

SERFF Tracking Number: ALSX-125394971 State: Arkansas
Filing Company: Allstate Indemnity Company State Tracking Number: EFT \$25
Company Tracking Number: R18653
TOI: 19.0 Personal Auto Sub-TOI: 19.0001 Private Passenger Auto (PPA)
Product Name: Private Passenger Auto
Project Name/Number: 2007 - DeHoyos Appeals Process Filing/R18653

Filing at a Glance

Company: Allstate Indemnity Company
Product Name: Private Passenger Auto
TOI: 19.0 Personal Auto
Sub-TOI: 19.0001 Private Passenger Auto (PPA)
Filing Type: Rule

SERFF Tr Num: ALSX-125394971 State: Arkansas
SERFF Status: Closed State Tr Num: EFT \$25
Co Tr Num: R18653 State Status: Fees verified and received
Co Status: Reviewer(s): Alexa Grissom, Betty Montesi, Brittany Yielding
Author: SPI AllState Disposition Date: 03/04/2008
Date Submitted: 12/20/2007 Disposition Status: Filed

Effective Date Requested (New): 03/10/2008 Effective Date (New): 03/10/2008
Effective Date Requested (Renewal): 03/10/2008 Effective Date (Renewal):
State Filing Description:

General Information

Project Name: 2007 - DeHoyos Appeals Process Filing
Project Number: R18653
Reference Organization:
Reference Title:
Filing Status Changed: 03/04/2008
State Status Changed: 01/03/2008
Corresponding Filing Tracking Number:
Filing Description:
Insurance Scoring Appeals Process

Status of Filing in Domicile: Authorized
Domicile Status Comments:
Reference Number:
Advisory Org. Circular:
Deemer Date:

With this filing, Allstate Indemnity Company is implementing an appeals process for Insurance Scoring in the state of Arkansas. The same process will be implemented in all Allstate Group companies and lines that order credit reports for the use of Insurance Scoring in Arkansas. The appeals process will allow consumers whose Insurance Score has been adversely impacted by extraordinary circumstances to appeal the Insurance Score, Allstate has previously assigned to them. If an insured meets the criteria listed in the rule, a neutral Insurance Score will be applied to the policy. The

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conditions under, which an insured may appeal his or her Insurance Score may be found in the attached Rule Pages.

This change will not affect the way Allstate initially assigns an Insurance Score to an insured. There is no rate change associated with this filing.

Effective Date:

New business: March 10, 2008

Renewals: March 10, 2008

Company and Contact

Filing Contact Information

Patrick Torsney, ptors@allstate.com
 2775 Sanders Road (847) 402-5000 [Phone]
 Northbrook, IL 60062 (847) 402-9757[FAX]

Filing Company Information

Allstate Indemnity Company CoCode: 19240 State of Domicile: Illinois
 2775 Sanders Road Group Code: 8 Company Type:
 Suite A5
 Northbrook, IL 60062 Group Name: Allstate State ID Number:
 (847) 402-5000 ext. [Phone] FEIN Number: 36-6115679

Filing Fees

Fee Required? Yes
 Fee Amount: \$25.00
 Retaliatory? No
 Fee Explanation: Independent Rule Filings - All P&C Lines = \$25
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Allstate Indemnity Company	\$25.00	12/20/2007	17194198

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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Filed	Alexa Grissom	03/04/2008	03/04/2008

Objection Letters and Response Letters

Objection Letters				Response Letters		
Status	Created By	Created On	Date Submitted	Responded By	Created On	Date Submitted
Pending Industry Response	Alexa Grissom	02/15/2008	02/15/2008	SPI AllState	02/28/2008	02/28/2008
Pending Industry Response	Alexa Grissom	01/17/2008	01/17/2008	SPI AllState	02/07/2008	02/07/2008
Pending Industry Response	Alexa Grissom	01/03/2008	01/03/2008	SPI AllState	01/16/2008	01/16/2008

SERFF Tracking Number: *ALSX-125394971* *State:* *Arkansas*
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Project Name/Number: *2007 - DeHoyos Appeals Process Filing/R18653*

Disposition

Disposition Date: 03/04/2008

Effective Date (New): 03/10/2008

Effective Date (Renewal):

Status: Filed

Comment:

Rate data does NOT apply to filing.

