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INSURANCE COMMISSIONER
OKLAHOMA

BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF OKLAHOMA

IN RE: HEARING PURSUANT TO 36 O.S. § 984	)	
AS TO WHETHER THE OKLAHOMA	)	Case No. 26-0820-TRN
HOMEOWNERS INSURANCE	)	
MARKET IS NONCOMPETITIVE	)	

REPLY OF THE OKLAHOMA P&C ADVOCACY ASSOCIATION TO, AND JOINDER IN, THE RESPONSES OF THE NATIONAL ASSOCIATION OF MUTUAL INSURANCE COMPANIES, INC., THE AMERICAN PROPERTY CASUALTY INSURANCE ASSOCIATION, INC., AND THE OKLAHOMA INSURANCE COMMISSIONER TO THE OMNIBUS PRE-HEARING MOTION OF THE OKLAHOMA ATTORNEY GENERAL

The Oklahoma P&C Advocacy Association (the "Association"), an interested party appearing by and through undersigned counsel, respectfully submits this Reply to, and Joinder in, (i) The National Association of Mutual Insurance Companies, Inc. and American Property Casualty Insurance Association, Inc.'s Response to Omnibus Pre-Hearing Motion of the Oklahoma Attorney General, filed September 1, 2026 (the "NAMIC/APCIA Response"), and (ii) the Response to the Attorney General's Omnibus Pre-Hearing Motion and Proposed Stipulations filed September 1, 2026, by the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner (the "Commissioner's Response"). In support, the Association states as follows:

1. The Association entered its appearance in this matter on August 4, 2026, as an interested party whose members possess a direct, immediate, and substantial interest in the determination whether the Oklahoma homeowners insurance market is noncompetitive.
2. On or about August 25, 2026, the Oklahoma Attorney General (the "Attorney General") filed his Omnibus Pre-Hearing Motion (the "Omnibus Motion"), seeking eleven categories of pre-hearing relief.
3. On September 1, 2026, NAMIC and APCIA filed the NAMIC/APCIA Response, and the Insurance Commissioner filed the Commissioner's Response. By the Order for Continuance filed September 1, 2026, and as confirmed by the Joint Motion for

Clarification and Stipulation, reply briefs to those Responses are due by 12:00 p.m. on September 3, 2026.

4. Pursuant to that briefing schedule, the Association files this Reply and hereby joins in, adopts, and incorporates by reference as though fully set forth herein the NAMIC/APCIA Response and the Commissioner's Response, including the arguments, authorities, objections, proposed stipulations, and requests for relief stated therein.
5. The Association is aligned with NAMIC, APCIA, and the Oklahoma Insurance Department on the statutory question presented. A competitive market is presumed to exist. *36 O.S. § 984(A).* The burden of proof rests on the party or parties advocating that competition does not exist. *Id.* The Notice of Hearing issued July 14, 2026, correctly states that this hearing is not for the purpose of determining whether any particular homeowners rates are excessive, and is not for addressing any claims issues.
6. Without limiting the foregoing joinder, the Association specifically joins:
    a. The NAMIC/APCIA Response that this proceeding under *36 O.S. § 984* is not an "individual proceeding" under Article II of the Oklahoma Administrative Procedures Act, *75 O.S. §§ 308a–323*, and that Article I of the Act supplies the applicable procedures except where Section 984 controls. *36 O.S. § 313(B).*
    b. The NAMIC/APCIA Response and the Commissioner's Response that the Omnibus Motion's request for a virtual or livestreamed public-attendance option (Motion No. 2) should be denied. The hearing is open to the public, will be held in a room of substantial capacity at the Oklahoma State Capitol, and will be recorded. No statute or rule requires livestreaming.

c. The NAMIC/APCIA Response and the Commissioner's Response that the Attorney General's proposed binary, two-side allocation of hearing time (Motion No. 9) should be rejected. Each participant who has entered an appearance is entitled to a fair and sufficient opportunity to be heard. Due process is not served by collapsing seven participants into two "sides" and awarding half the hearing to the party that bears the burden of proof.

d. The Commissioner's Response that no preemptive order "guaranteeing and affirming" a fair and impartial hearing (Motion No. 11) is warranted. The Independent Hearing Examiner was appointed to hear this matter. An unsupported suggestion of bias does not justify such an order, and extra-record media statements are not evidence.

e. The Commissioner's request that any party bearing the burden of proof pursuant to *36 O.S. § 984(A)* present its case in chief first.

f. The Commissioner's motion in limine, and the corresponding request in the NAMIC/APCIA Response, that evidence and argument be limited to the six factors enumerated in *36 O.S. § 984(B)(1)* and to the Oklahoma homeowners insurance market. Evidence concerning claims-handling practices, the excessiveness of particular rates, pending litigation against insurers, and other matters lacking a rational nexus to those statutory factors should be excluded.

7. To the extent the Hearing Examiner determines that limited pre-hearing procedures will promote an orderly hearing, the Association does not object to the Commissioner's proposed stipulations concerning remote testimony by witnesses, a stenographic record at the requestor's expense, a reciprocal exchange of exhibits and witness lists, offers of proof as to excluded evidence, independent proposed findings of fact and conclusions of law on a schedule that permits a final order within the time prescribed by *36 O.S. § 319*, and a written pre-hearing order memorializing the Examiner's rulings—provided that such procedures are not employed to expand the official record beyond evidence actually

received and considered, or to convert this Section 984 hearing into an Article II individual proceeding.

8. The Association opposes the Omnibus Motion except to the extent the Hearing Examiner adopts the limitations and stipulations proposed in the NAMIC/APCIA Response and the Commissioner's Response, as joined herein. To the extent those Responses differ, the Association joins the NAMIC/APCIA Response on the character of this proceeding and joins the Commissioner's Response as to the objections, proposed stipulations, and affirmative requests for relief set forth therein.

WHEREFORE, premises considered, the Oklahoma P&C Advocacy Association respectfully requests that the Independent Hearing Examiner:

A. Accept this Reply and Joinder;

B. Deny the Omnibus Pre-Hearing Motion of the Oklahoma Attorney General, except to the extent consistent with the NAMIC/APCIA Response and the Commissioner's Response as joined herein;

C. Grant the Insurance Commissioner's request that the party or parties bearing the burden of proof present first, and that evidence and argument be confined to the factors set forth in *36 O.S. § 984(B)(1)*;

D. Deny Motion Nos. 2, 9, and 11 of the Omnibus Motion; and

E. Grant such other and further relief as the Hearing Examiner deems just and proper.

Respectfully submitted this 3rd day of September, 2026.

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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of September, 2026, a true and correct copy of the foregoing Reply and Joinder was filed with the Oklahoma Insurance Department by electronic mail to OIDlegal@oid.ok.gov, and was served by electronic mail upon the following:

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