

SERFF Tracking Number: PHLX-125489574 State: Arkansas  
Filing Company: Philadelphia Indemnity Insurance Company State Tracking Number: EFT \$50  
Company Tracking Number: ML AR0032802F01  
TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1003 Commercial Package  
Portion Only  
Product Name: UltimateCover  
Project Name/Number: UltimateCover/ML AR0032802F01

## Filing at a Glance

Company: Philadelphia Indemnity Insurance Company

Product Name: UltimateCover SERFF Tr Num: PHLX-125489574 State: Arkansas  
TOI: 05.1 Commercial Multi-Peril - Non-Liability SERFF Status: Closed State Tr Num: EFT \$50  
Portion Only

Sub-TOI: 05.1003 Commercial Package Co Tr Num: ML AR0032802F01 State Status: Fees verified and received

Filing Type: Form Co Status: Reviewer(s): Betty Montesi, Llyweyia Rawlins, Brittany Yielding

Author: SPI PhiladelphiaIndemnity Disposition Date: 02/25/2008

Date Submitted: 02/15/2008 Disposition Status: Approved

Effective Date Requested (New): 02/20/2008 Effective Date (New): 02/20/2008

Effective Date Requested (Renewal): Effective Date (Renewal): 02/20/2008

State Filing Description:

## General Information

Project Name: UltimateCover

Project Number: ML AR0032802F01

Reference Organization:

Reference Title:

Filing Status Changed: 02/25/2008

State Status Changed: 02/25/2008

Corresponding Filing Tracking Number:

Filing Description:

The Philadelphia Indemnity Insurance Company submits for your information copies of the above captioned revised endorsements, which were developed to enable us to comply with the requirements of the Terrorism Risk Insurance Program Reauthorization Act of 2007.

Status of Filing in Domicile:

Domicile Status Comments:

Reference Number:

Advisory Org. Circular:

Deemer Date:

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These forms replace the forms of the same name approved under our filing number 2003-050.

Changes made to the forms include the following:

A revised definition of terrorism.

Revised language describing the existence and the effect of the cap.

The enclosed forms are based off ISO forms and have been amended in the same manner. A more detailed description of these forms follows:

PI-ULT-085 (01/03) was based on IL 09 52 11 02. It was designed for issue to insureds who elect certified terrorism coverage under the Federal Terrorism Risk Insurance Act. Our revised PI-ULT-085 (01-08) follows the changes ISO made via IL 09 52 01 08.

PI-ULT-086 (01/03) was based on IL 09 58 11 02. It was designed for issue to insureds who did not elect certified terrorism coverage under the Federal Terrorism Risk Insurance Act. ISO has withdrawn IL 09 58 and will now use IL 09 53 01 08 for insureds that did not elect certified terrorism coverage under the Federal Terrorism Risk Act. We are replacing PI-ULT-086 with PI-ULT-087 (01-08) which is based on ISO's IL 09 53 01 08.

Also included is a Filing Memorandum describing this submission.

There will be no impact on rating from this forms only filing.

We would like to implement this filing on the earlier of February 20, 2008 or the first date possible after receiving your Department's approval. We are filing these forms concurrently in our domiciliary state of Pennsylvania.

## Company and Contact

### Filing Contact Information

Gary Corbi, Senior Compliance Analyst  
One Bala Plaza

(610) 617-5980 [Phone]

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Project Name/Number: UltimateCover/ML AR0032802F01

Bala Cynwyd, PA 19004 (866) 374-1070[FAX]

**Filing Company Information**

Philadelphia Indemnity Insurance Company CoCode: 18058 State of Domicile: Pennsylvania  
One Bala Plaza Group Code: 677 Company Type:  
Suite 100  
Bala Cynwyd, PA 19004 Group Name: Philadelphia Insurance Companies State ID Number:  
(610) 617-7900 ext. [Phone] FEIN Number: 231738402  
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## Filing Fees

Fee Required? Yes  
Fee Amount: \$50.00  
Retaliatory? No  
Fee Explanation:  
Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Philadelphia Indemnity Insurance Company	\$50.00	02/15/2008	17998226

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## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Approved	Llyweyia Rawlins	02/25/2008	02/25/2008



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Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	UC AR Terror cover letter, UC Terror Filing Memo wo SFP	Approved	Yes
Form	CAP On Losses from Certified Acts of Terrorism	Approved	Yes
Form	Exclusion of Certified Acts of Terrorism	Approved	Yes

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## Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	CAP On Losses from Certified Acts of Terrorism	PI-ULT-085	(01-08)	Endorsement/Amendment/Conditions	Replaced Form #:0.00 PI-ULT-085 Previous Filing #:		PI-ULT-085.PDF
Approved	Exclusion of Certified Acts of Terrorism	PI-ULT-087	(01-08)	Endorsement/Amendment/Conditions	Replaced Form #:0.00 PI-ULT-086 Previous Filing #:		PI-ULT-087.PDF

