

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

Docket No. 217-2003-EQ-00106

**In the Matter of the Liquidation of
The Home Insurance Company**

**AFFIDAVIT OF PETER A. BENGELSDORF, SPECIAL DEPUTY
LIQUIDATOR, IN SUPPORT OF MOTION FOR APPROVAL
OF PRESENT VALUE DISCOUNT RATE**

I, Peter A. Bengelsdorf, hereby depose and say:

1. I was appointed Special Deputy Liquidator of the Home Insurance Company (“Home”) by the Insurance Commissioner of the State of New Hampshire, as Liquidator (“Liquidator”) of Home. I submit this affidavit in support of the Liquidator’s Motion for Approval of Present Value Discount Rate. The facts and information set forth are either within my own knowledge gained through my involvement with this matter, in which case I confirm that they are true, or are based on information provided to me by others, in which case they are true to the best of my knowledge, information, and belief.

2. The motion seeks approval of a discount rate to be used in discounting the projected value of future payments on known claims to present value in claim determinations.

3. The Court issued the Order Approving Claim Amendment Deadline (the “CAD Order”) which required all claimants asserting claims against Home to identify all claims to be determined in the liquidation on or before the Claims Amendment Deadline and established January 26, 2023 as the Claim Amendment Deadline (the “CAD”).

1. The Liquidator received a significant number of claim submissions on or before the CAD. Many of those submissions identified known claims that the claimant asserted will

require payments in the future (i.e., claims with “case reserves”). Those claims, like others, will require review for issues such as liability, coverage, and value.

5. Assuming that the claim is otherwise properly allowable, the Liquidator will need to discount the projected future payments or case reserves to present value in determining the allowed amount of the claim. This is necessary and appropriate in order to yield a result comparable to claims for amounts already paid.

6. To provide consistent treatment across claimants, the Liquidator proposes to apply the same discount rate to all claimants with open claims at the CAD.

7. To that end, the Liquidator requests that the Court approve a discount rate of four (4.00) percent for use in determining the present value of claims involving future payments or case reserves.

8. The 4.00% rate is a round number that is approximately the rate on 3 Year United States Treasury bills for the period leading up to the CAD. The daily 3 Year Treasury rates over the three months from October 26, 2022 to January 26, 2023 have varied from a low of 3.72% to a high of 4.63%. The rate on the effective date of the CAD itself was 3.88%. *See* Chart of Daily Treasury Par Yield Curve Rates from 10/26/22-2/2/23 for various duration Treasuries from the U.S Department of the Treasury website, <https://home.treasury.gov/resource-center/data-chart-center/interest-rates>, attached as Exhibit A at 2-5. Given the current rate environment and the potential prospect of further rate increases by the Federal Reserve, 4.00% is a reasonable view of the 3 Year Treasury rate about the CAD.

9. I believe that the interest rate on 3 Year Treasury bills is an appropriate discount rate for use in determining the present value of claims involving future payments or case reserves. It is a reasonable balance between claims that involve payments over shorter periods

and those that involve longer payment periods. On January 26, 2023, the rates on Treasury bills of various durations were as follows:

1 Month	4.61%
6 Month	4.79%
1 Year	4.68%
2 Year	4.17%
3 Year	3.88%
5 Year	3.58%
10 Year	3.49%

See Exhibit A at 4.

10. Using a single discount rate to value claims will provide consistent treatment across claimants and avoid the need to address the discount rate separately with each claimant. It is a reasonable and appropriate approach to resolving claims for recommendation to the Court as authorized by RSA 402-C:45.

Signed under the penalties of perjury this 6 day of February 2023.

