

**STATE OF MAINE
BUREAU OF INSURANCE
Docket No. MCINS 97-36**

In re:)
Great-West Life & Annuity) **CONSENT AGREEMENT**
Insurance Company)
)
)

This document is a Consent Agreement authorized by 5 M.R.S.A. § 9053(2) entered into by and among Great-West Life & Annuity Insurance Company (hereafter "Great-West Life & Annuity") and the Superintendent of the Maine Bureau of Insurance (hereafter also the "Superintendent"). The purpose is to resolve, without resort to an adjudicatory proceeding, issues relative to a Bureau Staff consumer complaint investigation.

FACTS

1. Great-West Life & Annuity is licensed as an insurance company pursuant to the laws of the State of Maine.
2. The **Superintendent of Insurance** is the official charged with administering and enforcing Maine's insurance laws and regulations.
3. Title 24-A M.R.S.A. § 220(2) states as follows: "All insurers and other persons required to be licensed pursuant to this Title shall respond to all lawful inquiries of the superintendent that relate to resolution of consumer complaints involving the licensee within 14 days of receipt of the inquiry and to all other lawful inquiries of the superintendent within 30 days of receipt."
4. On July 29, 1997, Bureau Staff wrote to Great-West Life & Annuity inquiring after a consumer complaint by Barbara Schulman.
5. On September 24, 1997, Bureau Staff sent a certified letter to Great-West Life & Annuity apprising the company of its continuing failure to respond.

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6. On September 30, 1997, Bureau Staff received a telephone call from Nancy Suttendorf of Great-West Life & Annuity requesting Barbara Schulman's telephone number in order to obtain more information from her regarding the complaint. Ms. Suttendorf stated she would route the complaint to the appropriate person at Great-West Life & Annuity for response.

7. As of December 1, 1997, Bureau Staff had received no response from Great-West Life & Annuity.

CONCLUSIONS OF LAW

8. Great-West Life & Annuity acknowledges its failure to respond to one or more lawful inquiries of the Superintendent within the statutorily mandated time period as required by Title 24- A M.R.S.A. §220(2).

COVENANTS

9. A formal hearing in this matter is waived and no appeal will be made.

10. At the time of executing this Agreement, Great-West Life & Annuity will pay to the Maine Bureau of Insurance a penalty in the amount of two hundred dollars (\$200.00) payable to the Treasurer of the State of Maine.

11. At the time of executing this Agreement, Great-West Life & Annuity will provide the response requested in paragraph 4 above.

12. In consideration of Great-West Life & Annuity's execution of and compliance with the terms of this Consent Agreement, the State of Maine agrees to forgo pursuing any disciplinary measures or other civil sanction for the actions described in paragraphs 4 -7 other than those agreed to in this Consent Agreement.

MISCELLANEOUS

13. Great-West Life & Annuity understands and acknowledges that this Agreement will constitute a public record within the meaning of 1 M.R.S.A. § 402 and will be available for public inspection and copying as provided for by 1 M.R.S.A. § 408.

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14. It is understood by the parties to this Agreement that nothing herein shall affect any rights or interests that any person not a party to this Agreement may possess.

15. This Consent Agreement may only be modified by the written consent of the parties.

16. Great-West Life & Annuity has been advised of its right to consult with counsel and has, in fact, consulted with counsel before executing this Agreement.

Dated: _____, 1997

For: Great-West Life & Annuity Insurance Company

By: _____

Typed Name

Typed Title

Subscribed and sworn to before me this _____ day of _____, 1997

Notary Public

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Dated: _____, 1997

Alessandro Iuppa
Acting Superintendent of Insurance

Subscribed and sworn to before me this _____ day of _____, 1997

Notary Public

STATE OF MAINE
KENNEBEC S.S.

Dated: _____, 1997

Linda Pistner, Esq.
Assistant Attorney General

Subscribed and sworn to before me this _____ day of _____, 1997

Notary Public

STATE OF MAINE
KENNEBEC S.S.