

INSURANCE DEPARTMENT OF THE STATE OF NEW YORK
FIRST AMENDMENT TO 11 NYCRR 100
(REGULATION NO. 179)

RECOGNITION OF THE 2001 CSO MORTALITY TABLE
FOR USE IN DETERMINING MINIMUM RESERVE LIABILITIES
AND NONFORFEITURE BENEFITS AND RECOGNITION AND APPLICATION OF PREFERRED
MORTALITY TABLES FOR USE IN DETERMINING MINIMUM RESERVE LIABILITIES

I, Eric Dinallo, Superintendent of Insurance of the State of New York, pursuant to the authority granted by Sections 201, 301, 1304, 4217, 4218, 4221, 4224, 4240, and 4517, and Articles 24 and 26 of the Insurance Law of the State of New York, do hereby promulgate the following First Amendment to Part 100 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Regulation No. 179), to take effect upon publication in the State Register to read as follows:

(New Matter is Underscored; Matter in Brackets is Deleted)

The title of Part 100 of Title 11 is amended to read as follow:

RECOGNITION OF THE 2001 CSO MORTALITY TABLE FOR USE IN DETERMINING
MINIMUM RESERVE LIABILITIES AND NONFORFEITURE BENEFITS AND RECOGNITION AND
APPLICATION OF PREFERRED MORTALITY TABLES FOR USE IN DETERMINING MINIMUM
RESERVE LIABILITIES

Section 100.1 is amended to read as follows:

SECTION 100.1 [Purpose] Purposes

The [purpose] purposes of this Part [is] are:

(a) to recognize, permit and prescribe the use of the 2001 Commissioners Standard Ordinary (CSO) Mortality Table for life insurance in accordance with sections 4217, 4221, and 4517 of the Insurance Law.

(b) to recognize and permit, under appropriate guidelines, the use of the 2001 CSO Preferred Class Structure Mortality Tables for preferred lives for life insurance in accordance with sections 4217 and 4517 of the Insurance Law.

Section 100.2 is amended to read as follows:

This Part shall apply to every life insurance company and fraternal benefit society doing business in this State and every life insurance company and fraternal benefit society holding a certificate from the superintendent as being accredited for the reinsurance of life insurance, annuities or accident and health insurance (all hereafter referred to as insurers). It shall be applicable to all

individual life insurance policies and all group life insurance certificates subject to Part 98 of this Title, whether funded in the general account or in a separate account, no matter where issued or assumed, and no matter where shown in the annual statement. Any nonforfeiture provision contained in this Part shall apply to only individual life insurance policies delivered or issued for delivery in this State. This Part shall be applicable to such insurers for all statements filed after the effective date of this Part and subject to the transition dates in [section] sections 100.4 and 100.8 of this Part.

New subdivisions (h) through (u) are added to section 100.3 to read as follows:

(h) 2001 CSO Preferred Class Structure Mortality Table means that mortality table with separate rates of mortality for super preferred nonsmoker, preferred nonsmoker, residual standard nonsmoker, preferred smoker, and residual standard smoker splits of the 2001 CSO Nonsmoker and Smoker tables, developed by Tillinghast for the American Council of Life Insurers, and adopted by the NAIC in September 2006. These tables are included in Appendix 25A of this Part as Tables 1-40. Unless the context indicates otherwise, the 2001 CSO Preferred Class Structure Mortality Table includes both the ultimate form of that table and the select and ultimate form of that table. It includes both the smoker and nonsmoker mortality tables. It includes both the male and female mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality table.

(i) 2001 Valuation Basic Preferred Class Structure Mortality Table (VBT) means that mortality table with separate rates of mortality for super preferred nonsmokers, preferred nonsmokers, residual standard nonsmokers, preferred smokers, and residual standard smoker splits of the 2001 Valuation Basic Mortality Nonsmoker and Smoker tables, developed by Tillinghast for the American Council of Life Insurers, and adopted by the NAIC in September 2006. These tables are included in Appendix 25B of this Part as Tables 1-40.

(j) Anticipated mortality means the appointed actuary's assumption about the mortality to be experienced in the future on a group of insured lives.

(k) Appointed actuary means any individual who is appointed or retained in accordance with the requirements set forth in Part 95 of this Title.

