

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

FILED

DEC 10 2021

**INSURANCE COMMISSIONER
OKLAHOMA**

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
SC&C INSURANCE COMPANY, INC,)
a licensed captive in the State of Oklahoma,)
)
Respondent.)

Case No. 21-0595-DIS

**CONDITIONAL ADMINISTRATIVE ORDER
AND NOTICE OF RIGHT TO BE HEARD**

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, by and through his attorney, Teresa L. Green, and alleges and states as follows:

JURISDICTION

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, *36 O.S. §§ 101 et seq.*, including the Oklahoma Captive Insurance Company Act, *36 O.S. §§ 6470.1 et seq.*

2. SC&C Insurance Company, Inc. (“Respondent”) is an Oklahoma domestic pure captive insurer and operates in the State of Oklahoma pursuant to company number 44201328. Respondent’s address of record is Oklahoma RAS LLC, 1833 S. Morgan Rd., Oklahoma City, OK 73128.

FINDINGS OF FACT

3. On or about December 28, 2020, the Oklahoma Insurance Department (“Department”) issued Order Adopting Report of Examination (“Order”) which ordered

Respondent to “file within thirty (30) days...affidavits executed by each of its directors stating under oath that each director has received a copy of the adopted Report [of Financial Examination] and the related Order.”

4. On or about January 4, 2021, the Order was received by Respondent.

5. On or about August 2, 2021, the Department received the Respondent’s affidavits.

6. Pursuant to *36 O.S. § 309.4(D)(1)*, the company shall file affidavits executed by each of its directors stating under oath that they have received a copy of the adopted report and related orders within thirty (30) days of the issuance of the adopted report.

7. The Insurance Commissioner may fine any captive insurer who violates any provision of the Oklahoma Insurance Code a civil penalty of not more than \$5,000.00 for each occurrence. *See 36 O.S. § 6470.14.*

CONCLUSIONS OF LAW

8. Respondent violated *36 O.S. § 6470.14* by not filing affidavits executed by each of its directors stating under oath that they have received a copy of the adopted report and related orders within thirty (30) days of the issuance of the adopted report when the affidavits were received on August 2, 2021 and the order was issued on December 28, 2020.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraphs, that the Respondent violated *36 O.S. § 6470.14* and as a result is **FINED** in the amount of **ONE HUNDRED DOLLARS (\$100.00)**. The Fine is to be paid within thirty (30) days of receipt of this Order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless the Respondent requests a hearing

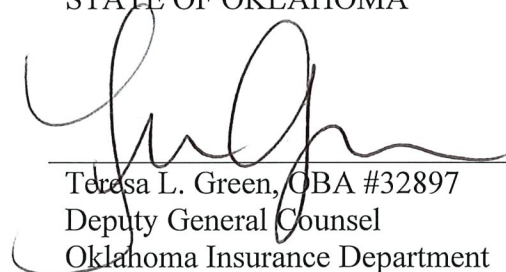
with respect to the Findings of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above will become a Final Order on the thirty-first (31st) day following the date of mailing this Order. A request for hearing should be in writing addressed to Teresa L. Green, Oklahoma Insurance Department, Legal Division, 400 N.E. 50th Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds for the request to set aside or modify the Order.

Any such hearing will be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. §§ 250-323. If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as notice of the matters to be reviewed at the hearing, and the Findings of Fact, Conclusions of Law, and penalties imposed in this Conditional Order will be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 10th day of December, 2021.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Teresa L. Green, OBA #32897
Deputy General Counsel
Oklahoma Insurance Department
400 N.E. 50th Street
Oklahoma City, OK 73105
Telephone: (405) 521-6654
Facsimile: (405) 522-0125

CERTIFICATE OF MAILING

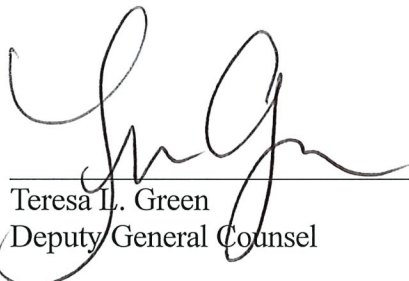
I, Teresa L. Green, hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to be Heard* was sent by certified mail with postage prepaid and return receipt requested on this 10th day of December, 2021, to:

SC&C Insurance Company, Inc.
c/o Oklahoma RAS LLC
1833 S. Morgan Rd.
Oklahoma City, OK 73128.

CERTIFIED MAIL NO. 9214 8902 0982 7500 0424 73

A copy was delivered to:

Donald Ashwood
OID Financial Division



Teresa L. Green
Deputy General Counsel

Date Produced: 12/20/2021

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0424 73. Our records indicate that this item was delivered on 12/16/2021 at 10:16 a.m. in OKLAHOMA CITY, OK 73128. The scanned image of the recipient information is provided below.

Signature of Recipient :

114 C-1A
Raymond

Address of Recipient :

1823 →

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

SC&C INSURANCE COMPANY INC
C/O: OKLAHOMA RAS LLC
1833 S MORGAN RD
OKLAHOMA CITY OK 73128-7004

Customer Reference Number: C3115482.18091982
Return Reference Number SMS/21-0595-DIS (TLG)/Cond Ord



Return address:

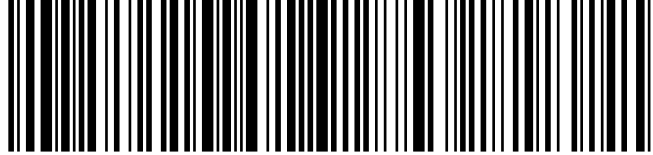
OKLAHOMA INSURANCE DEPARTMENT
5 CORPORATE PLAZA
OKLAHOMA CITY, OK 73112

Recipient address:

SC&C INSURANCE COMPANY INC
C/O: OKLAHOMA RAS LLC
1833 S MORGAN RD
OKLAHOMA CITY OK 73128-7004

MAILING DATE: 12/14/2021
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USPS CERTIFIED MAIL



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USPS Tracking History	Location	Date / Time
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SHIPMENT RECEIVED ACCEPTANCE PENDING	OKLAHOMA CITY,OK 73118	12/14/2021 15:55
ORIGIN ACCEPTANCE	OKLAHOMA CITY,OK 73105	12/14/2021 23:07
PROCESSED THROUGH USPS FACILITY	OKLAHOMA CITY OK DISTRIBUTION C 73107	12/15/2021 00:22
DEPARTED USPS REGIONAL FACILITY	OKLAHOMA CITY OK DISTRIBUTION C 73107	12/15/2021 08:47
DELIVERED LEFT WITH INDIVIDUAL	OKLAHOMA CITY,OK 73128	12/16/2021 10:16

CASE NUMBER: 21-0595-DIS

DEPARTMENT: LEGAL/TLG

SENDER: SMS

CUSTOM 4: CONDITIONAL ADMINISTRATIVE ORDER & NOTICE OF RIGHT TO BE HEARD