

SERFF Tracking Number: NAVG-125248493 State: Arkansas
Filing Company: Navigators Insurance Company State Tracking Number: AR-PC-07-025730
Company Tracking Number: DOPX-R-807-AR
TOI: 17.1 Other Liability - Claims Made Only Sub-TOI: 17.1006 Directors & Officers Liability
Product Name: D&O Professional Liability Primary & Excess Rates
Project Name/Number: D&O Professional Liability Primary & Excess Rates/DOPX-R-807-AR

Filing at a Glance

Company: Navigators Insurance Company

Product Name: D&O Professional Liability SERFF Tr Num: NAVG-125248493 State: Arkansas

Primary & Excess Rates

TOI: 17.1 Other Liability - Claims Made Only SERFF Status: Closed State Tr Num: AR-PC-07-025730

Sub-TOI: 17.1006 Directors & Officers Liability Co Tr Num: DOPX-R-807-AR State Status:

Filing Type: Rate Co Status: Reviewer(s): Betty Montesi, Edith

Roberts, Brittany Yielding

Author: Orlando Moreno

Disposition Date: 08/16/2007

Date Submitted: 08/07/2007

Disposition Status: Filed

Effective Date Requested (New): On Approval

Effective Date (New):

Effective Date Requested (Renewal): On Approval

Effective Date (Renewal):

General Information

Project Name: D&O Professional Liability Primary & Excess Rates

Status of Filing in Domicile: Not Filed

Project Number: DOPX-R-807-AR

Domicile Status Comments:

Reference Organization:

Reference Number:

Reference Title:

Advisory Org. Circular:

Filing Status Changed: 08/16/2007

State Status Changed: 08/07/2007

Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

This is the initial rate filing for our Directors & Officers Professional Liability program. Included herein are primary coverage rates and excess coverage rates. We are submitting this filing on a file and use basis in accordance with ACA 23-67-211. Your acknowledgement of this submission is hereby requested and very much appreciated. Please see our filing description within the included Property & Casualty Transmittal Document.

Company and Contact

Filing Contact Information

SERFF Tracking Number: NAVG-125248493 State: Arkansas
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Orlando Moreno, Compliance Analyst omoreno@navg.com
1375 E. WOODFIELD RD. (847) 285-9006 [Phone]
SCHAUMBURG, IL 60173 (847) 230-1934[FAX]

Filing Company Information

Navigators Insurance Company CoCode: 42307 State of Domicile: New York
1375 E. Woodfield Rd. Group Code: 510 Company Type: P&C
Schaumburg, IL 60173 Group Name: Navigators Group, State ID Number:
Inc.
(847) 285-9006 ext. [Phone] FEIN Number: 13-3138390

SERFF Tracking Number: NAVG-125248493 State: Arkansas
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Filing Fees

Fee Required? Yes
Fee Amount: \$100.00
Retaliatory? No
Fee Explanation:
Per Company: No

CHECK NUMBER	CHECK AMOUNT	CHECK DATE
0000021894	\$100.00	08/02/2007

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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Filed	Edith Roberts	08/16/2007	08/16/2007

Objection Letters and Response Letters

Objection Letters				Response Letters		
Status	Created By	Created On	Date Submitted	Responded By	Created On	Date Submitted
Pending	Edith Roberts	08/16/2007	08/16/2007	Orlando Moreno	08/16/2007	08/16/2007
Industry Response						

SERFF Tracking Number: NAVG-125248493 *State:* Arkansas
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Disposition

Disposition Date: 08/16/2007

Effective Date (New):

Effective Date (Renewal):

Status: Filed

Comment:

Rate data does NOT apply to filing.

SERFF Tracking Number: NAVG-125248493 State: Arkansas
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Item Type	Item Name	Item Status	Public Access
Supporting Document	P&C Transmittal	Filed	Yes
Rate	Private Rules and Rates	Filed	Yes
Rate	Public Rules and Rates	Filed	Yes
Rate	Excess Rules and Rates	Filed	Yes

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Objection Letter

Objection Letter Status Pending Industry Response

Objection Letter Date 08/16/2007

Submitted Date 08/16/2007

Respond By Date

Dear Orlando Moreno,

This will acknowledge receipt of the captioned filing.