SERFF Tracking Number: ALSX-125394971 State: Arkansas
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Item Type	Item Name	Item Status	Public Access
Supporting Document	APCS-Auto Premium Comparison Survey	Filed	Yes
Supporting Document	NAIC loss cost data entry document	Filed	Yes
Supporting Document	NAIC Loss Cost Filing Document for OTHER than Workers' Comp	Filed	Yes
Supporting Document	Uniform Transmittal Document-Property & Casualty	Filed	Yes
Supporting Document	Response to DOI Obj	Filed	Yes
Supporting Document	Response to obj 2	Filed	Yes
Supporting Document	DOI Obj 3	Filed	Yes
Rate	CheckingList_R18653	Filed	Yes
Rate	Manual_R18653	Filed	Yes

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Product Name: Private Passenger Auto
Project Name/Number: 2007 - DeHoyos Appeals Process Filing/R18653

Objection Letter

Objection Letter Status Pending Industry Response

Objection Letter Date 02/15/2008

Submitted Date 02/15/2008

Respond By Date

Dear Patrick Torsney,

This will acknowledge receipt of the captioned filing. I have discussed the filing with our Director. He advised per our credit laws the language "on or after 03/10/08 may, at Allstate's sole discretion," must be removed. Additionally, the correct date is on or after January 1, 2004. The replacement is mandatory and not at the discretion of Allstate. The subsequest reassignment must be to the "neutral" teir fromt he credit perspective. Please refer to Ark. Code Ann. 23-67-405 to 415 for related laws.

Also, as previously mentioned, not-at-fault accidents may not be used as a tiering factor.

Please feel free to contact me if you have questions.

Sincerely,

Alexa Grissom

Response Letter

Response Letter Status Submitted to State

Response Letter Date 02/28/2008

Submitted Date 02/28/2008

Dear Alexa Grissom,

Comments:

Response to 2/15/8 objection.

Response 1

Comments: Please see attached document re: 2/15/8 objection.

Changed Items:

Supporting Document Schedule Item Changes

Satisfied -Name: DOI Obj 3

SERFF Tracking Number: ALSX-125394971 State: Arkansas
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Product Name: Private Passenger Auto
Project Name/Number: 2007 - DeHoyos Appeals Process Filing/R18653

Objection Letter

Objection Letter Status Pending Industry Response

Objection Letter Date 01/17/2008

Submitted Date 01/17/2008

Respond By Date

Dear Patrick Torsney,

This will acknowledge receipt of the captioned filing. I have discussed your response with our Director, and he advised that not-at-fault incidents should not be utilized in initial rating determination.

Please feel free to contact me if you have questions.

Sincerely,

Alexa Grissom

Response Letter

Response Letter Status Submitted to State

Response Letter Date 02/07/2008

Submitted Date 02/07/2008

Dear Alexa Grissom,

Comments:

Response to your 1/17/8 objection.

Response 1

Comments: Please see attached document re: 1/17/8 objection.

Changed Items:

Supporting Document Schedule Item Changes

Satisfied -Name: Response to obj 2

Comment:

No Form Schedule items changed.

No Rate/Rule Schedule items changed.

SERFF Tracking Number: *ALSX-125394971* *State:* *Arkansas*
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Product Name: *Private Passenger Auto*
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Please contact Patrick Torsney at 847 402 7309 or at ptors@allstate.com if you have any questions.