(l) Basic reserves means reserves calculated in accordance with section 4217(c)(6) of the Insurance Law.

(m) Class means a group of policies under one or more plans of insurance that has similar anticipated mortality, as grouped together by the insurer.

(n) Credibility means a measure of the predictive value in a given application that the appointed actuary attaches to a particular body of data. As used in this Part, predictive refers to the statistical sense, and not in the sense of predicting the future.

(o) Deficiency reserves means the excess, if any, of minimum reserves established in accordance with section 4218 of the Insurance Law over basic reserves.

(p) Full credibility means the level at which a particular body of data is assigned full predictive value based on a selected confidence interval.

(q) Preferred class actuarial certification means the actuarial certification required by section 100.9 of this Part.

(r) Statistical agent means an entity with proven systems for protecting the confidentiality of individual insured and insurer information; demonstrated resources for and history of ongoing electronic communications and data transfer ensuring data integrity with insurers, that are the statistical agent's members or subscribers; and a history of and means for aggregation of data and accurate promulgation of the experience modifications in a timely manner.

(s) Underwriting-based justification means the incorporation of underwriting criteria for use in setting the anticipated mortality assumption.

(t) Underwriting class means the insurer's designation of insureds into a particular premium rate structure, e.g., super preferred, preferred, or standard.

The title of Section 100.5 is amended to read as follows:

SECTION 100.5 Conditions for using the 2001 CSO Mortality Table

Subdivision (d) of section 100.5 is amended to read as follows:

(d) When the 2001 CSO Mortality Table is the minimum reserve mortality standard for any plan for an insurer, the actuarial opinion in the annual statement filed with the superintendent shall be based on an asset adequacy analysis as specified in Part 95 (Regulation 126) of this Title.

The title of section 100.7 is amended to read as follows:

SECTION 100.7 2001 CSO [G]gender-blended mortality tables

Section 100.8 is renumbered as section 100.11 and a new section 100.8 is added to read as follows:

SECTION 100.8 2001 CSO Preferred Class Structure Mortality Table

(a) At the election of the insurer, for each calendar year of issue, for any one or more specified plans of insurance and subject to satisfying the conditions stated in section 100.9 of this Part, the 2001 CSO Preferred Class Structure Mortality Table may be substituted in place of the 2001 CSO Smoker or Nonsmoker Mortality Table as the minimum mortality standard for policies issued on or after January 1, 2007. A table from the 2001 CSO Preferred Class Structure Mortality Table used in place of a 2001 CSO Mortality Table, pursuant to the requirements of this Part, will only be treated as part of the 2001 CSO Mortality Table for purposes of reserve valuation.

(b) The 2001 CSO Preferred Class Structure Mortality Table shall not be used as the minimum nonforfeiture standard described in section 4221(k)(9)(B)(vi) of the Insurance Law.

A new section 100.9 is added to read as follows:

SECTION 100.9 Conditions for using the 2001 CSO Preferred Class Structure Mortality Table

(a) The 2001 CSO Preferred Class Structure Mortality Table may be used for valuation purposes for individual life insurance and group life insurance products sold to individuals by certificate with premium rates guaranteed from issue for at least two years. No such election shall be made until the insurer demonstrates at least 20 percent of the business to be valued on this table is in one or more of the preferred classes.

(b) For each plan of insurance with separate rates for preferred and standard nonsmoker lives, an insurer may use the super preferred nonsmoker, preferred nonsmoker, and residual standard nonsmoker tables to substitute for nonsmoker mortality in the 2001 CSO Mortality Table to determine minimum reserve liabilities. At the time of election and annually thereafter, except for business valued under the residual standard nonsmoker table, the appointed actuary shall certify that the following tests of sufficiency were passed:

(1) For each class, the present value of death benefits over the next ten years after the valuation date, using the anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the Valuation Basic Table corresponding to the valuation table being used for that class; and

(2) For each class, the present value of death benefits over the future life of the contracts, using anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the Valuation Basic Table corresponding to the valuation table being used for that class.

(3) In the event that the class does not contain any policies with expiry dates ten or more years into the future, the appointed actuary shall only be required to certify that the test of sufficiency defined in section 100.9(b)(2) was passed.