Peter A Bengelsdorf
Peter A. Bengelsdorf
Special Deputy Liquidator of The Home Insurance
Company

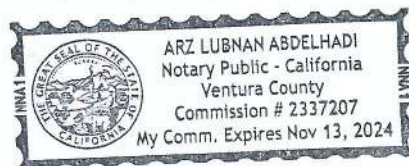
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STATE OF CALIFORNIA
COUNTY OF VENTURA

On February 6th, 2023 before me, Arz Lubnan Abdelhadi, Notary Public,
personally appeared Peter A. Bengelsdorf, Special Deputy Liquidator of The Home Insurance
Company, who proved to me on the basis of satisfactory evidence to be the person whose name
is subscribed to the within instrument and acknowledged to me that he executed the same in his
authorized capacity, and that by his signature on the instrument the person, or the entity upon
behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

Arz Lubnan Abdelhadi
Signature of Notary Public

EXHIBIT A

U.S. DEPARTMENT OF THE TREASURY

Daily Treasury Par Yield Curve Rates

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Daily Treasury Par Yield Curve Rates 

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2022 

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Date	1 Mo	2 Mo	3 Mo	4 Mo	6 Mo	1 Yr	2 Yr	3 Yr	5 Yr	7 Yr	10 Yr	20 Yr	30 Yr
01/03/2022	0.05	0.06	0.08	N/A	0.22	0.40	0.78	1.04	1.37	1.55	1.63	2.05	2.01
01/04/2022	0.06	0.05	0.08	N/A	0.22	0.38	0.77	1.02	1.37	1.57	1.66	2.10	2.07
01/05/2022	0.05	0.06	0.09	N/A	0.22	0.41	0.83	1.10	1.43	1.62	1.71	2.12	2.09
01/06/2022	0.04	0.05	0.10	N/A	0.23	0.45	0.88	1.15	1.47	1.66	1.73	2.12	2.09
01/07/2022	0.05	0.05	0.10	N/A	0.24	0.43	0.87	1.17	1.50	1.69	1.76	2.15	2.11
01/10/2022	0.05	0.06	0.13	N/A	0.28	0.46	0.92	1.21	1.53	1.71	1.78	2.15	2.11
01/11/2022	0.04	0.05	0.11	N/A	0.28	0.46	0.90	1.22	1.51	1.69	1.75	2.13	2.08
01/12/2022	0.04	0.06	0.12	N/A	0.27	0.48	0.92	1.21	1.50	1.67	1.74	2.13	2.08
01/13/2022	0.05	0.05	0.12	N/A	0.28	0.47	0.91	1.18	1.47	1.64	1.70	2.10	2.05
01/14/2022	0.05	0.05	0.13	N/A	0.30	0.51	0.99	1.26	1.55	1.72	1.78	2.18	2.12
01/18/2022	0.05	0.06	0.16	N/A	0.37	0.58	1.06	1.35	1.65	1.82	1.87	2.24	2.18
01/19/2022	0.05	0.06	0.17	N/A	0.36	0.57	1.04	1.33	1.62	1.78	1.83	2.20	2.14
01/20/2022	0.05	0.09	0.17	N/A	0.36	0.60	1.08	1.34	1.62	1.77	1.83	2.19	2.14
01/21/2022	0.05	0.08	0.17	N/A	0.35	0.58	1.01	1.28	1.54	1.70	1.75	2.13	2.07
01/24/2022	0.05	0.09	0.19	N/A	0.39	0.58	0.99	1.25	1.53	1.69	1.75	2.15	2.10
01/25/2022	0.05	0.09	0.19	N/A	0.39	0.65	1.02	1.28	1.56	1.73	1.78	2.18	2.12
01/26/2022	0.06	0.11	0.19	N/A	0.40	0.70	1.13	1.39	1.66	1.81	1.85	2.22	2.16
01/27/2022	0.04	0.14	0.20	N/A	0.43	0.75	1.18	1.43	1.66	1.78	1.81	2.17	2.09
01/28/2022	0.04	0.10	0.19	N/A	0.43	0.75	1.15	1.38	1.61	1.74	1.78	2.14	2.07
01/31/2022	0.03	0.13	0.22	N/A	0.49	0.78	1.18	1.39	1.62	1.75	1.79	2.17	2.11

