

BRUCE C. GERRITY  
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July 24, 2008

**VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

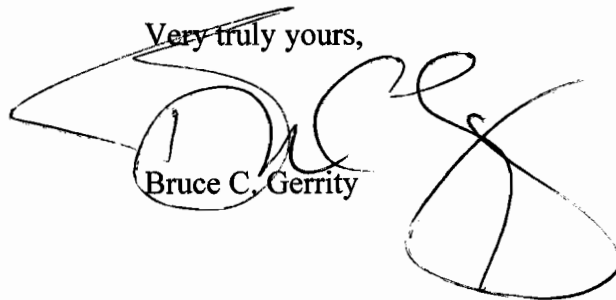
Mila Kofman, Superintendent  
Attn: Vanessa J. Leon, Docket No. INS-08-900  
Bureau of Insurance  
34 State House Station  
Augusta, ME 04333-0034

**RE: Review of Aggregate Measurable Cost Savings Determined by  
Dirigo Health for the Fourth Assessment Year, Docket No. INS-08-900**

Dear Superintendent Kofman:

Enclosed for filing in the above matter please find the Motion of the Maine Automobile Dealers Association Insurance Trust to Intervene as a Matter of Right.

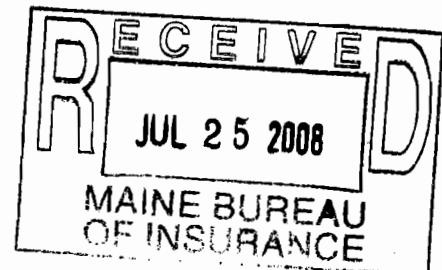
Very truly yours,



Bruce C. Gerrity

BCG/ryp

cc: Michael J. Colleran, Esq.  
William Laubenstein, Esq.  
William H. Stiles, Esq.  
D. Michael Frink, Esq.  
Christopher T. Roach, Esq.  
Joseph P. Ditre, Esq.  
Thomas Sturtevant, Esq.  
Dirigo Health Agency



STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION  
BUREAU OF INSURANCE

IN RE: REVIEW OF AGGREGATE	)	
MEASURABLE COST SAVINGS	)	MOTION OF THE MAINE
DETERMINED BY DIRIGO	)	AUTOMOBILE DEALERS
HEALTH FOR THE FOURTH	)	ASSOCIATION INSURANCE
ASSESSMENT YEAR	)	TRUST TO INTERVENE
	)	AS A MATTER OF RIGHT
DOCKET NO. INS-08-900	)	

NOW COMES the Maine Automobile Dealers Association Insurance Trust (the "Trust"), by and through its undersigned counsel, and, pursuant to 5 M.R.S.A. § 9054(1), Bureau of Insurance Rule Chapter 350, and the Superintendent's Notice of Pending Proceeding and Hearing dated July 10, 2008, moves to intervene in this adjudicatory proceeding as a matter of right. In support of this motion, the Trust states as follows:

1. Under 5 M.R.S.A. § 9054(1), a party is entitled to intervene as a matter of right in an adjudicatory proceeding conducted by the Superintendent when that person "show[s] that he is or may be, or is a member of a class which is or may be, substantially and directly affected by the proceeding."

2. The Trust is a multiple employer welfare arrangements ("MEWA") that secures health insurance for approximately 3,200 employee participants, and approximately 5,800 insurable lives.

3. The Trust employs a third-party administrator ("TPA") to manage and administer its health insurance program. Under 24-A M.R.S.A. §§ 6913(2)-(3), that TPA is, by virtue of the Dirigo Health Agency Board of Directors' (the "DHA Board") determination of aggregate measurable cost savings of \$149,600,000, subject to savings offset surcharges of up to 4% of paid claims.

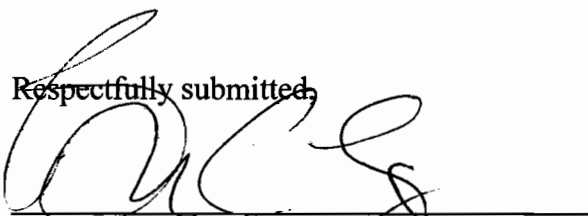
4. Any such savings offset surcharges will be passed on by the TPA to the Trust. Because it does not have reserves to pay the costs passed on by the TPA, the Trust will, in turn, be forced to pass those costs on to their participants. Therefore, any savings offset surcharge will *necessarily* result in higher health insurance costs to the Trust's employee participants.

5. Accordingly, the Trust, its members, and its participants are substantially and directly affected by this proceeding. In the alternative, for the foregoing reasons, the Trust should be granted intervenor status pursuant to 5 M.R.S.A. § 9054(2) as a full participant in this proceeding.

6. The Trust participated as an intervenor in the DHA Board's recent proceeding to determine aggregate measurable cost savings for the Fourth Assessment Year. The Trust also participated as an intervenor in the proceedings before both the DHA Board and the Superintendent with respect to the determination of aggregate measurable cost savings for the three prior Assessment Years.

WHEREFORE, the Maine Automobile Dealers Association Insurance Trust requests that the Superintendent grant it intervenor status with the right to fully participate in this proceeding.

Dated: July 24, 2008

Respectfully submitted,  
  
Bruce C. Gerrity, Bar No. 2047  
Roy T. Pierce, Bar No. 7541

PRETI, FLAHERTY, BELIVEAU & PACHIOS, LLP  
45 Memorial Circle  
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Augusta, ME 04332-1058  
(207) 623-5300

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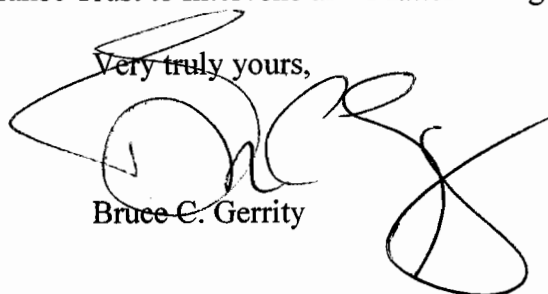
Ms. Karynlee Harrington  
Dirigo Health Agency  
53 State House Station  
Augusta, ME 04333-0053

**RE: Review of Aggregate Measurable Cost Savings Determined by  
Dirigo Health for the Fourth Assessment Year, Docket No. INS-08-900**

Dear Ms. Harrington:

Enclosed for filing in the above matter please find a copy of the Motion of the Maine Automobile Dealers Association Insurance Trust to Intervene as a Matter of Right.

Very truly yours,



Bruce C. Gerrity

BCG/ryp

cc: Michael J. Colleran, Esq.  
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