(c) For each plan of insurance with separate rates for preferred and standard smoker lives, an insurer may use the preferred smoker and residual standard smoker tables to substitute for smoker mortality in the 2001 CSO Mortality Table to determine minimum reserve liabilities. At the time of election and annually thereafter, for business valued under the preferred smoker table, the appointed actuary shall certify that:

(1) For each class, the present value of death benefits over the next ten years after the valuation date, using the anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the preferred smoker Valuation Basic Table corresponding to the valuation table being used for that class; and

(2) For each class, the present value of death benefits over the future life of the contracts, using anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the preferred smoker Valuation Basic Table.

(3) In the event that the class does not contain any policies with expiry dates ten or more years into the future, the appointed actuary shall only be required to certify that the test of sufficiency defined in section 100.9(c)(2) was passed.

(d) Calculation of present value

The annual tests of sufficiency, as described in subdivisions (b) and (c) of this section, require that four present value calculations be made for each class. Two are based on anticipated mortality and two are based on the Valuation Basic Table corresponding to the table within the 2001 CSO Preferred Class Structure Mortality Table being used for that class. The calculation of the present value of death benefits shall be based on a projection of death benefits, without the effect of lapse, at the valuation interest rate used to calculate basic reserves for the class. If the class contains policies with several valuation interest rates, the lowest valuation interest rate used for the basic reserves for any policy within the class shall be used for that class.

(e) Tests of sufficiency

After the anticipated mortality is established, each class must be tested for sufficiency. If a class fails either of the two annual tests of sufficiency, as described in subdivisions (b) and (c) of this section, the class must be re-valued using a different table within the 2001 CSO Preferred Class Structure Mortality Table. An insurer must choose a table under which both tests of sufficiency can be passed.

(f) Every insurer using the 2001 CSO Preferred Class Structure Mortality Table, shall annually file on or before July 1 with the superintendent, or at the direction of the superintendent, with either the National Association of Insurance Commissioners or with a statistical agent designated by the superintendent, statistical reports, in a form specified by the superintendent, showing mortality and such other company experience information as the superintendent may deem necessary or expedient for the administration of the provisions of the Insurance Law or this Part, with respect to individual life insurance policies and group life insurance products sold to individuals by certificate with premium rates guaranteed from issue for at least two years.

(g) If an insurer chooses to use a table within the 2001 CSO Preferred Class Structure Mortality Table, then the same table must be used for the calculation of both basic and deficiency reserves.

A new section 100.10 is added to read as follows:

SECTION 100.10 Application of the 2001 CSO Preferred Class Structure Mortality Table

(a) Selection of a table within the 2001 CSO Preferred Class Structure Mortality Table

(1) The election of the 2001 CSO Preferred Class Structure Mortality Table is on a policy form and calendar year of issue basis. Once a calendar year cohort of policy forms is placed on the 2001 CSO Preferred Class Structure Mortality Table basis, it may not subsequently revert back to the standard 2001 CSO Mortality Table basis without the prior approval of the superintendent. Such change would be considered a basis change for annual statement reporting purposes. For those calendar years of issue in which an insurer chooses to use the 2001 CSO Preferred Class Structure Mortality Table, it must use the entire 2001 CSO Preferred Class Structure Mortality Table for the chosen policy forms, i.e., an insurer may not use the 2001 CSO Preferred Class Structure Mortality Table for the preferred classes and use the standard 2001 CSO Mortality Table for the non-preferred class(es). Additionally, if the insurer sells two similar policy forms in the same market the appointed actuary must use the same version of the table for both forms and may not use the 2001 CSO Preferred Class Structure Mortality Table on one policy form and the standard 2001 CSO Mortality Table on the other policy form. For example, it would be unacceptable to put preferred lives under one policy form and non-preferred lives under the other policy form.

(2) In order to choose the proper table of mortality rates within the 2001 CSO Preferred Class Structure Mortality Table and to develop the preferred class actuarial certification required by section 100.9 of this Part, the following requirements apply:

(i) Creation of classes

(a) The appointed actuary shall reflect the composition and characteristics of the policies issued under a plan of insurance in the determination of the appropriate classes that will be applicable under that plan. The policies that comprise classes shall have similar underwriting or mortality experience characteristics. When classes are similar across various plans of insurance, these classes may be combined into a single aggregate class. Multiple underwriting classes on a policy form can be mapped into the same table within the 2001 CSO Preferred Class Structure Mortality Table, if, in aggregate, the underwriting classes can be shown to have anticipated mortality no greater than the Valuation Basic Table associated with the table selected. However, the appointed actuary shall not combine classes that are expected to have dissimilar anticipated mortality as a means to produce reserves that are materially lower than those developed if the classes were not combined.

