



June 17, 2010

NAIC Title Statistical Plan Working Group
c/o Ms. Paula Sisneros
Colorado Division of Insurance
1560 Broadway, Suite 850
Denver, Colorado 80202

Dear Paula:

On behalf of the American Land Title Association, thank you for including industry participation in the Title Statistical Plan Working Group. These comments are intended to be included in discussion during the Working Group's June 24, 2010 conference call, and they include technical, yet important issues for the proposed title statistical plan as well as ALTA's goals for the data reporting.

The proposed March 31 reporting deadline for the title statistical plan will create unnecessary burdens for title agents and underwriting companies. March 1 is currently the NAIC's and individual states' reporting deadline for the NAIC Annual Statement. April 1 is currently the reporting deadline for the Management's Discussion and Analysis, Supplemental Investment Risk Interrogatories, and the Supplemental Schedule of Business Written by Agency reports, which augment/supplement the Annual Statement filings. Where spring is a reasonable reporting deadline for annual financial reporting, states which require statistical plan data reporting have a July deadline. Companies require this additional time to collect, aggregate and report statistical plan data, and the information reported in the title statistical plan is not so urgent that sufficient time cannot be provided to regulated companies. ALTA members expend a large amount of resources to comply with reporting requirements, and we ask that you provide companies the time necessary to complete additional reporting requirements by setting July 30 as the reporting deadline for the title statistical plan.

Second, it is not clear from the latest draft of the instructions how direct operations are expected to report. We suggest it makes sense for there to be a single aggregate report by state for direct operations. Some direct operations are not separate legal entities, but rather are a part of the underwriting company, while others operate in some states only through a wholly owned agency. We understand that the regulators want the data separated by state, but breaking it down for direct operations beyond that level would not have any particular rationale or purpose.

Third, ALTA members continue to be concerned that the proposed reporting will contain data that is commercially sensitive and which has competitive implications. We suggest that the stat plan and any model act or regulation state that data reported will be held confidential as reported at the entity level, by application of the appropriate state law, and only be made public in aggregated form. For those states who do not have an applicable state confidentiality

provision, one should be added in any enabling legislation. This confidentiality continues to be a sensitive issue.

Finally, ALTA members see the title statistical plan as a means to more accurately account for the costs title agents incur to produce a title insurance policy so that title agents and the land title industry as a whole receive recognition for the value they provide to consumers. We will continue to urge regulators to use this opportunity to increase understanding and knowledge of the search, examination, curative work performed by title professionals. We also hope the project will shed light on insured convenancing and escrow disbursement activities that go into the issuance of a title insurance policy.

We look forward to continuing to work with you and the Title Statistical Plan Working Group to develop a statistical plan to provides helpful information to regulators, consumers and other stakeholders.

Sincerely,

A handwritten signature in blue ink that reads "Kurt Pfothauer" followed by a horizontal line.

Kurt Pfothauer
Chief Executive Officer