Sincerely,
SPI AllState

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Product Name: Private Passenger Auto
Project Name/Number: 2007 - DeHoyos Appeals Process Filing/R18653

Objection Letter

Objection Letter Status Pending Industry Response

Objection Letter Date 01/03/2008

Submitted Date 01/03/2008

Respond By Date

Dear Patrick Torsney,

This will acknowledge receipt of the captioned filing. Please clarify your definition of Eligible Incidents. If Items 1. and 2. under B. on Page 23 are Eligible Incidents, please advise how such would be in compliance with Ark. Code Ann. 23-79-152.

Please feel free to contact me if you have questions.

Sincerely,

Alexa Grissom

Response Letter

Response Letter Status Submitted to State

Response Letter Date 01/16/2008

Submitted Date 01/16/2008

Dear Alexa Grissom,

Comments:

Response to objection of 1/3/8.

Response 1

Comments: Please see attached document re: DOI objection of 1/3/8

Changed Items:

Supporting Document Schedule Item Changes

Satisfied -Name: Response to DOI Obj

Comment:

No Form Schedule items changed.

SERFF Tracking Number: ALSX-125394971 State: Arkansas
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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	CheckingList_R18653	R18653	New	R18653.PDF
Filed	Manual_R18653	R18653	Replacement	R18653.PDF

CHECKING LIST FOR PRIVATE PASSENGER AUTO

Printing dates are shown on each page to facilitate identification of different editions, but have no direct connection with the effective date of the page.

RULES

Enclosed: Pages 24, 25, and 26 dated 1-1-2008

Withdrawn: Pages 24 and 25 dated 11-1-2004

PRIVATE PASSENGER AUTO INDEMNITY

RULE 46 – RESERVED

RULE 47 – RESERVED

RULE 48 – RESERVED

RULE 49 – RESERVED

RULE 50 – RESERVED

RULE 51 – RESERVED

RULE 52 – RESERVED

**RULE 53 – PRIOR INSURANCE DISCOUNT/CLAIM RISK PLAN - COVERAGES AA,
BB, VC, DD & HH**

The Prior Insurance Discount/Claim Risk Plan is a combination of a discounted rate for the presence of Prior Insurance, and an appropriate rate based on a Financial Stability Level and on the number of Eligible Incidents, as defined below. For each policy written on or after 10/16/00, factors will be assigned based upon the criteria below. This rule applies to all Insurable Vehicles except Exhibition Automobiles. Insurable Vehicles are defined in Rule 1 – Definitions.

A. DEFINITIONS

1. A policy is defined to have prior insurance if the applicants can prove that they had liability insurance coverage from another company insuring auto insurance risks for six consecutive months, and that this previous coverage is either still in-force or has expired within 30 days of the date of application of insurance. In addition, newly licensed applicants who qualified for their first license within the 30-day period immediately preceding the effective date of their current Allstate Indemnity Company application are considered to have prior insurance. Applicants returning from another country who can prove that they were insured for liability coverage either immediately prior to leaving the country or while out of the country are considered to have prior insurance. Applicants who previously had sole use of a company car who can provide proof of liability insurance provided by the company are considered to have prior insurance, if the applicant has not owned a personal automobile for more than 30 days immediately preceding the effective date of their current Allstate Indemnity Company application. If a personal automobile was owned for more than a 30 day period, prior insurance consideration is based on the insurance history of the personal automobile, not of the company car. Applicants for whom insurance was not required pursuant to Arkansas's Financial Responsibility Law or under similar law in another state for that portion of the 6 month period that the insured or spouse operated a vehicle under the insurance laws of that state, will be considered to have prior insurance.

PRIVATE PASSENGER AUTO INDEMNITY

2. Financial Stability Level 1:

Credit report(s) ordered in connection with the policy indicate during the five-year period preceding the date of the report that there are:

- no public record items, and
- no negative trade account items, including, but not limited to, charge-offs and collections, other than the presence of one incident less than 60 days past due.