(b) With respect to reinsurance, anticipated mortality shall be assessed and classes shall be created on a gross basis. To the extent that anticipated mortality on reinsurance ceded or assumed is dissimilar from that on direct business, the appointed actuary shall create separate classes to properly reflect the anticipated mortality.

(c) If, due to differences in actual experience by policy form and underwriting class, groupings of classes are changed from those used in the prior valuation, the change and the effect of the change shall be disclosed to the superintendent in the actuarial certification.

(d) Separate classes shall be established for a single policy form if there are significant anticipated mortality differences for different cohorts of insured lives, such as age groups or policy sizes. For instance, if an insurer has different underwriting thresholds for policies with face amounts

of \$1 million or more, it may be appropriate to have a class for policies with face amounts of less than \$1 million and a separate class for policies with face amounts greater than or equal to \$1 million.

(e) If a class of business is assigned to a different table within the 2001 CSO Preferred Class Structure Mortality Table from that used in the prior valuation, the change is not considered a basis change, and the reserve change must be accounted for in the calculation of gain from operations.

(ii) Deriving anticipated mortality

(a) If relevant insurer experience for a particular class is available and has full credibility, the appointed actuary shall use that experience as the basis for deriving anticipated mortality.

(b) In situations where relevant insurer experience for a particular class is available but does not have full credibility, the appointed actuary shall derive the anticipated mortality by blending the relevant insurer experience for the class with actual relevant, credible experience and past trends in experience of other similar classes, either in the same insurer, in other insurers (including reinsurers), or from other sources, generally in that order of preference, provided that the appointed actuary submits underwriting-based justification as part of the annual actuarial report required by this Part. The blending process shall be based on a credibility methodology that is recognized by the actuarial profession and is acceptable to the superintendent.

(c) In situations where relevant insurer experience for a particular class is not available (e.g. a new product), the appointed actuary shall derive the anticipated mortality using actual relevant credible experience and past trends in experience of other similar classes either in the same insurer, in other insurers (including reinsurers), or from other sources, generally in that order of preference, provided that the appointed actuary submits to the superintendent underwriting-based justification.

(d) Underwriting-based justification shall include an analysis of the relationship between the underwriting-based criteria for the class where no experience data is available or does not have full credibility and the underwriting-based criteria that underlie the actual relevant credible experience data.

(e) If no sufficient underwriting-based nor experienced-based justification is made to derive anticipated mortality for a class, the insurer shall not use the 2001 CSO Preferred Class Structure Mortality Table for valuation.

(iii) Periodic assessment of anticipated mortality

The appointed actuary shall annually review relevant emerging experience and underwriting methods for the purpose of assessing the appropriateness of anticipated mortality for each class and, in aggregate, for all classes combined. If the results of statistical or other testing indicate that previously anticipated mortality for a given class is inadequate, then the appointed actuary shall set a new anticipated mortality assumption for the class. After analyzing the appropriateness of the anticipated mortality for each class, the appointed actuary shall analyze the appropriateness of the anticipated mortality assumptions at the aggregate level. If the analysis at the aggregate level indicates that aggregate anticipated mortality is inadequate, then the appointed actuary shall adjust

the anticipated mortality assumption for one or more of the classes until the appointed actuary is satisfied that the anticipated mortality assumptions are adequate at the aggregate level.

(iv) The superintendent may require an insurer to change the valuation mortality table if it is determined by the superintendent that inadequate justification of anticipated mortality is provided by the insurer.

(b) Communications and disclosures

(1) The appointed actuary shall annually file with the superintendent an actuarial certification that, as of the valuation date, the anticipated mortality experience for each class of business, other than the residual standard class, meets the criteria described in section 100.9 of this Part.

