

(4) IDENTIFY THE KEY ASSUMPTIONS THAT IMPACT THE INSURER'S PROJECTIONS AND THE SENSITIVITY OF THE PROJECTIONS TO THE ASSUMPTIONS; AND

(5) IDENTIFY THE QUALITY OF AND THE PROBLEMS ASSOCIATED WITH THE INSURER'S BUSINESS, INCLUDING ITS ASSETS, ANTICIPATED BUSINESS GROWTH AND ASSOCIATED SURPLUS STRAIN, EXTRAORDINARY EXPOSURE TO RISK, MIX OF BUSINESS, AND USE OF REINSURANCE, AS APPROPRIATE.

(C) THE INSURER SHALL SUBMIT THE RBC PLAN TO THE COMMISSIONER:

(1) WITHIN 45 DAYS AFTER THE DATE OF THE COMPANY ACTION LEVEL EVENT; OR

(2) IF THE INSURER REQUESTS A HEARING TO CHALLENGE AN ADJUSTED RBC REPORT, WITHIN 45 DAYS AFTER NOTIFICATION TO THE INSURER THAT THE COMMISSIONER, AFTER A HEARING, HAS REJECTED THE INSURER'S CHALLENGE.

(D) (1) WITHIN 60 DAYS AFTER AN INSURER SUBMITS AN RBC PLAN TO THE COMMISSIONER, THE COMMISSIONER SHALL NOTIFY THE INSURER WHETHER THE COMMISSIONER HAS DETERMINED THAT THE RBC PLAN MAY BE IMPLEMENTED OR THAT THE RBC PLAN IS UNSATISFACTORY.

(2) IF THE COMMISSIONER DETERMINES THAT THE RBC PLAN IS UNSATISFACTORY, THE NOTIFICATION TO THE INSURER:

(I) SHALL SET FORTH THE REASONS FOR THE DETERMINATION; AND

(II) MAY SET FORTH PROPOSED REVISIONS THAT WILL MAKE THE RBC PLAN SATISFACTORY TO THE COMMISSIONER.

(3) ON NOTIFICATION THAT THE RBC PLAN IS UNSATISFACTORY, THE INSURER SHALL:

(I) PREPARE A REVISED RBC PLAN, WHICH MAY INCORPORATE BY REFERENCE ANY REVISIONS PROPOSED BY THE COMMISSIONER; AND

(II) SUBMIT THE REVISED RBC PLAN TO THE COMMISSIONER.

(4) THE INSURER SHALL SUBMIT THE REVISED RBC PLAN REQUIRED BY PARAGRAPH (3) OF THIS SUBSECTION TO THE COMMISSIONER:

(I) WITHIN 45 DAYS AFTER THE NOTIFICATION FROM THE COMMISSIONER; OR

(II) IF THE INSURER REQUESTS A HEARING TO CHALLENGE THE NOTIFICATION FROM THE COMMISSIONER, WITHIN 45 DAYS AFTER NOTIFICATION TO THE INSURER THAT THE COMMISSIONER, AFTER A HEARING, HAS REJECTED THE INSURER'S CHALLENGE.