



## Consumer Federation of America

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### **ALLSTATE ACCUSED OF USING ILLEGAL AUTO INSURANCE RATES IN COLORADO**

*Action Requested by Insurance Commissioner Marguerite Salazar to End Allstate and Other Insurer Use of Unfair and Excessive Prices Based on Consumer Shopping Habits, Not Driving Record Or Other Risk Factors*

Washington, D.C. – The Consumer Federation of America (CFA) called on Insurance Commissioner Marguerite Salazar to prohibit Allstate from using a new pricing system that is unfairly increasing premiums for thousands of Colorado’s good drivers in a letter sent to the Commissioner yesterday. A copy of the letter can be downloaded [here](#).

“Here in Colorado, Allstate charges different prices to people of the same risk but who have different shopping habits, raising the rate if a person shops less, such as a loyal customer,” said J. Robert Hunter, Director of Insurance at CFA and a former Texas Insurance Commissioner. “Charging different rates to persons of the same risk is unfair discrimination and illegal in Colorado. Raising rates above the level that covers a policyholder’s risk produces excessive prices, also illegal in the state.”

Last month, CFA discovered the illegal rating system when reviewing an Allstate document filed with the Wisconsin’s Department of Insurance. In that document, Allstate revealed that the company was introducing a new customer pricing system that relies heavily on a new factor called “marketplace considerations,” which is believed to focus on individual customers’ shopping behavior and other non-risk related characteristics. Allstate’s new system places significantly more emphasis on these “marketplace characteristics” than on traditional auto insurance rating factors such as driving safety record or the number of miles a policyholder drives each year. Further research by CFA determined that Allstate has implemented a similar program in Colorado and in an unknown number of other states (CFA has determined so far that only Maryland and Pennsylvania have not approved the filing.)

CFA asked that the Commissioner also take action to stop other insurers who are using this approach, what economists label as “elasticity of demand” and others call “price optimization.” Noting that Earnix, a vendor of price optimization models to insurers, claims that about half of the nation’s largest auto insurers are using elasticity to raise prices on people who tend to be more loyal or otherwise shop less, CFA warned the Commissioner that some companies may be deploying more complicated “underwriting”

strategies to hide their illegal pricing system. “These underwriting approaches are harder to discover and root out but are no less insidious and similarly illegal,” CFA wrote.

CFA asked Commissioner Salazar to advise CFA of the steps being taken to disapprove the Allstate filing and of steps being taken to protect Colorado’s consumers from other price optimization applications being used by other insurers that move the price of auto insurance away from factors related to risk, such as driving safety record or number of miles driven by the customer. Hunter suggested that the approach of banning use of elasticity of demand as Maryland has done “is an elegant option to consider to stop this complex and often hidden consumer abuse.”

*The Consumer Federation of America (CFA) is an association of non-profit consumer organizations that was established in 1968 to advance the consumer interest through research, advocacy, and education.*