10/26/2022	3.54	3.85	4.11	4.27	4.47	4.54	4.39	4.41	4.20	4.12	4.04	4.38	4.19
10/27/2022	3.76	3.95	4.13	4.27	4.44	4.50	4.30	4.29	4.09	4.01	3.96	4.32	4.12
10/28/2022	3.75	3.95	4.18	4.30	4.51	4.55	4.41	4.38	4.19	4.10	4.02	4.38	4.15
10/31/2022	3.73	4.00	4.22	4.33	4.57	4.66	4.51	4.45	4.27	4.18	4.10	4.44	4.22
11/01/2022	3.72	4.00	4.23	4.35	4.58	4.75	4.54	4.48	4.27	4.18	4.07	4.37	4.14
11/02/2022	3.70	4.01	4.22	4.38	4.57	4.76	4.61	4.54	4.30	4.20	4.10	4.41	4.15
11/03/2022	3.75	4.04	4.25	4.38	4.57	4.78	4.71	4.63	4.36	4.26	4.14	4.42	4.18
11/04/2022	3.73	4.00	4.21	4.36	4.55	4.76	4.66	4.58	4.33	4.26	4.17	4.49	4.27
11/07/2022	3.78	4.04	4.29	4.39	4.62	4.80	4.72	4.63	4.39	4.31	4.22	4.55	4.34
11/08/2022	3.66	4.04	4.28	4.39	4.60	4.77	4.67	4.55	4.31	4.22	4.14	4.47	4.28
11/09/2022	3.65	4.05	4.29	4.40	4.59	4.75	4.61	4.49	4.27	4.20	4.12	4.50	4.31
11/10/2022	3.71	4.00	4.28	4.36	4.52	4.59	4.34	4.17	3.95	3.89	3.82	4.24	4.03
11/14/2022	3.72	4.05	4.34	4.38	4.55	4.63	4.40	4.24	4.00	3.95	3.88	4.28	4.07
11/15/2022	3.77	4.10	4.31	4.40	4.54	4.60	4.37	4.17	3.93	3.88	3.80	4.20	3.98
11/16/2022	3.81	4.15	4.32	4.43	4.54	4.62	4.35	4.13	3.83	3.77	3.67	4.03	3.85
11/17/2022	3.93	4.20	4.32	4.44	4.57	4.68	4.43	4.22	3.93	3.87	3.77	4.10	3.89
11/18/2022	3.93	4.23	4.34	4.46	4.61	4.74	4.51	4.28	3.99	3.92	3.82	4.13	3.92
11/21/2022	3.97	4.24	4.41	4.47	4.65	4.75	4.48	4.32	3.97	3.94	3.83	4.14	3.91
11/22/2022	3.97	4.26	4.40	4.49	4.68	4.79	4.47	4.27	3.93	3.86	3.76	4.05	3.83
11/23/2022	4.12	4.29	4.40	4.50	4.67	4.75	4.46	4.23	3.88	3.81	3.71	3.97	3.74
11/25/2022	4.16	4.33	4.41	4.52	4.67	4.76	4.42	4.20	3.85	3.78	3.68	3.97	3.74
11/28/2022	4.11	4.29	4.41	4.52	4.72	4.76	4.46	4.22	3.88	3.80	3.69	3.97	3.74
11/29/2022	4.08	4.26	4.38	4.51	4.72	4.78	4.48	4.24	3.92	3.85	3.75	4.02	3.81
11/30/2022	4.07	4.25	4.37	4.55	4.70	4.74	4.38	4.13	3.82	3.76	3.68	4.00	3.80
12/01/2022	4.04	4.24	4.33	4.52	4.65	4.66	4.25	3.98	3.68	3.62	3.53	3.85	3.64
12/02/2022	3.91	4.25	4.34	4.52	4.65	4.69	4.28	3.99	3.67	3.61	3.51	3.79	3.56
12/05/2022	3.93	4.25	4.36	4.56	4.73	4.77	4.41	4.13	3.80	3.72	3.60	3.84	3.62
12/06/2022	3.87	4.19	4.37	4.54	4.74	4.73	4.34	4.07	3.73	3.64	3.51	3.77	3.52
12/07/2022	3.79	4.10	4.29	4.53	4.72	4.67	4.26	3.97	3.62	3.54	3.42	3.66	3.42
12/08/2022	3.75	4.11	4.28	4.53	4.71	4.71	4.31	4.04	3.71	3.63	3.48	3.71	3.44
12/09/2022	3.81	4.13	4.31	4.54	4.72	4.72	4.33	4.07	3.75	3.69	3.57	3.82	3.56
12/12/2022	3.86	4.18	4.38	4.60	4.78	4.75	4.39	4.10	3.80	3.73	3.61	3.84	3.57
12/13/2022	3.89	4.16	4.35	4.58	4.70	4.64	4.22	3.96	3.66	3.60	3.51	3.74	3.53
12/14/2022	3.91	4.14	4.33	4.58	4.68	4.64	4.23	3.94	3.64	3.59	3.49	3.74	3.52
12/15/2022	3.95	4.24	4.34	4.56	4.70	4.65	4.23	3.96	3.62	3.56	3.44	3.69	3.48
12/16/2022	3.94	4.22	4.31	4.54	4.68	4.61	4.17	3.91	3.61	3.58	3.48	3.73	3.53
12/19/2022	3.95	4.24	4.37	4.57	4.71	4.64	4.25	3.99	3.70	3.67	3.57	3.82	3.62

