

**DECISION**

**NSUARB-INS-10-724  
2010 NSUARB 153**

**NOVA SCOTIA UTILITY AND REVIEW BOARD**

**IN THE MATTER OF THE INSURANCE ACT**

- and -

**IN THE MATTER OF AN APPLICATION** by **LOMBARD CANADA LTD.**, on behalf of **LOMBARD GENERAL INSURANCE COMPANY OF CANADA, LOMBARD INSURANCE COMPANY** and **TOKIO MARINE & NICHIDO FIRE INSURANCE COMPANY LIMITED** for approval to adopt the 2010 Commercial Rate Group Tables

**BEFORE:** Roberta J. Clarke, Q.C., Member

**APPLICANT:** **LOMBARD CANADA LTD.**, on behalf of **LOMBARD GENERAL INSURANCE COMPANY OF CANADA, LOMBARD INSURANCE COMPANY** and **TOKIO MARINE & NICHIDO FIRE INSURANCE COMPANY LIMITED**

**FINAL SUBMISSIONS:** July 9, 2010

**DECISION DATE:** July 20, 2010

**DECISION:** Application is approved

## **I INTRODUCTION**

[1] Lombard Canada Ltd., on behalf of Lombard General Insurance Company of Canada, Lombard Insurance Company, and Tokio Marine & Nichido Fire Insurance Company Limited (the “Lombard Group”), filed an application with the Nova Scotia Utility and Review Board (the “Board”) for approval to adopt the 2010 Commercial Rate Group Tables. The supporting documents and materials (the “Application”) dated July 8, 2010, were received electronically by the Board on July 9, 2010, and by hard copy on July 13, 2010.

[2] As a result of a review by Board staff, a staff report, dated July 15, 2010 (the “Staff Report”), was prepared.

[3] The Board did not deem it necessary to hold an oral hearing on the Application.

## **II ISSUE**

[4] The issue in this Application is whether the proposed adoption of the 2010 Commercial Rate Group Tables is just and reasonable and in compliance with the *Insurance Act* (the “Act”) and *Regulations*.

## **III ANALYSIS**

[5] The Lombard Group sought approval to adopt the 2010 Commercial Rate Group Table I, and Commercial Rate Group Table II(A). The Application was made in

accordance with the Board's *Rate Filing Requirements for Automobile Insurance - Section 155G Changes to Commercial Rate Group Tables* (the "Rate Filing Requirements"). The proposed effective dates are September 1, 2010 for new business, and October 1, 2010 for renewal business.

[6] The Lombard Group currently uses the 2009 Rate Group Tables. It proposes to substitute the 2010 Tables and to add Table II(A).

[7] The Lombard Group proposed no alteration in the associated rate groups.

[8] The Lombard Group provided updated profiles that show no impact on rates for the selected vehicles.

#### **Rate Manual Review**

[9] A review of the Rate Manual on file indicates it is in compliance with the *Act* and *Regulations* and there are no concerns arising from it.

#### **IV FINDINGS**

[10] The Board finds that the Application complies with the *Act* and *Regulations*. Based upon the evidence before it, the Board is satisfied the proposal to adopt the 2010 Commercial Rate Group Tables is just and reasonable in the circumstances of this filing. There is nothing in the Application which suggests that the proposal will jeopardize the financial solvency of the Company.

[11] The Board therefore approves the proposal of the Lombard Group, as described in its Application, on behalf Lombard General Insurance Company of Canada, Lombard Insurance Company, and Tokio Marine & Nichido Fire Insurance Company Limited, to adopt the 2010 Commercial Rate Group Tables, and approves the effective dates of September 1, 2010 for new business, and October 1, 2010 renewal business.

[12] An Order will issue accordingly.

**DATED** at Halifax, Nova Scotia, this 20<sup>th</sup> day of July, 2010.

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Roberta J. Clarke