



COMMONWEALTH OF MASSACHUSETTS  
Office of Consumer Affairs and Business Regulation  
DIVISION OF INSURANCE

One South Station • Boston, MA 02110-2208  
(617) 521-7794 • FAX (617) 521-7478  
TTY/TDD (617) 621-7794  
<http://www.state.ma.us/dci>

JANE SWIFT  
GOVERNOR

JENNIFER DAVIS CAREY  
DIRECTOR, CONSUMER AFFAIRS  
AND BUSINESS REGULATION

JULIANNE M. BOWLER  
COMMISSIONER OF INSURANCE

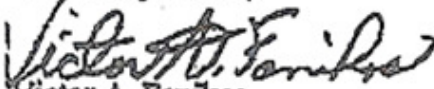
November 8, 2002

Thomas Colo  
Restoration Center  
Athol, MA

Dear Mr. Colo:

This is in response to your fax of November 8, 2002. It is my humble yet I hope learned opinion that if an auto body repair facility in carrying out it's ordinary business, must pay for the original tow service and any temporary storage by a first responder towing company in order to obtain custody of the damaged vehicle the facility is entitled to a reasonable "mark-up". This "mark-up" will compensate the facility for extending the use of it's own money and administrative time in arranging to pick up the vehicle from where it was towed after being in an accident, to the repair shop that will actually do the repairs.

Very Truly Yours,



Victor A. Fanikos  
Assistant General Counsel