3. Financial Stability Level 2 includes policyholders not meeting the eligibility criteria under Financial Stability Levels 1 or 3 and policies for which, on a policy level, a credit report(s) cannot be obtained or where a credit report(s) consists only of inquiries. Additionally, if the policy level status is based on one report that cannot be obtained or consists only of inquiries combined with one report that is in either Financial Stability Level 1 or Financial Stability Level 2, the policy would be included in this level.

4. Financial Stability Level 3:

Credit report(s) ordered in connection with the policy indicate during the five-year period preceding the date of the report the presence of one or more of the following items:

- unsatisfied or unresolved judgments, liens or repossessions; or
- foreclosures or bankruptcies;
- or more than any one of the following in excess of or equal to \$100:
 - a) charge-off
 - b) collection, or
 - c) an account past due more than 120 days (paid collections and accounts are not considered).

The first such charge-off, collection, repossession, or account past due more than 120 days is not considered and would not cause the policy to be classified as Financial Stability Level 3.

Additionally, if the policy level status is based on one report that cannot be obtained or consists only of inquiries combined with one report that is in Financial Stability Level 3, then the policy would be included in this level.

B. INITIAL RATING DETERMINATION

Each policy will be assigned rating factors based upon the Financial Stability level of the policy, the presence of Prior Insurance, and on the number of the following Eligible Incidents for all operators on the policy during the 36 month period ending on the date of application of insurance:

1. Any accident considered not chargeable under Rule 12.A.1, regardless of fault, excluding Towing claims; OR
2. Any Comprehensive coverage claim.

PRIVATE PASSENGER AUTO INDEMNITY

Prior Insurance Discount/Claim Risk Plan factors will be assigned to each of the following levels

Prior Insurance Exists	Financial Stability Level	Number of Eligible Incidents	Prior Insurance Discount/Claim Risk Plan Level
Yes	1	0	1
Yes	1	1	2
Yes	1	2	3
Yes	1	3+	4
Yes	2	0	5
Yes	2	1	6
Yes	2	2	7
Yes	2	3+	8
Yes	3	0	9
Yes	3	1	10
Yes	3	2	11
Yes	3	3+	12
No	1	N/A	13
No	2	N/A	14
No	3	N/A	15

The appropriate factors corresponding to each specific Prior Insurance Discount/Claim Risk Plan level above can be found on the rating pages.

The policy of any insured whose credit report was ordered by Allstate Indemnity Company for the purpose of tier determination pursuant to this rule on or after 03/10/08 may, at Allstate's sole discretion, be assigned to Financial Stability Level 1 retroactive to the most recent effective date of the policy, if such insured provides proof acceptable to Allstate that his or her credit information has been negatively impacted by any of the following extraordinary circumstances: divorce; death of a spouse or member of the same household; involuntary unemployment; catastrophic medical expense; care of adult dependent; identity theft; long-term injury, illness or disability; care of a dependent grandchild; or domestic violence.

C. SUBSEQUENT RATING DETERMINATION

At each renewal, the same factors will continue to apply unless, at renewal, the following applies:

1. Prior to every 2nd renewal effective date following the effective date of the policy for which credit report(s) were most recently ordered to determine the applicable Financial Stability Level and only at the named insured's annual request, a new credit report(s) will be obtained for all applicable insureds on the policy at the time of reorder. The reorder will be done according to the procedure regarding ordering of credit reports that is in effect for Allstate Indemnity Company at the time of the reorder. If an insured requests a reorder, the next automatic reorder will take place prior to the 2nd renewal effective date following the effective date of the policy for which the credit report(s) was most recently ordered to determine the applicable Prior Insurance Discount/Claim Risk Plan level. The applicable Prior Insurance Discount/Claim Risk Plan level will be assigned as of such renewal effective date as follows:

PRIVATE PASSENGER AUTO INDEMNITY

- a. Using the new credit report(s), determine the new Financial Stability Level (1, 2 or 3) based on the definition of each Insurance Score Level in Section A.
- b. The policy will maintain the prior insurance status and number of eligible incidents as determined at the time of Initial Rating Determination.
- c. Based on that information, determine the policy's new Prior Insurance Discount/Claim Risk Plan Level.