Please refer to page 1 & 2, "Range of Modification". You must cap the total of debits/credits at +/- 50% for this category.

Thank you.

Please feel free to contact me if you have questions.

Sincerely,

Edith Roberts

Response Letter

Response Letter Status Submitted to State

Response Letter Date 08/16/2007

Submitted Date 08/16/2007

Dear Edith Roberts,

Comments:

Response 1

Comments: Ms. Roberts,

We are in receipt of your objection letter dated 8/16/07 regarding our D&O primary and excess rates. Regarding pages 1 & 2, "Range of Modification" section, you requested that we cap the total of debits/credits at +/- 50% for this category. In response, please note that our rating plan already states on page 1, under the "Schedule Rating Table" section, that "the maximum Credit or Debit a risk may receive is fifty (50) percent...".

Your further review for approval of this submission is hereby requested and very much appreciated. Please feel free to contact me if you have any questions. Thanks in advance!

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Sincerely,

Orlando Moreno
Compliance Analyst
Navigators Insurance Company
1375 E. Woodfield Rd., Ste 720
Tel: (847) 285-9006
E-mail: omoreno@navg.com

Changed Items:

No Supporting Documents changed.

No Form Schedule items changed.

No Rate/Rule Schedule items changed.

Sincerely,
Orlando Moreno

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Rate Information

Rate data does NOT apply to filing.

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Rate/Rule Schedule

Review Status:	Exhibit Name:	Rule # or Page #:	Rate Action	Previous State Filing Attachments Number:
Filed	Private Rules and Rates		New	Private Rules and Rates.pdf
Filed	Public Rules and Rates		New	Public Rules and Rates.pdf
Filed	Excess Rules and Rates		New	Excess Rules and Rates.pdf



NAVIGATORS INSURANCE COMPANY

PRIVATE CORPORATIONS RATING PLAN

**PRIVATE CORPORATIONS DIRECTORS AND OFFICERS
LIABILITY INSURANCE POLICY
INCLUDING EMPLOYMENT PRACTICES LIABILITY COVERAGE**

Pricing is calculated by applying modification factors to a base price. These modification factors are determined by various criteria including the limit and deductible purchased, the coverage enhancements or restrictions negotiated with the insured, and the risk's financial characteristics. All modification factors are multiplicative.

- 1: Basic Premium for Insuring Agreement.** Two separate tracks are followed, one for the D&O coverage and a second for the Employment Practices coverage. If the optional coverage is not purchased, only the premium calculated for the D&O portion is quoted. These rates are for the basic limit of liability of \$1,000,000.

D&O Premium	
Asset Size (mm)	Base Premium
<2.5	2,320
2.5 – 5.0	3,035
5 – 10	3,615
10 – 15	5,034
15 – 25	6,040
25 – 50	6,455
50 – 75	6,855
75 – 100	6,885
100 – 150	6,975
150 – 250	7,100
250 – 350	7,670
350 – 450	8,280
450 – 550	8,940
over 550	9,660

EPL Premium	
No. of Employees	Base Premium
First 50	\$125.00/ Employee
Next 100	\$100.00/ Employee
Next 150	\$75.00/ Employee
Next 200	\$62.50/ Employee
Each over 500	\$37.50/ Employee

- 2: Increased Limits Factors. (Apply to D&O and EPL premium).** Apply the appropriate factor for the limit of liability purchased for either portion.

Limit	Factor
\$250K	.50
\$500K	.70
\$750K	.85
\$1MM	1.00
\$2MM	1.65
\$3MM	2.00
\$4MM	2.35
\$5MM	2.65
\$10MM	4.00
\$15MM	4.50
\$20MM	5.00

3: **Retentions.** Apply the appropriate factor for the retentions chosen.

