

**INSURANCE DEPARTMENT OF THE STATE OF NEW YORK**  
**FIRST AMENDMENT TO REGULATION NO. 151**  
**11 NYCRR 99**  
**VALUATION OF ANNUITY, SINGLE PREMIUM LIFE INSURANCE,**  
**GUARANTEED INTEREST CONTRACT AND OTHER DEPOSIT RESERVES**

I, James J. Wrynn, Superintendent of Insurance of the State of New York, pursuant to the authority granted by Sections 201, 301, 1304, 4217, 4240, and 4517 of the Insurance Law of the State of New York, do hereby promulgate the following First Amendment to Part 99 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Regulation No. 151), to take effect upon publication in the State Register, to read as follows:

**(ALL MATERIAL NEW)**

Subdivisions (b) and (e) of section 99.9 are repealed and subdivisions (c) and (d) are relettered (b) and (c).

A new subsection 99.9(d) is added to read as follows:

(d) In the case of variable annuities and other contracts involving certain guaranteed benefits similar to those offered with variable annuities, standards for the valuation of reserves are governed by section 83.3 of this Title.

I, James J. Wrynn, Superintendent of Insurance of the State of New York, do hereby certify that the foregoing is the First Amendment to Part 99 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Regulation No. 151), promulgated by me on November 24, 2009, pursuant to the authority granted by Sections 201, 301, 1304, 4217, 4240 and 4517 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 August 12, 2009. No other publication or prior notice is required by statute.

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James J. Wrynn  
Superintendent of Insurance

Date: November 24, 2009