NOTE: If the named insured requests a credit report reorder(s) less than 45 days prior to the renewal effective date of the policy, the updated Financial Stability Level will be reflected in the Claim Risk Plan Level determination for the next following policy period.

The policy of any insured whose credit report was ordered by Allstate Indemnity Company for the purpose of tier determination pursuant to this rule on or after 03/10/08 may, at Allstate's sole discretion, be assigned to Financial Stability Level 1 retroactive to the most recent effective date of the policy, if such insured provides proof acceptable to Allstate that his or her credit information has been negatively impacted by any of the following extraordinary circumstances: divorce; death of a spouse or member of the same household; involuntary unemployment; catastrophic medical expense; care of adult dependent; identity theft; long-term injury, illness or disability; care of a dependent grandchild; or domestic violence.

D. CREDIT REPORT REORDERS

In the event it is necessary to reorder any credit report(s) other than for reasons listed in section C, all credit reports needed to determine the Prior Insurance Discount/Claim Risk Plan Level for the policy will be reordered. The Prior Insurance Discount/Claim Risk Plan Level will be determined as follows:

New credit report(s) will be obtained for all applicable insureds on the policy at the time of the reorder, according to the procedure regarding reordering of credit reports that is in effect for Allstate Indemnity Company at the time of the reorder, and the applicable Prior Insurance Discount/Claim Risk Plan Level will be assigned as follows:

- a. Using the new credit report(s), determine the new Financial Stability Level (1, 2 or 3) based on the definition of each Financial Stability Level in Section A.
- b. The policy will maintain the prior insurance status and number of eligible incidents as determined at the time of Initial Rating Determination.
- c. Based on that information, determine the policy's new Prior Insurance Discount/Claim Risk Plan Level.

RULE 54 - RESERVED

PRIVATE PASSENGER AUTO INDEMNITY

RULE 55 – RESERVED

RULE 56 – EXPERIENCE GROUP RATING – COVERAGES AA, BB, VC, DD, & HH

All vehicles with a Model Year of 2003 and subsequent will be rated with Experience Group Rating (EGR) factors. Refer to the EGR pages to determine the appropriate EGR factors by coverages for the vehicles.

Experience Group Rating is not applicable to Model Year 2002 and prior vehicles.

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 Product Name: Private Passenger Auto
 Project Name/Number: 2007 - DeHoyos Appeals Process Filing/R18653

Supporting Document Schedules

Bypassed -Name:	APCS-Auto Premium Comparison Survey	Review Status:	Filed	03/04/2008
Bypass Reason:	N/A - This is a rule only filing.			
Comments:				
Bypassed -Name:	NAIC loss cost data entry document	Review Status:	Filed	03/04/2008
Bypass Reason:	N/A - Loss costs are not relevant to this filing.			
Comments:				
Bypassed -Name:	NAIC Loss Cost Filing Document for OTHER than Workers' Comp	Review Status:	Filed	03/04/2008
Bypass Reason:	N/A - Loss costs are not relevant to this filing.			
Comments:				
Satisfied -Name:	Uniform Transmittal Document-Property & Casualty	Review Status:	Filed	03/04/2008
Comments:				
Attachment:	AR - NAIC P&C TRANSMITTAL DOCUMENT.PDF			
Satisfied -Name:	Response to DOI Obj	Review Status:	Filed	03/04/2008
Comments:				
Attachment:	Response to DOI Obj.PDF			
Satisfied -Name:	Response to obj 2	Review Status:	Filed	03/04/2008