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY**

**CAP ON LOSSES FROM CERTIFIED ACTS OF  
TERRORISM**

This endorsement modifies insurance provided under the following:

**ULTIMATECOVER PROPERTY COVERAGE PART**

**A. Cap On Certified Terrorism Losses**

"Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The criteria contained in the Terrorism Risk Insurance Act for a "certified act of terrorism" include the following:

1. The act resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

If aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

**B. Application Of Exclusions**

The terms and limitations of any terrorism exclusion, or the inapplicability or omission of a terrorism exclusion, do not serve to create coverage for any loss which would otherwise be excluded under this Coverage Part or Policy, such as losses excluded by the Nuclear Hazard Exclusion or the War And Military Action Exclusion.

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## EXCLUSION OF CERTIFIED ACTS OF TERRORISM

This endorsement modifies insurance provided under the following:

ULTIMATECOVER PROPERTY COVERAGE PART

### SCHEDULE

The **Exception Covering Certain Fire Losses** (Paragraph **C**) applies to property located in the following state(s), if covered under the indicated Coverage Form, Coverage Part or Policy:

State(s)	Coverage Form, Coverage Part Or Policy
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

**A.** The following definition is added with respect to the provisions of this endorsement:

"Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The criteria contained in the Terrorism Risk Insurance Act for a "certified act of terrorism" include the following:

1. The act resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

**B.** The following exclusion is added:

**CERTIFIED ACT OF TERRORISM EXCLUSION**

We will not pay for loss or damage caused directly or indirectly by a "certified act of terrorism". Such loss or damage is excluded regardless of any other cause or event that contributes concurrently or in any sequence to the loss.

**C. Exception Covering Certain Fire Losses**

The following exception to the exclusion in Paragraph **B.** applies only if indicated and as indicated in the Schedule of this endorsement.

If a "certified act of terrorism" results in fire, we will pay for the loss or damage caused by that fire. Such coverage for fire applies only to direct loss or damage by fire to Covered Property. Therefore, for example, the coverage does not apply to insurance provided under Business Income and/or Extra Expense coverage forms or endorsements which apply to those forms, or to the Legal Liability Coverage Form or the Leasehold Interest Coverage Form.

If aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

#### **D. Application Of Other Exclusions**

The terms and limitations of any terrorism exclusion, or the inapplicability or omission of a terrorism exclusion, do not serve to create coverage for any loss which would otherwise be excluded under this Coverage Part or Policy, such as losses excluded by the Nuclear Hazard Exclusion or the War And Military Action Exclusion.



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Product Name: UltimateCover  
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## Supporting Document Schedules

**Satisfied -Name:** Uniform Transmittal Document-Property & Casualty **Review Status:** Approved 02/25/2008

**Comments:**

**Attachment:**

AR Expedited Filing Transmittal.PDF

**Satisfied -Name:** UC AR Terror cover letter, UC Terror Filing Memo wo SFP **Review Status:** Approved 02/25/2008

**Comments:**

**Attachments:**

UC AR Terror cover letter.PDF

UC Terror Filing Memo wo SFP.PDF

**EXPEDITED FILING TRANSMITTAL DOCUMENT  
FOR TERRORISM RISK INSURANCE FORMS AND PRICING**

This page applies to the following state(s) \_\_\_\_\_

Indicate Type of Filing
<input checked="" type="checkbox"/> Filing Related to <i>Certified Losses</i>
• Filing Related to <i>Non-Certified Losses</i>
• Filing Applicable to Both Certified and Non-Certified Losses

Department Use only

Company Name(s)	Domicile	NAIC #	FEIN #
Philadelphia Indemnity Insurance Company	PA	677-18058	23-1738402

**Contact Info for Filer**

Name and address of Filer(s)	Telephone #	FAX #	e-mail
Gary Corbi, Compliance Analyst Philadelphia Indemnity Insurance Company One Bala Plaza, Suite 100 Bala Cynwyd, PA 19004	(610) 617-5980	None	gcorbi@phlyins.com

**Filing information**

<b>Line of Insurance</b> (see attachment)	Property
<b>Company Program Title</b> (Marketing title) (if applicable)	Ultimate Cover
<b>Filing Type</b> ** see note below	Form
<b>This application is used with:</b>	Ultimate Cover
<b>Effective Date Requested</b>	February 20, 2008
<b>Filing date</b>	February 15, 2008
<b>Company Tracking Number</b>	UC ML AR0032802F01
<b>Date filing approved in domiciliary state, if applicable</b>	Being filed concurrently