12/20/2022	3.89	4.23	4.35	4.55	4.70	4.64	4.25	4.03	3.79	3.78	3.69	3.94	3.74
12/21/2022	3.90	4.23	4.33	4.57	4.67	4.60	4.21	4.00	3.78	3.77	3.68	3.93	3.74
12/22/2022	3.80	4.20	4.35	4.57	4.66	4.64	4.24	4.02	3.79	3.77	3.67	3.91	3.73
12/23/2022	3.80	4.20	4.34	4.59	4.67	4.66	4.31	4.09	3.86	3.83	3.75	3.99	3.82
12/27/2022	3.87	4.32	4.46	4.66	4.76	4.75	4.32	4.17	3.94	3.93	3.84	4.10	3.93
12/28/2022	3.86	4.33	4.46	4.66	4.75	4.71	4.31	4.18	3.97	3.97	3.88	4.13	3.98
12/29/2022	4.04	4.39	4.45	4.66	4.73	4.71	4.34	4.16	3.94	3.91	3.83	4.09	3.92
12/30/2022	4.12	4.41	4.42	4.69	4.76	4.73	4.41	4.22	3.99	3.96	3.88	4.14	3.97

Thursday Feb 02, 2023

*Series Break - Treasury updated its methodology for deriving yield curves. On 12/6/2021, Treasury began using a monotone convex spline (MC) method for deriving its official par yield curves and discontinued the use of the quasi-cubic Hermite spline (HS) methodology. **All Treasury yield curve rates derived from yield curves that used the HS methodology - prior to implementation of the MC method - remain official.** See the [Yield Curve Methodology Change Information Sheet](#) for more details.

** The 4-month constant maturity series began on October 19, 2022, with the first auction of a 17-week Treasury bill as a benchmark Treasury security. Prior to this date, Treasury had issued Treasury bills with 17-week maturities as cash management bills.

The 2-month constant maturity series began on October 16, 2018, with the first auction of the 8-week Treasury bill.

30-year Treasury constant maturity series was discontinued on February 18, 2002 and reintroduced on February 9, 2006. From February 18, 2002 to February 8, 2006, Treasury published alternatives to a 30-year rate. See [Long-Term Average Rate](#) for more information.

Treasury discontinued the 20-year constant maturity series at the end of calendar year 1986 and reinstated that series on October 1, 1993. As a result, there are no 20-year rates available for the time-period January 1, 1987 through September 30, 1993.

Treasury Par Yield Curve Rates: These rates are commonly referred to as "Constant Maturity Treasury" rates, or CMTs. Yields are interpolated by the Treasury from the daily par yield curve. This curve, which relates the yield on a security to its time to maturity, is based on the closing market bid prices on the most recently auctioned Treasury securities in the over-the-counter market. These par yields are derived from indicative, bid-side market price quotations (not actual transactions) obtained by the Federal Reserve Bank of New York at or near 3:30 PM each trading day. The CMT yield values are read from the par yield curve at fixed maturities, currently 1, 2, 3, 4 and 6 months and 1, 2, 3, 5, 7, 10, 20, and 30 years. This method provides a par yield for a 10-year maturity, for example, even if no outstanding security has exactly 10 years remaining to maturity.

