

SERFF Tracking Number: WESA-125544737 State: Arkansas
Filing Company: Tokio Marine & Nichido Fire Insurance Co., Ltd. State Tracking Number: #2067 \$100
Company Tracking Number: 08-AR-1-GL-43-1
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability
Product Name: Contractual Liability insurance Policy
Project Name/Number: Contractual Liability Insurance Policy/08-AR-1-GL-43-1

Filing at a Glance

Company: Tokio Marine & Nichido Fire Insurance Co., Ltd.

Product Name: Contractual Liability insurance SERFF Tr Num: WESA-125544737 State: Arkansas

Policy

TOI: 17.0 Other Liability - Claims SERFF Status: Closed State Tr Num: #2067 \$100

Made/Occurrence

Sub-TOI: 17.0004 Contractual Liability Co Tr Num: 08-AR-1-GL-43-1 State Status: Fees verified and received

Filing Type: Rate/Rule Co Status: Reviewer(s): Alexa Grissom, Betty Montesi, Brittany Yielding

Author: Westmont Associates Disposition Date: 03/18/2008

Date Submitted: 03/14/2008 Disposition Status: Accepted For Informational Purposes

Effective Date Requested (New): On Approval

Effective Date Requested (Renewal): On Approval

State Filing Description:

Effective Date (New): 03/18/2008

Effective Date (Renewal):

General Information

Project Name: Contractual Liability Insurance Policy

Project Number: 08-AR-1-GL-43-1

Reference Organization:

Reference Title:

Filing Status Changed: 03/18/2008

State Status Changed: 03/18/2008

Corresponding Filing Tracking Number: 08-AR-3-GL-42-1

Filing Description:

Submission of rates for Company's CLIP program.

Status of Filing in Domicile: Not Filed

Domicile Status Comments:

Reference Number:

Advisory Org. Circular:

Deemer Date:

Company and Contact

SERFF Tracking Number: WESA-125544737 State: Arkansas
 Filing Company: Tokio Marine & Nichido Fire Insurance Co., Ltd. State Tracking Number: #2067 \$100
 Company Tracking Number: 08-AR-1-GL-43-1
 TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability
 Product Name: Contractual Liability insurance Policy
 Project Name/Number: Contractual Liability Insurance Policy/08-AR-1-GL-43-1

Filing Contact Information

(This filing was made by a third party - westmontassociatesinc)

Sherri Nierzwicki, Analyst sherri@westmontlaw.com
 25 Chestnut Street (856) 216-0220 [Phone]
 Haddonfield, NJ 08033 (856) 216-0303[FAX]

Filing Company Information

Tokio Marine & Nichido Fire Insurance Co., Ltd. CoCode: 12904 State of Domicile: New York
 230 Park Avenue Group Code: 3098 Company Type:
 New York, NY 10169 Group Name: State ID Number:
 (212) 297-6600 ext. [Phone] FEIN Number: 13-6108722

Filing Fees

Fee Required? Yes
 Fee Amount: \$100.00
 Retaliatory? No
 Fee Explanation: AR filing fee for rate filings.
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Tokio Marine & Nichido Fire Insurance Co., Ltd.	\$0.00	03/14/2008	

CHECK NUMBER	CHECK AMOUNT	CHECK DATE
2067	\$100.00	03/13/2008

SERFF Tracking Number: WESA-125544737 State: Arkansas
Filing Company: Tokio Marine & Nichido Fire Insurance Co., Ltd.State Tracking Number: #2067 \$100
Company Tracking Number: 08-AR-1-GL-43-1
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability
Product Name: Contractual Liability insurance Policy
Project Name/Number: Contractual Liability Insurance Policy/08-AR-1-GL-43-1

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Accepted For Alexa Grissom Informational Purposes		03/18/2008	03/18/2008

SERFF Tracking Number: WESA-125544737 State: Arkansas
 Filing Company: Tokio Marine & Nichido Fire Insurance Co., Ltd. State Tracking Number: #2067 \$100
 Company Tracking Number: 08-AR-1-GL-43-1
 TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability
 Product Name: Contractual Liability insurance Policy
 Project Name/Number: Contractual Liability Insurance Policy/08-AR-1-GL-43-1