D&O Premium	
Retention	Factor
\$10,000	1.55
\$15,000	1.35
\$25,000	1.15
\$35,000	1.10
\$50,000	1.00
\$75,000	0.90
\$100,000	0.78
\$125,000	0.70
\$150,000	0.67
\$200,000	0.61
\$250,000	0.57
\$500,000	0.53
\$750,000	0.48
\$1,000,000	0.44

EPL Premium	
Retention	Factor
\$10,000	1.40
\$15,000	1.20
\$25,000	1.00
\$35,000	0.90
\$50,000	0.76
\$75,000	0.68
\$100,000	0.60
\$125,000	0.56
\$150,000	0.50
\$200,000	0.47
\$250,000	0.43
\$500,000	0.39
\$750,000	0.35
\$1,000,000	0.31

Retention factors only apply to the first \$1,000,000 of coverage.

5. **Type of Industry:** (Apply to D&O and EPL premium)
Premium is adjusted to reflect the type of industry as follows:

Category	Type of Industry	Factor
Low – Highly regulated Lower salaries, etc.	Financial Services Energy/Resources/Utilities Manufacturing Transportation Retail/Merchandising	0.70 – 0.90
Medium	Construction/Real Estate Publication/Communication Environmental	0.90 – 1.00
High – High Salary, specialist, etc.	Hi Tech/Bio Tech Entertainment Health/Hospitals Professional	1.00 – 1.50

6. **EPL Only Rate Modifications:** These factors are only applied to the EPL portion of the premium calculation process.

A. Number of Years in Business

The factor is calculated proportionately based on the number of years in business and the pertinent range. For example, the factor associated with an entity in business for 6 years is 0.98.

Years in Business	Factor
More than 10 years	0.80 – 0.90
Between 5 and 10 years	0.90 – 1.00
Less than 5 years	1.00

B. Employee Turnover Rate

The factor is calculated proportionately based on the employee turnover rate and the pertinent range. For example, the factor associated with an entity with an employee turnover rate of 15% is 0.94.

Turnover Rate	Factor
Less Than 5%	0.80 – 0.90
Between 5% and 30%	0.90 – 1.00
Greater Than 30%	1.00

7. **Ownership Modification Factor:** (Apply to both D&O and EPL premium):
Relates to the ownership control of the insured entity.

Ownership Control Activity	Factor
Below Average	1.01 – 1.25
Average	1.00
Above Average	0.75 – 0.99

Definitions for above criteria:

- “Below Average” is characterized by a widely held company with more than 30 shareholders.
- “Average” is characterized by a moderately held company with 10-30 shareholders.
- “Above Average” is characterized by a closely held company with less than 10 shareholders

8. Financial Strength Modification Factor (Apply to both D&O and EPL premium):

Financial Strength	Factor
Below Average	1.02 – 1.50
Average	1.00
Above Average	0.50 – 0.99

Definitions for above criteria:

- “Below Average” is characterized by more than one year of losses in earnings, a generally downward trend in revenues. Internal balance sheets. No audit available.
- “Average” is characterized by a positive earnings from year to year, better than peers in at least 2 of the 3 years with stable or positive trends. Potential insured has audited financials or a review for the last 2 years.
- “Above Average” is characterized by consistently strong earnings, better than peers, with positive trends. Potential insured has 2 years of audited financials.

9. Prior Litigation Activity (Apply to both D&O and EPL premium):

Relates to any type of litigation which has been brought against the Insured. A rate modification factor is determined based on the frequency, severity and type of claims as follows:

Prior	Factor
Significant	1.51 – 2.00
Material	1.26 – 1.50
Minimal	1.01 – 1.25
None	1.00

Definitions for above criteria:

- “Significant”: There is a likelihood of an ultimate payment exceeding both the retention and 10% of the policy limit.
- “Material”: While reserves have been established for this account and payout may exceed the policy retention, it will not exceed 10% of the policy limit.
- “Minimal”: While claims have been reported upon which precautionary reserves have been established, there is a low likelihood of ultimate payout.
- “None”: No claims reported or, if they have been in the past, they have resulted in no payments which have exceeded the retention of the policy.

10. Risk Modifier:

If not applicable, use a factor of 1.0.

If applicable, choose a factor between 2.0 and 3.0.

A modifier between (2.0 and 3.0) is to be used for start-up operations, or any operations where there are unusual business characteristics that significantly increase the exposure.