	<u>Component/Form Name /Description/Synopsis</u>	<u>Form # or Rate Page Include edition date</u>	<u>Replacement Or withdrawn?</u>	<u>If replacement, give form # or rate page(s) it replaces</u>	<u>Previous State Filing Number, if required by state</u>
01	Cap on Losses from Certified Acts of Terrorism	PI-ULT-085 (01/08)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither	PI-ULT-085 (01/03)	N/A
02	Exclusion of Certified Acts of Terrorism	PI-ULT-087 (01/08)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither	PI-ULT-086 (01/03)	N/A

To be complete, a filing must include the following:

- A completed Expedited Filing Transmittal Document for each insurer or advisory organization.
- One copy of each endorsement, disclosure form or other policy language, unless the insurer has given an advisory organization authorization to file them on its behalf.
- A copy of the rates, rating systems and supporting documentation.
- The appropriate filing fees, if required
- A postage-paid, self-addressed envelope **large enough to accommodate the return.**

The insurer(s) submitting this filing certifies that it:

- Is in compliance with the terms of the Terrorism Risk Insurance Act, as amended, and the laws of this state; and
- Is in compliance with the requirements of the bulletin containing the voluntary expedited filing procedures.

Gary Corbi  
Signature

Gary Corbi  
Print Name:

Compliance Analyst  
Title:

# Philadelphia Indemnity Insurance Company

February 15, 2008

Commissioner of Insurance  
Arkansas Insurance Department  
1200 West Third Street  
Little Rock, AR 72201-1904

Re: **Philadelphia Indemnity Insurance Company**  
NAIC # 677-18058; FEIN # 23-1738402;  
Ultimate Cover Certified Terrorism Form Filing  
Form Filing – Certified Terrorism Endorsements PI-ULT-085 (01-08)  
and PI-ULT-087 (01-08)  
Our Filing Number – UC ML AR0032802F01

## **EFT Filing Fee of \$50.00**

Dear Sir or Madam:

The Philadelphia Indemnity Insurance Company submits for your information copies of the above captioned revised endorsements, which were developed to enable us to comply with the requirements of the Terrorism Risk Insurance Program Reauthorization Act of 2007.

These forms replace the forms of the same name approved under our filing number 2003-050.

Changes made to the forms include the following:

- A revised definition of terrorism.
- Revised language describing the existence and the effect of the cap.

The enclosed forms are based off ISO forms and have been amended in the same manner. A more detailed description of these forms follows:

- PI-ULT-085 (01/03) was based on IL 09 52 11 02. It was designed for issue to insureds who elect certified terrorism coverage under the Federal Terrorism Risk Insurance Act. Our revised PI-ULT-085 (01-08) follows the changes ISO made via IL 09 52 01 08.
- PI-ULT-086 (01/03) was based on IL 09 58 11 02. It was designed for issue to insureds who did not elect certified terrorism coverage under the Federal Terrorism Risk Insurance Act. ISO has withdrawn IL 09 58 and will now use IL 09 53 01 08 for insureds that did not elect certified terrorism coverage under the Federal Terrorism Risk Act. **We are replacing PI-ULT-086 with PI-ULT-087 (01-08) which is based on ISO's IL 09 53 01 08.**

Also included is a Filing Memorandum describing this submission.

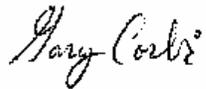
There will be no impact on rating from this forms only filing.

# Philadelphia Indemnity Insurance Company

We would like to implement this filing on the earlier of February 20, 2008 or the first date possible after receiving your Department's approval. We are filing these forms concurrently in our domiciliary state of Pennsylvania.

Please contact me at the number shown below if you have any questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Gary Corbi".

Gary Corbi  
Senior Compliance Analyst - Philadelphia Insurance Companies  
(610) 617-5980/[gcorbi@phlyins.com](mailto:gcorbi@phlyins.com)

**Forms Memorandum - Countrywide  
Philadelphia Indemnity Insurance Company  
Ultimate Cover Program-**

Revised forms in response to the Terrorism Risk Insurance Program Reauthorization Act of 2007.

With regards to the enactment of the Terrorism Risk Act of 2007, we have made changes to the forms described below. These changes include the following:

- Revised the definition of terrorism.
- Revised the language expressing the existence and effect of the cap.

Our Ultimate Cover forms, which are based off ISO forms, have been amended in the same manner.

- PI-ULT-085 (01/03) was based on IL 09 52 11 02. It was designed for issue to insureds that elected certified terrorism coverage under the Federal Terrorism Risk Act. Our revised PI-ULT-085 (01-08) follows the changes ISO has made by means of IL 09 52 01 08.
- PI-ULT-086 (01/03) was based on IL 09 58 11 02 for non SFP states. ISO has withdrawn IL 09 58 and will now use IL 09 53 01 08 for insureds that did not elect certified terrorism coverage under the Federal Terrorism Risk Act. **We are replacing PI-ULT-086 with PI-ULT-087 (01-08) which is based on ISO's IL 09 53 01 08.**