

HinckleyAllenSnyder LLP
ATTORNEYS AT LAW

11 South Main Street, Suite 400
Concord, NH 03301-4846
TEL: 603 225 4334
FAX: 603 224-8350
www.haslaw.com

Ronald D. Ciotti
rciotti@haslaw.com
Direct: (603) 545-6142

July 18, 2012

VIA HAND DELIVERY

Jennifer Patterson
NHID Hearing Officer
21 South Fruit Street, Suite 14
Concord, NH 03301

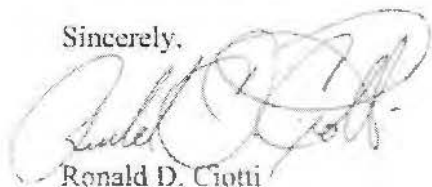
Re: In Re: Steel Elements International, LLC
Docket No. Ins. 12-017-AP

Dear Ms. Patterson:

Please be advised that my client, Steel Elements International, LLC, hereby withdraws its appeal in this matter. This docket can now be closed.

Please do not hesitate to call if you have any questions.

Sincerely,



Ronald D. Ciotti
RDC/gmg

cc: Client
Daniel M. Deschenes, Esq.
Service List

#50818364

**STATE of NEW HAMPSHIRE
INSURANCE DEPARTMENT**

In re: Steel Elements International, LLC

HEARING RESCHEDULED

Docket No.: Ins 12-017-AP

WHEREAS, Steel Elements International, LLC ("Petitioner") is a New Hampshire employer with a physical address of 5 Security Drive, Hudson, New Hampshire; and

WHEREAS, Petitioner filed an April 12, 2012 appeal letter with the New Hampshire Insurance Department ("Department") on the March 23, 2012 "Notice of Decision" National Council on Compensation Insurance, Inc. ("NCCI"); and

WHEREAS, pursuant to RSA 400-A:17, II.(b) and III., the Department scheduled a hearing in the matter for May 21, 2012; and

WHEREAS, NCCI filed a "Motion to Continue Hearing" dated April 23, 2012 citing scheduling conflicts, and the hearing was rescheduled to June 5, 2012; and

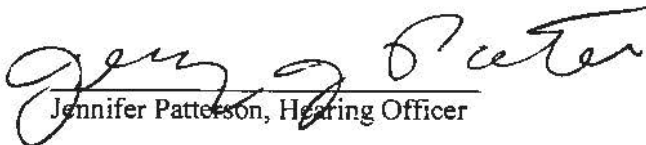
WHEREAS, Petitioner filed a "Partially Assented-To Motion to Continue Hearing" dated May 25, 2012 requesting the hearing be rescheduled; and

WHEREAS, the parties, as of this date, have all agreed to the rescheduling of the hearing;

NOW THEREFORE, the Department has rescheduled the hearing in this matter to July 23, 2012 at 1:30 p.m. in the offices of the Department, 21 South Fruit Street, Suite 14, Concord, New Hampshire.

SO ORDERED.

Dated: May 31, 2012


Jennifer Patterson, Hearing Officer



To: spasakarnis@haslaw.com, cnicolopoulos@preti.com, maureen_longanacre@ncci.com
<maureen_longanacre@ncci.com>, Deborah L Stone/insDeptNH, James B
Young/insDeptNH, laura_backus_half@NCCI.com, dannelson@berkleyrisk.com,
winfantine@aspen-ins.com, lwade@ori-reno.com,
Cc:
Bcc:
Subject: Steel Elements - Hearing Order
From: Debbie OLoughlin - Thursday 05/31/2012 01:01 PM
Sent by: Debbie OLoughlin/Administration/insDeptNH

See order below - rescheduling hearing.

Deborah J. O'Loughlin
Legal Coordinator
N.H. Insurance Department
21 South Fruit Street, Suite 14
Concord, NH 03301
603-271-2261
603-271-1406/fax

— Forwarded by Debbie OLoughlin/Administration/insDeptNH on 05/31/2012 01:01 PM —

From: "New Hampshire Insurance Dept" <requests@ins.nh.gov>
To: "DEBORAH OLOUGHLIN" <deborah.oloughlin@ins.nh.gov>
Date: 05/31/2012 01:00 PM
Subject:

Please open the attached document. This document was digitally sent to you
using an HP Digital Sending device.

To view this document you need to use the Adobe Acrobat Reader. For more
information on the HP MFP Digital Sending Software or a free copy of the
Acrobat reader please visit:



http://www.hp.com/go/HP_Digital_Sender_Module.com Document.pdf

**STATE of NEW HAMPSHIRE
INSURANCE DEPARTMENT**

In re: Steel Elements International, LLC

HEARING RESCHEDULED

Docket No.: Ins 12-017-AP

WHEREAS, Steel Elements International, LLC ("Petitioner") is a New Hampshire employer with a physical address of 5 Security Drive, Hudson, New Hampshire; and

WHEREAS, Petitioner filed an April 12, 2012 appeal letter with the New Hampshire Insurance Department ("Department") on the March 23, 2012 "Notice of Decision" National Council on Compensation Insurance, Inc. ("NCCI"); and

WHEREAS, pursuant to RSA 400-A:17, II.(b) and III., the Department scheduled a hearing in the matter for May 21, 2012; and

WHEREAS, NCCI filed a "Motion to Continue Hearing" dated April 23, 2012 citing scheduling conflicts; and

WHEREAS, no objection has been raised by the parties to a change of hearing date;

NOW THEREFORE, the Department has rescheduled the hearing in this matter to June 5, 2012 at 1:30 p.m. in the offices of the Department, 21 South Fruit Street, Suite 14, Concord, New Hampshire.