11. Schedule Rating: (Apply to both D&O and EPL premium) Modification is subject to a maximum deviation from the calculated premium of +/-25%):

Apply one or more of the following credits/debits to the base price:

Item	Factor (Add to 1.00)
Industry Maturity	+/- .25
Human Resource Policies	+/- .25
Management Stability	+ /- .25

12. Rounding Rule: Round Premium to the nearest hundred dollars.



**NAVIGATORS INSURANCE COMPANY
PRIMARY D&O LIABILITY RATING PLAN**

**DIRECTORS AND OFFICERS LIABILITY INSURANCE POLICY
INCLUDING EMPLOYMENT PRACTICES AND SECURITIES CLAIMS
COVERAGE WITH DEFENSE COSTS INCLUDED IN THE LIMIT OF LIABILITY**

RULES AND RATES

This Product is intended to cover wrongful acts for Directors and Officers of any Public Entity or Publicly Traded corporation.

The premium is calculated by applying modification factors to the base premium. The modification factors are determined from the limit of insurance and retention level selected by the insured and various individual risk criteria as described under Rate Modifiers. All modification factors are multiplicative in the order of the following steps:

STEP 1 Determination of Base Premium

The base premium is determined by selecting the classification from the Hazard Class Table (Exhibit 1) that most closely reflects the insured risk. The appropriate table is consulted based upon the hazard level (Low, Moderate or High) and the final base premium is determined by the Asset Size of the firm.

The base premiums shown below are at basic limits of \$1,000,000 for each loss and each policy period.

Base D&O Premium (Moderate Hazard)

Asset Size (mm)	Base Premium
0 - 10	25,000
10 - 25	32,500
25 - 50	45,500
50 - 100	56,500
100 - 250	67,500
250 - 500	91,125
500 +	118,460

Base D&O Premium (High Hazard)

Asset Size (mm)	Base Premium
0 - 10	42,250
10 - 25	54,600
25 - 50	70,850
50 - 100	88,400
100 - 250	107,055
250 - 500	141,700
500+	182,000

Base D&O Premium (Low Hazard)

Asset Size (mm)	Base Premium
0 - 10	18,000
10 - 25	23,400
25 - 50	32,760
50 - 100	40,680
100 - 250	48,600
250 - 500	63,900
500+	85,295

STEP 2 Rate Modifiers

The cumulative Range of Modification for all Risk Characteristics described below is +/-50%.

<u>Risk Characteristic</u>	<u>Criteria</u>	<u>Range of Modification</u>
A. Customer Concentration:	<u>Max 25% debit:</u> Any customer with more than 10% of Company's sales	1.00 – 1.25
B. Ownership Structure:	<u>Max 25% debit:</u> Less than 70% insider ownership <u>Max 25% credit:</u> More than 70% insider ownership	1.00 – 1.25 .75 – 1.00
C. Litigation History:	<u>Max 25% debit:</u> Past SEC or class action litigation <u>Max 25% credit:</u> No litigation or demands	1.00 – 1.25 .75 – 1.00
D. Financial Condition:	<u>Max 25% debit:</u> Weak balance sheet, operating losses, leverage <u>Max 25% credit:</u> Strong balance sheet, profitable, no leverage	1.00 – 1.25 .75 – 1.00
E. Stock Volatility:	<u>Max 25% debit:</u> More than 10% variance in 52 Week hi/lo <u>Max 25% credit:</u> Less than 10% variance in 52 week hi/lo	1.00 – 1.25 .75 – 1.00
F. Board Composition:	<u>Max 25% debit:</u> Limited or no industry experience <u>Max 25% credit:</u> Strong industry experience	1.00 – 1.25 .75 – 1.00
G. Merger/Acquisition Activity:	<u>Max 25% debit:</u> M&A activity in past 3 years <u>Max 25% credit:</u> No M&A activity in past 3 years	1.00 – 1.25 .75 – 1.00
H. Insider Trading Activity:	<u>Max 25% debit:</u> Insider sales within last year <u>Max 25% credit:</u> No insider selling and written insider trading policy	1.00 – 1.25 .75 – 1.00
I. Competition:	<u>Max 25% debit:</u> Intense competition <u>Max 25% credit:</u> Fragmented market, Company is market leader	1.00 – 1.25 .75 – 1.00
J. Initial Public Offering	<u>Max 25% debit:</u> IPO within last 3 years	1.00 – 1.25
K. NASD/OTC/AMEX Listing	<u>Max 25% debit:</u> Trading on OTC, NASD or AMEX Exchange	1.00 – 1.25

STEP 3 Retention Factors:

Apply the appropriate factor for the retention level selected.

