

STATE of NEW HAMPSHIRE
INSURANCE DEPARTMENT

**PUBLIC HEARING
NOTICE**

**In Re: Competitive/Noncompetitive Market Determination
Regarding Title Insurance**

Docket No.: Ins 08-036-AP

WHEREAS, pursuant to RSA 412:13 a competitive market is presumed to exist unless the Commissioner, after hearing, determines that a reasonable degree of competition does not exist in the market and the Commissioner issues a ruling to that effect; and

WHEREAS, RSA 412:14 requires the Commissioner to monitor the degree of competition in this State, and in so doing, to utilize existing relevant information, analytical systems and other sources; and

WHEREAS, by notice of the Commissioner dated June 4, 2008, a hearing pursuant to the provisions of RSA 400-A:17 and RSA 412:13 was conducted at the offices of the New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, New Hampshire on July 23, 2008 at 9:30 a.m.; and

WHEREAS, objections were raised as to certain deficiencies in the hearing notice; now, therefore be it:

ORDERED, that:

1. Pursuant to the provisions of RSA 400-A:17 and RSA 412:13, a further public hearing in this matter will be held at the offices of the New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, New Hampshire on October 17, 2008 at 9:30 a.m.
2. The purpose of the public hearing is to determine whether or not a competitive market exists in the State as it relates to title insurance. To that end, the Department, through its hearing officer, welcomes all relevant testimony relating to the evidence to be considered, as set forth in RSA 412:14, II., including but limited to, additional testimony from interested parties as follows:
 - a. Testimony from consumers or consumer groups and insurance producers related to the consumer's level of knowledge of the product of title insurance and the extent to which comparative pricing information and information about viable options to shop for title coverage is available to consumers.
 - b. Testimony from consumers or consumer groups or others related to the question whether real estate agents, attorneys, or lenders effectively act as the consumer's shopping agent and help them to get the best deal.
 - c. Additional expert testimony responding to the reports and testimony of economists testifying at the hearing on July 23, 2008, including testimony in regard to:

(i) The question whether the New Hampshire market, though concentrated, might still be competitive due to active competition for market share or market "contestability", i.e. the impact on the market of the threat of additional players.

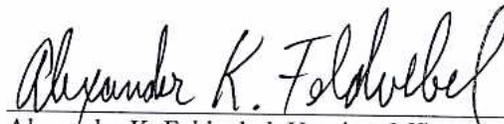
(ii) The question whether real estate agents, attorneys, or lenders effectively act as the consumer's shopping agent and help them to get the best deal despite the consumer's potential lack of knowledge about costs or available options, mitigating the concern about reverse competition.

3. The public hearing shall be conducted pursuant to the applicable provisions of RSA 400-A, specifically RSA 400-A:19, and Ins 200.

4. All information and testimony provided at the hearing of July 23, 2008 is available for public inspection upon request.

5. The public hearing will be recorded, however, if participants desire a transcript of the public hearing, they must provide for the services of a shorthand reporter.

NEW HAMPSHIRE INSURANCE DEPARTMENT



Alexander K. Feldvebel, Hearing Officer

Dated: August 22, 2008