Treasury Par Yield Curve Methodology: The Treasury par yield curve is estimated daily using a monotone convex spline method. Inputs to the model are indicative bid-side prices for the most recently auctioned nominal Treasury securities. Treasury reserves the option to make changes to the yield curve as appropriate and in its sole discretion. See our [Treasury Yield Curve Methodology](#) page for details.

Negative Yields and Nominal Constant Maturity Treasury Series Rates (CMTs): At times, financial market conditions, in conjunction with extraordinarily low levels of interest rates, may result in negative yields for some Treasury securities trading in the secondary market. Negative yields for Treasury securities most often reflect highly technical factors in Treasury markets related to the cash and repurchase agreement markets and are at times unrelated to the time value of money.

At such times, Treasury will not restrict the use of prices that correspond to negative yields as inputs to the monotone convex spline method. However, the derived par yield curve from these input prices for the Treasury nominal Constant Maturity Treasury series (CMTs) will be floored at zero. This decision is consistent with Treasury not accepting negative yields in Treasury nominal security auctions.

In addition, given that CMTs are used in many statutorily and regulatory determined loan and credit programs as well as for setting interest rates on non-marketable government securities, establishing a floor of zero more accurately reflects borrowing costs related to various programs.


For more information regarding these statistics contact the Office of Debt Management by email at debt.management@do.treas.gov


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Date	1 Mo	2 Mo	3 Mo	4 Mo	6 Mo	1 Yr	2 Yr	3 Yr	5 Yr	7 Yr	10 Yr	20 Yr	30 Yr
01/03/2023	4.17	4.42	4.53	4.70	4.77	4.72	4.40	4.18	3.94	3.89	3.79	4.06	3.88
01/04/2023	4.20	4.42	4.55	4.69	4.77	4.71	4.36	4.11	3.85	3.79	3.69	3.97	3.81
01/05/2023	4.30	4.55	4.66	4.75	4.81	4.78	4.45	4.18	3.90	3.82	3.71	3.96	3.78
01/06/2023	4.32	4.55	4.67	4.74	4.79	4.71	4.24	3.96	3.69	3.63	3.55	3.84	3.67
01/09/2023	4.37	4.58	4.70	4.74	4.83	4.69	4.19	3.93	3.66	3.60	3.53	3.83	3.66
01/10/2023	4.41	4.62	4.73	4.77	4.85	4.74	4.24	3.94	3.72	3.67	3.61	3.91	3.74
01/11/2023	4.42	4.62	4.72	4.82	4.84	4.73	4.20	3.90	3.66	3.61	3.54	3.84	3.67
01/12/2023	4.57	4.59	4.66	4.74	4.76	4.66	4.12	3.79	3.53	3.48	3.43	3.73	3.56
01/13/2023	4.58	4.59	4.67	4.73	4.77	4.69	4.22	3.88	3.60	3.55	3.49	3.79	3.61
01/17/2023	4.60	4.63	4.71	4.74	4.82	4.67	4.18	3.86	3.60	3.57	3.53	3.81	3.64
01/18/2023	4.59	4.62	4.69	4.74	4.79	4.63	4.06	3.72	3.43	3.40	3.37	3.65	3.54
01/19/2023	4.69	4.66	4.71	4.74	4.79	4.65	4.09	3.76	3.48	3.43	3.39	3.69	3.57
01/20/2023	4.69	4.64	4.72	4.75	4.80	4.68	4.14	3.83	3.56	3.51	3.48	3.77	3.66
01/23/2023	4.69	4.65	4.73	4.76	4.82	4.70	4.21	3.88	3.61	3.56	3.52	3.80	3.69
01/24/2023	4.70	4.67	4.72	4.75	4.84	4.70	4.12	3.86	3.58	3.52	3.46	3.73	3.62
01/25/2023	4.67	4.65	4.72	4.75	4.79	4.67	4.11	3.84	3.54	3.51	3.46	3.74	3.62
01/26/2023	4.61	4.65	4.71	4.76	4.79	4.68	4.17	3.88	3.58	3.54	3.49	3.75	3.62
01/27/2023	4.61	4.64	4.73	4.76	4.81	4.68	4.19	3.90	3.62	3.58	3.52	3.77	3.64
01/30/2023	4.60	4.64	4.72	4.76	4.82	4.71	4.25	3.96	3.68	3.62	3.55	3.79	3.66

