STATE OF CALIFORNIA

Steve Poizner, *Insurance Commissioner*

DEPARTMENT OF INSURANCE
Legal Division
300 South Spring St.
Los Angeles, CA 90013

Michael Tancredi
Senior Staff Counsel
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TO: **Certain Interested and Affected Parties**
FROM: **Michael Tancredi**
DATE: **January 27, 2010**
RE: **Invitation to Prenotice Public Discussions on Contemplated Regulations Governing Standards and Training for Estimating Replacement Value on Homeowners' Insurance (REG-2010-00001)**

Pursuant to California Government Code Section 11346.45, California Insurance Commissioner Steve Poizner will hold prenotice public discussions regarding the following contemplated changes to Chapter 5 of Title 10 of the California Code of Regulations: (1) the addition of new Section 2188.65 to Article 6.5 of Subchapter 1; (2) the amendment of Section 2190.2 of Article 7 of Subchapter 1; (3) the amendment of Section 2190.3 of Article 7 of Subchapter 1; and (4) the addition of new Article 1.3: Valuation of Homes to Subchapter 7.5. The proposed regulations will implement, interpret and make specific the provisions of Insurance Code sections 730, 735.5, 790.03, 790.04, 1625, 1625.5, 1749.85, 1760.5(b), 1763, 1764.1, 2051.5, 10087. Insurance Code sections 730, 790.04, 790.10, 1727, 1749.7, 1749.85, 1763, 1768, 1861.05, 2051.5 provide authority for this rulemaking.

You are hereby invited to participate in these prenotice public discussions. The purpose of these discussions is to permit certain interested and affected persons an opportunity to present statements or comments with respect to the attached draft regulations texts.

Public discussions will be held on the following date, at the times and location specified below:

Date: February 11, 2010
Location: California Department of Insurance
Hearing Room
300 South Spring St.
Los Angeles, CA 90013
Time: 9:30 a.m. to 12:00 noon and 1:30 p.m. to 4:00 p.m., or as soon after 9:30 a.m. as all those wishing to speak have spoken, whichever is earlier

The facility to be used for these public discussions is accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the undersigned, by February 8, 2010 in order to make special arrangements.

Space is limited so we ask that you limit your organization's representation to one individual.

For purposes of promoting discussion, we have attached a draft regulation text. Participants should be prepared to present specific comments on, and alternate regulation language for, the attached draft regulation at these scheduled public discussions. All persons are invited to submit written statements.

Please be advised that participation in these prenotice public discussions will be in addition to, and not in substitution for, any participation in the formal rulemaking process. This invitation to prenotice public discussions does not constitute a Notice of Proposed Action under the Administrative Procedure Act. Consequently, comments (oral or written) received in connection with these prenotice public discussions will not be included in the rulemaking file, which will not be opened until the time formal notice is issued. Similarly, the Department is not required to respond to comments received before the Notice of Proposed Action has been issued and the rulemaking file opened. For this reason, if you wish to have comments included in the rulemaking file, or to require the Department to respond to them as part of the process by which it adopts this regulation, you must present your comments during the formal public comment period according to the procedures outlined in the Notice of Proposed Action at the time that document is issued, regardless of whether the comments have been made in connection with these prenotice public discussions. The Commissioner nonetheless welcomes your participation in these discussions, and hopes that the regulations that may subsequently be proposed will benefit from your input.

All inquiries regarding the contemplated regulations and/or these public discussions should be directed to the undersigned.

Participants are requested to RSVP by February 4, 2010. Please RSVP by sending via email to Camilo Pizarro your name, the name of the organization (if any) which you represent, your mailing address, telephone number, and email address.

Phone: 916-492-3595
Email: PizarroC@insurance.ca.gov
Fax: 916-322-7294.

Because of building security procedures, gaining access to these prenotice public discussions may be difficult for people who have not given their information to Mr. Pizarro.

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