance in the State of Kansas with its office located at One Heritage Place, Piqua, Ohio, 45356, and is subject to the Kansas statutes regulating the business of insurance.

2. The Commissioner of Insurance ("the Commissioner") has jurisdiction over the subject matter of this proceeding, and this proceeding is held in the public interest.

3. On March 1, 2000, Buckeye State gave the Commissioner written notice of its intent to cease writing new and renewal policies for all commercial lines except commercial automobile effective April 1, 2000 because the company had not written enough volume of policies in Kansas. The company verified that policyholders would be given proper notification of non-renewal beginning April 1, 2000.

4. On March 7, 2000, Buckeye was informed that the company was required to give sixty (60) days notice of non-renewal to the Kansas Insurance Department ("the Department") and the thirty (30) days notice was insufficient. Buckeye was asked to submit a future non-renewal date.

5. Respondent failed to submit a future non-renewal date to the department.

6. On July 5, 2001, the Commissioner of Insurance issued a Summary Order against Buckeye, notifying Buckeye that the company had violated Kansas statutes by failing to submit a future non-renewal date to the department. This Summary Order became final on July 23, 2001.

7. On July 19, 2001, the Kansas Insurance Department received a letter from Buckeye, wherein the company stated its belief that the company had not violated Kansas statutes in that the company was not properly notified of the required submission and requested that the Summary Order and fine be withdrawn.

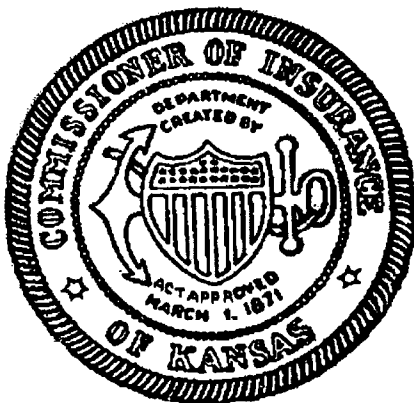
#### Conclusions of Law

8. Based upon the Findings of Fact contained in paragraphs 1 through 7 above, it appears justification exists for rescinding the Summary Order referred to herein.

#### **IT IS THEREFORE, BY THE COMMISSIONER OF INSURANCE, ORDERED THAT:**

The Summary Order effective July 23, 2001, and referred to herein, is hereby rescinded.

IT IS SO ORDERED THIS 25<sup>th</sup> DAY OF JULY, 2001, IN THE CITY OF TOPEKA,  
COUNTY OF SHAWNEE, STATE OF KANSAS.



*Kathleen Sebelius*

Kathleen Sebelius  
Commissioner of Insurance

BY:

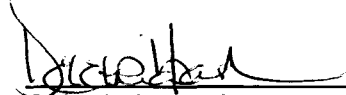
*Kathy Greenlee*

Kathy Greenlee  
General Counsel

**Certificate of Service**

The undersigned hereby certifies that a true and correct copy of the above and foregoing Summary Order was served by placing the same in the United States Mail, first class postage prepared, on this 21<sup>st</sup> day of July, 2001, addressed to the following:

T. Scott Johnson, Corporate Secretary  
Buckeye State Mutual Insurance Company  
One Heritage Place  
Piqua, OH 45356



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Deletria L. Nash  
Staff Attorney