01/31/2023	4.58	4.64	4.70	4.74	4.80	4.68	4.21	3.90	3.63	3.59	3.52	3.78	3.65
02/01/2023	4.59	4.63	4.66	4.77	4.79	4.66	4.09	3.75	3.48	3.43	3.39	3.67	3.55
02/02/2023	4.62	4.65	4.66	4.75	4.76	4.64	4.09	3.75	3.49	3.44	3.40	3.67	3.55

Thursday Feb 02, 2023

*Series Break - Treasury updated its methodology for deriving yield curves. On 12/6/2021, Treasury began using a monotone convex spline (MC) method for deriving its official par yield curves and discontinued the use of the quasi-cubic Hermite spline (HS) methodology. **All Treasury yield curve rates derived from yield curves that used the HS methodology - prior to implementation of the MC method - remain official.** See the [Yield Curve Methodology Change Information Sheet](#) for more details.

** The 4-month constant maturity series began on October 19, 2022, with the first auction of a 17-week Treasury bill as a benchmark Treasury security. Prior to this date, Treasury had issued Treasury bills with 17-week maturities as cash management bills.

The 2-month constant maturity series began on October 16, 2018, with the first auction of the 8-week Treasury bill.

30-year Treasury constant maturity series was discontinued on February 18, 2002 and reintroduced on February 9, 2006. From February 18, 2002 to February 8, 2006, Treasury published alternatives to a 30-year rate. See [Long-Term Average Rate](#) for more information.

Treasury discontinued the 20-year constant maturity series at the end of calendar year 1986 and reinstated that series on October 1, 1993. As a result, there are no 20-year rates available for the time-period January 1, 1987 through September 30, 1993.

Treasury Par Yield Curve Rates: These rates are commonly referred to as "Constant Maturity Treasury" rates, or CMTs. Yields are interpolated by the Treasury from the daily par yield curve. This curve, which relates the yield on a security to its time to maturity, is based on the closing market bid prices on the most recently auctioned Treasury securities in the over-the-counter market. These par yields are derived from indicative, bid-side market price quotations (not actual transactions) obtained by the Federal Reserve Bank of New York at or near 3:30 PM each trading day. The CMT yield values are read from the par yield curve at fixed maturities, currently 1, 2, 3, 4 and 6 months and 1, 2, 3, 5, 7, 10, 20, and 30 years. This method provides a par yield for a 10-year maturity, for example, even if no outstanding security has exactly 10 years remaining to maturity.

Treasury Par Yield Curve Methodology: The Treasury par yield curve is estimated daily using a monotone convex spline method. Inputs to the model are indicative bid-side prices for the most recently auctioned nominal Treasury securities. Treasury reserves the option to make changes to the yield curve as appropriate and in its sole discretion. See our [Treasury Yield Curve Methodology page](#) for details.

Negative Yields and Nominal Constant Maturity Treasury Series Rates (CMTs): At times, financial market conditions, in conjunction with extraordinarily low levels of interest rates, may result in negative yields for some Treasury securities trading in the secondary market. Negative yields for Treasury securities most often reflect highly technical factors in Treasury markets related to the cash and repurchase agreement markets and are at times unrelated to the time value of money.

At such times, Treasury will not restrict the use of prices that correspond to negative yields as inputs to the monotone convex spline method. However, the derived par yield curve from these input prices for the Treasury nominal Constant Maturity Treasury series (CMTs) will be floored at zero. This decision is consistent with Treasury not accepting negative yields in Treasury nominal security auctions.

In addition, given that CMTs are used in many statutorily and regulatory determined loan and credit programs as well as for setting interest rates on non-marketable government securities, establishing a floor of zero more accurately reflects borrowing costs related to various programs.

For more information regarding these statistics contact the Office of Debt Management by email at debt.management@do.treas.gov

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