

STATE OF NORTH CAROLINA *EX REL.* COMMISSIONER OF INSURANCE v.
NORTH CAROLINA RATE BUREAU; IN THE MATTER OF THE FILING DATED MAY
1, 2001 BY THE NORTH CAROLINA RATE BUREAU FOR REVISED AUTOMOBILE
INSURANCE RATES - PRIVATE PASSENGER CARS AND MOTORCYCLES

No. 596A03

FILED: 25 JUNE 2004

Appeal by Rate Bureau pursuant to N.C.G.S. § 7A-30(2) from
the decision of a divided panel of the Court of Appeals, 160 N.C.
App. 416, 586 S.E.2d 470 (2003), affirming an order entered
14 December 2001 by the North Carolina Commissioner of Insurance,
Docket No. 1043, in Raleigh, North Carolina. On 3 March 2004,
the Supreme Court granted discretionary review of one additional
issue. Heard in the Supreme Court 10 May 2004.

*North Carolina Department of Insurance, by Sherri L. Hubbard
and Stewart L. Johnson, for respondent-appellee.*

*Young Moore and Henderson, P.A., by R. Michael Strickland,
William M. Trott, and Marvin M. Spivey, Jr., for petitioner-
appellant.*

PER CURIAM.

As to the appeal of right based on the dissenting opinion,
we affirm the majority decision of the Court of Appeals. We
conclude that the petition for discretionary review as to an
additional issue was improvidently allowed.

AFFIRMED; DISCRETIONARY REVIEW IMPROVIDENTLY ALLOWED.