Retention Factors:

<u>Retention</u>	<u>Factor</u>
50,000	1.15
100,000	1.10
150,000	1.05
250,000	1.00
500,000	.90
750,000	.85
1,000,000	.80

STEP 4

Increased Limits Factors:

Apply the appropriate factor for the limit of liability selected

Increased Limits Factors:

Limit	Factor
250K	.50
500K	.70
750K	.85
1mm	1.00
2mm	1.65
3mm	2.00
4mm	2.35
5mm	2.65
10mm	4.00
15mm	4.50
20mm	5.00
25mm	5.50

HAZARD CLASS TABLE

Low Risk:

Manufacturing
Low Tech operations

Moderate Risk:

Contracting/Construction
Newspaper/Magazine Publishing
Distribution/Marketing
Service Provider
Restaurant Ownership
Real Estate Management
Service Companies

High Hazard:

Computer Software/Hardware Design (high tech)
Biotechnology: Research; Pharmaceuticals
Internet
Entertainment Industry
Healthcare and related operations
Airline/Aviation Industry
Substantial M&A activity
Wireless communications
Law firms/Accounting firms
Utilities
Banks/Thriffs
Securities Broker/Dealers
Insurance Companies
Retailing



NAVIGATORS INSURANCE COMPANY
EXCESS FINANCIAL PRODUCTS INSURANCE RATING PLAN

The pricing parameters for High Excess Liability placements, i.e. excess layers attaching at limits of \$5,000,000 and beyond, wherein Navigators is not providing the primary or underlying limits, is at the underwriters discretion based upon an analysis of the type of risk, loss experience, management controls, level of attachment, size of layer, etc.

The rating factors for High Excess Liability placements are as follows:

30% to 90% of the actual primary underlying premium.

MINIMUM PREMIUM

A Minimum Premium of \$10,000 per \$1 million of limits will apply to all limits offered.

SCHEDULE RATING

At the election of the underwriter, the final premium may be modified and documented in accordance with the risk characteristics described in the following Schedule Rating Table.

SCHEDULE RATING TABLE

Special characteristics of an Excess Risk may serve to heighten or lessen its overall desirability. The Maximum Credit or Debit a risk may receive is fifty (50) percent, except for the following:

AL, AZ, CA, CO, DE, FL, NE, OH, OR, RI, SD:	Twenty-five (25) percent
MD, ME, MN, MS, MT, NH, TX, WV:	Forty (40) percent
GA:	Forty (40) percent debit
NY:	Fifteen (15) percent

RANGE OF MODIFICATION

	Credit	Debit
A) Financial Strength		
1.) Negative Operating Income for one or more years	0%	Up to 25%
2.) Positive Operating Income for one or more years	Up to 25%	0%
B) Litigation History		
1.) No claims or minimal prior claims reported where there is a low likelihood of payout	Up to 25%	0%
2.) Prior claims or reserves established where there is a high likelihood of payout	0%	Up to 25%

C) Ownership

- | | | |
|---|-----------|-----------|
| 1.) No past changes in ownership or control | Up to 25% | 0% |
| 2.) Prior changes in ownership or control | 0% | Up to 25% |

D) Operational History

- | | | |
|---|-----------|-----------|
| 1.) Organizations that have been in business for many years under experienced management | Up to 10% | 0% |
| 2.) Newly formed organizations | 0% | Up to 10% |
| 3.) Organizations that have subsidiary operations or a significant amount of diverse activities | 0% | Up to 10% |
| 4.) Organizations that have few or no subsidiary operations or diverse activities | Up to 10% | 0% |

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Supporting Document Schedules

Satisfied -Name:	P&C Transmittal	Review Status:	
Comments:		Filed	08/16/2007
Attachment:			
P&C Transmittal.pdf			