(2) Additionally, the appointed actuary shall prepare an annual actuarial report in support of the actuarial certification, subject to appropriate Actuarial Standards of Practice promulgated by the Actuarial Standards Board of the American Academy of Actuaries. The actuarial report shall include the following items:

(i) The specified plans of insurance for which the insurer has elected to use the 2001 CSO Preferred Class Structure Mortality Table. A brief description of each plan and the amount of in force business, including the policy count, face amount, and associated reserves, shall be provided as of the valuation date;

(ii) Demonstration of compliance with the tests of sufficiency;

(iii) Description of sources of information used as a basis for determining anticipated mortality, including a description of the underwriting based criteria used;

(iv) Analysis performed to evaluate the credibility of relevant historical insurer experience when establishing anticipated mortality for each class;

(v) Analysis performed to evaluate the relationship between the underwriting-based criteria and the anticipated mortality established in each class.

(vi) Statistical or other quantitative analyses performed in assessing the continued appropriateness of the anticipated mortality assumption for each class and for all classes in aggregate, and a summary of changes made as a result of the analyses;

(vii) Anticipated mortality, without recognition of mortality improvement beyond the date of valuation, for each class and for all classes in aggregate;

(viii) For each class, the ratio of anticipated mortality to the valuation mortality table in the Valuation Basic Table corresponding to the table being used for that class;

(ix) Any changes made in the approach or parameters applied to the statistical analyses or tests performed compared to those performed at the last annual valuation; and

(x) Disclosure of the financial impact of any change in the chosen valuation mortality table.

(3) Each insurer subject to this Part shall submit the required actuarial certification and annual actuarial report to the superintendent each year contemporaneously with its annual statement pursuant to section 307 of the Insurance Law.

New Appendices 25A and 25B are added to read as follows:

Appendix 25A

The rates of mortality in Tables 1 – 40 of this Appendix are per 1,000 lives. Tables for both Age Nearest Birthday (ANB) and Age Last Birthday (ALB) have been provided for Super Preferred Nonsmoker, Preferred Nonsmoker, Residual Standard Nonsmoker, Preferred Smoker, and Residual Standard Smoker based on Select and Ultimate (S&U) and Ultimate Only (Ult) for both Male (M) and Female (F) lives.

<u>Table 1</u>	<u>2001 CSO – Male – Super Preferred Nonsmoker – S&U – ANB</u>
<u>Table 2</u>	<u>2001 CSO – Female – Super Preferred Nonsmoker – S&U – ANB</u>
<u>Table 3</u>	<u>2001 CSO – Male – Preferred Nonsmoker – S&U – ANB</u>
<u>Table 4</u>	<u>2001 CSO – Female – Preferred Nonsmoker – S&U – ANB</u>
<u>Table 5</u>	<u>2001 CSO – Male – Residual Standard Nonsmoker – S&U – ANB</u>
<u>Table 6</u>	<u>2001 CSO – Female – Residual Standard Nonsmoker – S&U – ANB</u>
<u>Table 7</u>	<u>2001 CSO – Male – Preferred Smoker – S&U – ANB</u>
<u>Table 8</u>	<u>2001 CSO – Female – Preferred Smoker – S&U – ANB</u>
<u>Table 9</u>	<u>2001 CSO – Male – Residual Standard Smoker – S&U – ANB</u>
<u>Table 10</u>	<u>2001 CSO – Female – Residual Standard Smoker – S&U – ANB</u>
<u>Table 11</u>	<u>2001 CSO – Male – Super Preferred Nonsmoker – S&U – ALB</u>
<u>Table 12</u>	<u>2001 CSO – Female – Super Preferred Nonsmoker – S&U – ALB</u>
<u>Table 13</u>	<u>2001 CSO – Male – Preferred Nonsmoker – S&U – ALB</u>
<u>Table 14</u>	<u>2001 CSO – Female – Preferred Nonsmoker – S&U – ALB</u>
<u>Table 15</u>	<u>2001 CSO – Male – Residual Standard Nonsmoker – S&U – ALB</u>
<u>Table 16</u>	<u>2001 CSO – Female – Residual Standard Nonsmoker – S&U – ALB</u>
<u>Table 17</u>	<u>2001 CSO – Male – Preferred Smoker – S&U – ALB</u>
<u>Table 18</u>	<u>2001 CSO – Female – Preferred Smoker – S&U – ALB</u>
<u>Table 19</u>	<u>2001 CSO – Male – Residual Standard Smoker – S&U – ALB</u>
<u>Table 20</u>	<u>2001 CSO – Female – Residual Standard Smoker – S&U – ALB</u>
<u>Table 21</u>	<u>2001 CSO – Male – Super Preferred Nonsmoker – Ult – ANB</u>
<u>Table 22</u>	<u>2001 CSO – Female – Super Preferred Nonsmoker – Ult – ANB</u>
<u>Table 23</u>	<u>2001 CSO – Male – Preferred Nonsmoker – Ult – ANB</u>
<u>Table 24</u>	<u>2001 CSO – Female – Preferred Nonsmoker – Ult – ANB</u>
<u>Table 25</u>	<u>2001 CSO – Male – Residual Standard Nonsmoker – Ult – ANB</u>
<u>Table 26</u>	<u>2001 CSO – Female – Residual Standard Nonsmoker – Ult – ANB</u>
<u>Table 27</u>	<u>2001 CSO – Male – Preferred Smoker – Ult – ANB</u>
<u>Table 28</u>	<u>2001 CSO – Female – Preferred Smoker – Ult – ANB</u>
<u>Table 29</u>	<u>2001 CSO – Male – Residual Standard Smoker – Ult – ANB</u>
<u>Table 30</u>	<u>2001 CSO – Female – Residual Standard Smoker – Ult – ANB</u>