SERFF Tracking Number: *ALSX-125394971* *State:* *Arkansas*
Filing Company: *Allstate Indemnity Company* *State Tracking Number:* *EFT \$25*
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Product Name: *Private Passenger Auto*
Project Name/Number: *2007 - DeHoyos Appeals Process Filing/R18653*

Comments:

Attachment:

Response to obj 2.PDF

SERFF Tracking Number: ALSX-125394971 State: Arkansas
Filing Company: Allstate Indemnity Company State Tracking Number: EFT \$25
Company Tracking Number: R18653
TOI: 19.0 Personal Auto Sub-TOI: 19.0001 Private Passenger Auto (PPA)
Product Name: Private Passenger Auto
Project Name/Number: 2007 - DeHoyos Appeals Process Filing/R18653

Satisfied -Name: DOI Obj 3 **Review Status:** Filed 03/04/2008
Comments:
Attachment:
DOI Obj 3.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 #			
Allstate	008			
4. Company Name(s)	Domicile	NAIC #	FEIN #	State #
Allstate Indemnity Company	IL	19240	36-6115679	

5. Company Tracking Number	R18653
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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
	Patrick Torsney 2775 Sanders Road, Suite A5 Northbrook IL 60062		800-366-2958 Ext. 27309	847-402-9757	ptors@allstate.com
7.	Signature of authorized filer				
8.	Please print name of authorized filer		Patrick Torsney		

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

9.	Type of Insurance (TOI)	19.0 Personal Auto
10.	Sub-Type of Insurance (Sub-TOI)	19.0001 Private Passenger Auto (PPA)
11.	State Specific Product code(s) (if applicable) [See State Specific Requirements]	N/A
12.	Company Program Title (Marketing Title)	Private Passenger Auto
13.	Filing Type	<input type="checkbox"/> Rate/Loss Cost <input checked="" 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: 03/10/2008 Renewal: 03/10/2008
15.	Reference Filing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
16.	Reference Organization (if applicable)	N/A
17.	Reference Organization # & Title	N/A
18.	Company's Date of Filing	12/20/07
19.	Status of filing in domicile	<input type="checkbox"/> Not Filed <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Disapproved

Property & Casualty Transmittal Document

20.	This filing transmittal is part of Company Tracking #	R18653
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21.	Filing Description [This area can be used in lieu of a cover letter or filing memorandum and is free-form text]
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Insurance Scoring Appeals Process

With this filing, Allstate Indemnity Company is implementing an appeals process for Insurance Scoring in the state of Arkansas. The same process will be implemented in all Allstate Group companies and lines that order credit reports for the use of Insurance Scoring in Arkansas. The appeals process will allow consumers whose Insurance Score has been adversely impacted by extraordinary circumstances to appeal the Insurance Score, Allstate has previously assigned to them. If an insured meets the criteria listed in the rule, a neutral Insurance Score will be applied to the policy. The conditions under, which an insured may appeal his or her Insurance Score may be found in the attached Rule Pages.

This change will not affect the way Allstate initially assigns an Insurance Score to an insured. There is no rate change associated with this filing.

Effective Date:

New business: March 10, 2008

Renewals: March 10, 2008

22.	<p>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]</p> <p>Check #: N/A - Paid via EFT. Amount: \$25.00</p> <p>Independent Rule Filings - All P&C Lines = \$25</p> <p style="text-align: center;">Refer to each state's checklist for additional state specific requirements or instructions on calculating fees.</p>
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***Refer to each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)

**ALLSTATE INDEMNITY COMPANY
PRIVATE PASSENGER AUTO
ARKANSAS**

Response to letter dated January 3, 2008 regarding Filing #R18653

- 1. Please clarify your definition of Eligible Incidents. If Items 1. and 2. under B. on Page 23 are Eligible Incidents, please advise how such would be in compliance with Ark. Code Ann. 23-79-152.**

According to Arkansas Code Ann. 23-79-152, Section (a):

“Except as provided in subsection (c) of this section, when a person is innocent of any negligent or intentional act that was the proximate cause of an accident or injury whether or not a claim is filed under any policy or contract of insurance, no insurer authorized to transact the business of motor vehicle liability insurance in this state shall solely as a result of the accident or injury:

- (1) Cancel the person's insurance policy or contract;
- (2) Increase the premium during the term or upon renewal of the person's insurance policy or contract; or
- (3) Lower or otherwise negatively impact the risk rating of the person.”