Property & Casualty Transmittal Document

1. Reserved for Insurance Dept. Use Only	2. Insurance Department Use only a. Date the filing is received: b. Analyst: c. Disposition: d. Date of disposition of the filing: e. Effective date of filing: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;">New Business</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">Renewal Business</td> <td style="border: none;"></td> </tr> </table> f. State Filing #: g. SERFF Filing #: h. Subject Codes	New Business		Renewal Business	
New Business					
Renewal Business					

3. Group Name	Group NAIC #

4. Company Name(s)	Domicile	NAIC #	FEIN #	State #

5. Company Tracking Number	
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Contact Info of Filer(s) or Corporate Officer(s) [include toll-free number]

6.	Name and address	Title	Telephone #s	FAX #	e-mail

7. Signature of authorized filer	
8. Please print name of authorized filer	

Filing information (see General Instructions for descriptions of these fields)

9. Type of Insurance (TOI)	
10. Sub-Type of Insurance (Sub-TOI)	
11. State Specific Product code(s)(if applicable)[See State Specific Requirements]	
12. Company Program Title (Marketing title)	
13. Filing Type	<input type="checkbox"/> Rate/Loss Cost <input type="checkbox"/> Rules <input type="checkbox"/> Rates/Rules <input type="checkbox"/> Forms <input type="checkbox"/> Combination Rates/Rules/Forms <input type="checkbox"/> Withdrawal <input type="checkbox"/> Other (give description)
14. Effective Date(s) Requested	New: <input type="text"/> Renewal: <input type="text"/>
15. Reference Filing?	<input type="checkbox"/> Yes <input type="checkbox"/> No
16. Reference Organization (if applicable)	
17. Reference Organization # & Title	
18. Company's Date of Filing	
19. Status of filing in domicile	<input type="checkbox"/> Not Filed <input type="checkbox"/> Pending <input type="checkbox"/> Authorized <input type="checkbox"/> Disapproved

Property & Casualty Transmittal Document—

20. This filing transmittal is part of Company Tracking #

21. Filing Description [This area can be used in lieu of a cover letter or filing memorandum and is free-form text]

22. Filing Fees (Filer must provide check # and fee amount if applicable)
[If a state requires you to show how you calculated your filing fees, place that calculation below]

Check #:
Amount:

Refer to each state's checklist for additional state specific requirements or instructions on calculating fees.

***Refer to the each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)

PC TD-1 pg 2 of 2

RATE/RULE FILING SCHEDULE

(This form must be provided ONLY when making a filing that includes rate-related items such as Rate; Rule; Rate & Rule; Reference; Loss Cost; Loss Cost & Rule or Rate, etc.)

(Do not refer to the body of the filing for the component/exhibit listing, unless allowed by state.)

1.	This filing transmittal is part of Company Tracking #	
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2.	This filing corresponds to form filing number (Company tracking number of form filing, if applicable)	
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Rate Increase
 Rate Decrease
 Rate Neutral (0%)

3.	Filing Method (Prior Approval, File & Use, Flex Band, etc.)	
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4a.	Rate Change by Company (As Proposed)
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Company Name	Overall % Indicated Change (when applicable)	Overall % Rate Impact	Written premium change for this program	# of policyholders affected for this program	Written premium for this program	Maximum % Change (where required)	Minimum % Change (where required)

4b.	Rate Change by Company (As Accepted) For State Use Only
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Company Name	Overall % Indicated Change (when applicable)	Overall % Rate Impact	Written premium change for this program	# of policyholders affected for this program	Written premium for this program	Maximum % Change	Minimum % Change

5.	Overall Rate Information (Complete for Multiple Company Filings only)
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		COMPANY USE	STATE USE
5a	Overall percentage rate indication (when applicable)		
5b	Overall percentage rate impact for this filing		
5c	Effect of Rate Filing – Written premium change for this program		
5d	Effect of Rate Filing – Number of policyholders affected		

6.	Overall percentage of last rate revision	
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7.	Effective Date of last rate revision	
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8.	Filing Method of Last filing (Prior Approval, File & Use, Flex Band, etc.)	
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9.	Rule # or Page # Submitted for Review	Replacement or withdrawn?	Previous state filing number, if required by state
01		<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	
02		<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	
03		<input type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	