Appendix 25A (continued)

<u>Table 31</u>	<u>2001 CSO – Male – Super Preferred Nonsmoker – Ult – ALB</u>
<u>Table 32</u>	<u>2001 CSO – Female – Super Preferred Nonsmoker – Ult – ALB</u>
<u>Table 33</u>	<u>2001 CSO – Male – Preferred Nonsmoker – Ult – ALB</u>
<u>Table 34</u>	<u>2001 CSO – Female – Preferred Nonsmoker – Ult – ALB</u>
<u>Table 35</u>	<u>2001 CSO – Male – Residual Standard Nonsmoker – Ult – ALB</u>
<u>Table 36</u>	<u>2001 CSO – Female – Residual Standard Nonsmoker – Ult – ALB</u>
<u>Table 37</u>	<u>2001 CSO – Male – Preferred Smoker – Ult – ALB</u>
<u>Table 38</u>	<u>2001 CSO – Female – Preferred Smoker – Ult – ALB</u>
<u>Table 39</u>	<u>2001 CSO – Male – Residual Standard Smoker – Ult – ALB</u>
<u>Table 40</u>	<u>2001 CSO – Female – Residual Standard Smoker – Ult – ALB</u>

Appendix 25B

The rates of mortality in Tables 1 – 40 of this Appendix are per 1,000 lives. Tables for both Age Nearest Birthday (ANB) and Age Last Birthday (ALB) have been provided for Super Preferred Nonsmoker, Preferred Nonsmoker, Residual Standard Nonsmoker, Preferred Smoker, and Residual Standard Smoker based on Select and Ultimate (S&U) and Ultimate Only (Ult) for both Male (M) and Female (F) lives.