Allstate considers Items 1. and 2. under section B. on Page 23 to be Eligible Incidents for use in Initial Rating Determination. An insured's initial risk rating is assigned based on the Financial Stability level of the policy, the presence of Prior Insurance, and the number of Eligible Incidents for all operators on the policy during the 36 month period ending on the date of application of insurance. As such, an insured's risk rating will not be negatively impacted solely as a result of the Eligible Incidents listed on Page 23, Section B, Items 1 and 2.

Additionally, for Subsequent Rating Determination, an insured will maintain the number of Eligible Incidents as determined at the time of Initial Rating Determination as detailed on Page 25, Section C, Subsection 1b. Therefore, an insured's premium will not increase during the term or upon renewal of the insured's insurance policy as a result of the Eligible Incidents listed on Page 23, Section B, Items 1 and 2.

**ALLSTATE INDEMNITY COMPANY
PRIVATE PASSENGER AUTO
ARKANSAS**

Response to letter dated January 21, 2008 regarding Filing #R18653

- 1. I have discussed your response with our Director, and he advised that not-at-fault incidents should not be utilized in initial rating determination.**

Allstate would like to further investigate the issue of not-at-fault accidents in rating in accordance with Arkansas Code Ann. 23-79-152.

As this is unrelated to the original intent of the filing, Allstate would like to respectfully request a separation of these issues. Since the implementation of this appeals process is in the best interest of insureds, if there are no further questions, Allstate requests that the initial filing be approved. At the same time, Allstate will continue to investigate the issue of not-at-fault accidents as it relates to Arkansas Code Ann. 23-79-152 and respond accordingly.

**ALLSTATE INDEMNITY COMPANY
PRIVATE PASSENGER AUTO
ARKANSAS**

Response to letter dated February 19, 2008 regarding Filing #R18653

- 1. I have discussed the filing with our Director. He advised per our credit laws the language “on or after 3/10/08 may, at Allstate’s sole discretion,” must be removed. Additionally, the correct date is on or after January 1, 2004. The replacement is mandatory and not at the discretion of Allstate. The subsequent reassignment must be to the “neutral” tier. Also, as previously mentioned, not-at-fault accidents may not be used as a tiering factor.**

We are aware of the requirements of Ark. Code Ann. 23-67-405 to 415, and believe our current procedures comply with the requirement. This law requires that we have a process to re-rate any customer whose credit information is corrected as a result of the dispute resolution process at the Credit Reporting Agency. We have such a process in place and this process did begin prior to January 1, 2004 when this law became effective. We are now proposing an additional process where a customer may appeal their assignment based upon extraordinary circumstances which have affected their credit report. This process works in addition to, not in place of our current correction process, and allow for customers to make an appeal even though the information present on their credit report is actually correct. Because this is a new process in Arkansas, and goes beyond the requirements of Ark. Code Ann. 23-67-405 to 415, we plan to implement this process on a prospective basis and thus we have proposed an effective date of 3/10/08.

For those who provide sufficient information to demonstrate their extraordinary circumstance, the subsequent reassignment will be to the neutral tier from a credit perspective. Due to the nature of this process, Allstate must be in the position of reviewing and determining the documentation provided by the customer to support their case for an appeal.

Additionally, we agree to remove the use of not-at-fault accidents in initial rating determination as currently described in Rule 53 of the Allstate Indemnity Company Private Passenger Auto Indemnity Manual in order to comply with Arkansas Code Ann. 23-79-152.