SO ORDERED.

Dated: April 30, 2012


Jennifer Patterson, Hearing Officer



**THE STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

21 SOUTH FRUIT STREET SUITE 14
CONCORD, NEW HAMPSHIRE 03301

Roger A. Sevigny
Commissioner

Alexander K. Feldvebel
Deputy Commissioner

**VIA FACSIMILE 603-466-9400
& CERTIFIED MAIL
7008 1830 0000 3912 7236**

April 18, 2012

Kevin Cormier
Steel Elements International, LLC
5 Security Drive
Hudson, New Hampshire 03051

**RE: Appeal of NH Workers Compensation Classification
and Rating Appeals Board Decision – March 23, 2012
Docket No.: Ins 12-017-AP**

Dear Mr. Cormier:

Please find enclosed a Notice of Hearing dated April 18, 2012 in response to your appeal request. The hearing in the matter has been scheduled for May 21, 2012 at 1:30 p.m. at the offices of the New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, NH.

If you have any questions, please feel free to contact us.

Sincerely,

Deborah J. O'Loughlin
Legal Coordinator

dol

enclosures

cc: Jennifer Patterson, NHID Hearing Officer
Maureen Longanacre, NCCI
Christopher Nicolopoulos, Preti
Hon. William Infantine, Aspen Insurance
Daniel Nelson, Riverport Insurance Co.
Deborah Stone, NHID P&C Actuary
James Young, NHID WC Analyst

**STATE of NEW HAMPSHIRE
INSURANCE DEPARTMENT**

In re: Steel Elements International, LLC

NOTICE OF HEARING

Docket No.: Ins 12-017-AP

WHEREAS, Steel Elements International, LLC ("Petitioner") is a New Hampshire employer with a physical address of 5 Security Drive, Hudson, New Hampshire; and

WHEREAS, Petitioner obtained its workers' compensation coverage from Riverport Insurance Company ("Riverport"), policy number WC288300318201, effective 04/01/11; and

WHEREAS, Petitioner disputed the transfer of experience of Steel Elements, Inc. to Petitioner; and

WHEREAS, Petitioner's appeal was heard by the New Hampshire Workers' Compensation Classification and Ratings Appeals Board ("Board") on March 15, 2012; and

WHEREAS, the National Council on Compensation Insurance, Inc. ("NCCI") on March 23, 2012 provided Petitioner with a copy of the Case Summary: Notice of Decision wherein the Board affirmatively voted to transfer the experience of Steel Elements, Inc. to Petitioner on policy number WC288300318201, effective 04/01/11; and

WHEREAS, under New Hampshire's Operational Rules for NCCI any party to the action or proceeding may appeal the decision of the Board to the Commissioner of the New Hampshire Insurance Department ("Department") within 30 days; and

WHEREAS, Petitioner filed an appeal letter received by the Department on April 16, 2012; and

WHEREAS, pursuant to RSA 400-A:17, II.(b) and III., the Department may schedule a hearing upon receipt of an application for hearing filed within 30 days of the act complained of, provided that the application "shall briefly state the respects in which the applicant is so aggrieved, together with the ground to be relied upon for the relief to be demanded in the hearing."

NOW THEREFORE, the Department finds and rules as follows:

- A. The filing of the Petitioner's appeal is timely and complete under RSA 400-A:17, III.
- B. A hearing in this matter will be held on May 21, 2012 at 1:30 p.m. in the offices of the Department, 21 South Fruit Street, Suite 14, Concord, New Hampshire.
- C. Jennifer Patterson will serve as the Hearing Officer in this matter.

D. James Young, P&C Market Analysis Examiner and Deborah Stone, P&C Actuary, are designated as technical assistants in this matter pursuant to Ins 203.07(a).

E. These proceedings shall be conducted in accordance with the provisions RSA 541-A: 31 through 38 and New Hampshire Code of Administrative Rules Ins 200. A copy of these Administrative Rules may be obtained through the Department's website, www.state.nh.us/insurance.

F. Pursuant to the provisions of Ins 200, if the Petitioner elects to be represented by counsel, the Petitioner shall be responsible for his own attorney's fees and costs, and the Petitioner's attorney shall file a notice of appearance in accordance with Ins 203.04.

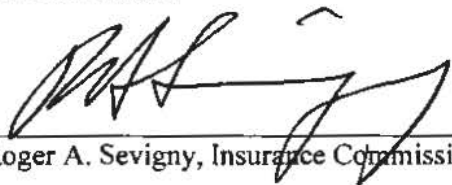
G. The Petitioner may request that the hearing be transcribed. The Petitioner shall bear the cost of retaining a certified court reporter to transcribe the hearing. The Petitioner wishes to have the hearing transcribed, the Petitioner shall file a written request for a certified court reporter with the Hearing Officer at least 10 days prior to the scheduled hearing date.

H. All pleadings, appearances and other documents shall be filed with the Hearing Clerk to Attn: Clerk, N.H. Insurance Department, 21 South Fruit Street, Suite 14, Concord, NH 03301, in the form of an original and one (1) copy and shall bear a certification that a copy has been delivered to all other parties to this matter in accordance with New Hampshire Code of Administrative Rules Ins 204.09.

I. The burden of proof, by a preponderance of the evidence, shall be borne by the Petitioner. At the conclusion of the hearing, the Hearing Officer may order the parties to file proposed findings of fact and conclusions of law and/or proposed orders.

J. The Petitioner's failure to appear at the time, date and place specified herein shall result in the hearing being held *in absentia* and/or a default ruling in favor of the Board, without further notice or opportunity to be heard.

SO ORDERED.



Roger A. Sevigny, Insurance Commissioner

Dated: April 18, 2012