<u>Table 1</u>	<u>2001 VBT – Male – Super Preferred Nonsmoker – S&U – ANB</u>
<u>Table 2</u>	<u>2001 VBT – Female – Super Preferred Nonsmoker – S&U – ANB</u>
<u>Table 3</u>	<u>2001 VBT – Male – Preferred Nonsmoker – S&U – ANB</u>
<u>Table 4</u>	<u>2001 VBT – Female – Preferred Nonsmoker – S&U – ANB</u>
<u>Table 5</u>	<u>2001 VBT – Male – Residual Standard Nonsmoker – S&U – ANB</u>
<u>Table 6</u>	<u>2001 VBT – Female – Residual Standard Nonsmoker – S&U – ANB</u>
<u>Table 7</u>	<u>2001 VBT – Male – Preferred Smoker – S&U – ANB</u>
<u>Table 8</u>	<u>2001 VBT – Female – Preferred Smoker – S&U – ANB</u>
<u>Table 9</u>	<u>2001 VBT – Male – Residual Standard Smoker – S&U – ANB</u>
<u>Table 10</u>	<u>2001 VBT – Female – Residual Standard Smoker – S&U – ANB</u>
<u>Table 11</u>	<u>2001 VBT – Male – Super Preferred Nonsmoker – S&U – ALB</u>
<u>Table 12</u>	<u>2001 VBT – Female – Super Preferred Nonsmoker – S&U – ALB</u>
<u>Table 13</u>	<u>2001 VBT – Male – Preferred Nonsmoker – S&U – ALB</u>
<u>Table 14</u>	<u>2001 VBT – Female – Preferred Nonsmoker – S&U – ALB</u>
<u>Table 15</u>	<u>2001 VBT – Male – Residual Standard Nonsmoker – S&U – ALB</u>
<u>Table 16</u>	<u>2001 VBT – Female – Residual Standard Nonsmoker – S&U – ALB</u>
<u>Table 17</u>	<u>2001 VBT – Male – Preferred Smoker – S&U – ALB</u>
<u>Table 18</u>	<u>2001 VBT – Female – Preferred Smoker – S&U – ALB</u>
<u>Table 19</u>	<u>2001 VBT – Male – Residual Standard Smoker – S&U – ALB</u>
<u>Table 20</u>	<u>2001 VBT – Female – Residual Standard Smoker – S&U – ALB</u>
<u>Table 21</u>	<u>2001 VBT – Male – Super Preferred Nonsmoker – Ult – ANB</u>
<u>Table 22</u>	<u>2001 VBT – Female – Super Preferred Nonsmoker – Ult – ANB</u>
<u>Table 23</u>	<u>2001 VBT – Male – Preferred Nonsmoker – Ult – ANB</u>
<u>Table 24</u>	<u>2001 VBT – Female – Preferred Nonsmoker – Ult – ANB</u>
<u>Table 25</u>	<u>2001 VBT – Male – Residual Standard Nonsmoker – Ult – ANB</u>
<u>Table 26</u>	<u>2001 VBT – Female – Residual Standard Nonsmoker – Ult – ANB</u>
<u>Table 27</u>	<u>2001 VBT – Male – Preferred Smoker – Ult – ANB</u>
<u>Table 28</u>	<u>2001 VBT – Female – Preferred Smoker – Ult – ANB</u>
<u>Table 29</u>	<u>2001 VBT – Male – Residual Standard Smoker – Ult – ANB</u>
<u>Table 30</u>	<u>2001 VBT – Female – Residual Standard Smoker – Ult – ANB</u>

Appendix 25B (continued)

<u>Table 31</u>	<u>2001 VBT – Male – Super Preferred Nonsmoker – Ult – ALB</u>
<u>Table 32</u>	<u>2001 VBT – Female – Super Preferred Nonsmoker – Ult – ALB</u>
<u>Table 33</u>	<u>2001 VBT – Male – Preferred Nonsmoker – Ult – ALB</u>
<u>Table 34</u>	<u>2001 VBT – Female – Preferred Nonsmoker – Ult – ALB</u>
<u>Table 35</u>	<u>2001 VBT – Male – Residual Standard Nonsmoker – Ult – ALB</u>
<u>Table 36</u>	<u>2001 VBT – Female – Residual Standard Nonsmoker – Ult – ALB</u>
<u>Table 37</u>	<u>2001 VBT – Male – Preferred Smoker – Ult – ALB</u>
<u>Table 38</u>	<u>2001 VBT – Female – Preferred Smoker – Ult – ALB</u>
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<u>Table 40</u>	<u>2001 VBT – Female – Residual Standard Smoker – Ult – ALB</u>

I, Eric Dinallo, Superintendent of Insurance of the State of New York, do hereby certify that the foregoing is the First Amendment to Part 100 of Title 11 (Regulation No, 179), promulgated by me on December 7, 2007, pursuant to the authority granted by Sections 201, 301, 1304, 4217, 4218, 4221, 4224, 4240, and 4517, and Articles 24 and 26 of the Insurance Law, to take effect upon publication in the State Register.

Pursuant to the provisions of the State Administrative Procedure, prior notice of the proposed amendment was published in the State Register on October 17, 2007. No other publication or prior notice is required by statute.

Eric Dinallo
Superintendent of Insurance

Date: December 7, 2007