Disposition

Disposition Date: 03/18/2008
 Effective Date (New): 03/18/2008
 Effective Date (Renewal):
 Status: Accepted For Informational Purposes
 Comment:

Company Name:	Overall % Rate Impact:	Written Premium Change for this Program:	# of Policy Holders Affected for this Program:	Premium:	Maximum % Change (where required):	Minimum % Change (where required):	Overall % Indicated Change:
Tokio Marine & Nichido Fire Insurance Co., Ltd.	0.000%	\$0	0	\$0	0.000%	0.000%	0.000%

SERFF Tracking Number: WESA-125544737 State: Arkansas
 Filing Company: Tokio Marine & Nichido Fire Insurance Co., Ltd.State Tracking Number: #2067 \$100
 Company Tracking Number: 08-AR-1-GL-43-1
 TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability
 Product Name: Contractual Liability insurance Policy
 Project Name/Number: Contractual Liability Insurance Policy/08-AR-1-GL-43-1

Item Type	Item Name	Item Status	Public Access
Supporting Document	Cover Letter	Accepted for Informational Purposes	Yes
Supporting Document	Letter of Authorization	Accepted for Informational Purposes	Yes
Supporting Document	Filing Memo	Accepted for Informational Purposes	Yes
Rate	Service Contract Liability Insurance Policy Rate Page	Accepted for Informational Purposes	Yes

SERFF Tracking Number: WESA-125544737 State: Arkansas
 Filing Company: Tokio Marine & Nichido Fire Insurance Co., Ltd. State Tracking Number: #2067 \$100
 Company Tracking Number: 08-AR-1-GL-43-1
 TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability
 Product Name: Contractual Liability insurance Policy
 Project Name/Number: Contractual Liability Insurance Policy/08-AR-1-GL-43-1

Rate Information

Rate data applies to filing.

Filing Method: Prior Approval
Rate Change Type: Neutral
Overall Percentage of Last Rate Revision: 0.000%
Effective Date of Last Rate Revision:
Filing Method of Last Filing:

Company Rate Information

Company Name:	Overall % Indicated Change:	Overall % Rate Impact:	Written Premium Change for this Program:	# of Policy Holders Affected for this Program:	Premium:	Maximum % Change (where required):	Minimum % Change (where required):
Tokio Marine & Nichido Fire Insurance Co., Ltd.	0.000%	0.000%	\$0	0	\$0	0.000%	0.000%

SERFF Tracking Number: WESA-125544737 State: Arkansas
 Filing Company: Tokio Marine & Nichido Fire Insurance Co., Ltd.State Tracking Number: #2067 \$100
 Company Tracking Number: 08-AR-1-GL-43-1
 TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability
 Product Name: Contractual Liability insurance Policy
 Project Name/Number: Contractual Liability Insurance Policy/08-AR-1-GL-43-1

Rate/Rule Schedule

Review Status:	Exhibit Name:	Rule # or Page #:	Rate Action	Previous State Filing Attachments Number:
Accepted for Informational Purposes	Service Contract Liability Insurance Policy Rate Page	Page 1	New	Rate Page.pdf

**TOKIO MARINE AND NICHIDO FIRE INSURANCE COMPANY, LTD.
(U.S BRANCH)**

SERVICE CONTRACT LIABILITY INSURANCE POLICY

PREMIUM RATES:

	Rate per Contract
Vehicle Service Contract	\$15.00
Road Hazard Contract	\$5.00
Prepaid Maintenance Contract	\$5.00

When Road Hazard and Prepaid Maintenance are sold together, the rate is \$7.50 per contract.

These rates apply to risks whose total premium is less than \$50,000. When the total premium is \$50,000 or above, the rates are determined by the Company.

SERFF Tracking Number: WESA-125544737 State: Arkansas
Filing Company: Tokio Marine & Nichido Fire Insurance Co., Ltd.State Tracking Number: #2067 \$100
Company Tracking Number: 08-AR-1-GL-43-1
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0004 Contractual Liability
Product Name: Contractual Liability insurance Policy
Project Name/Number: Contractual Liability Insurance Policy/08-AR-1-GL-43-1

Supporting Document Schedules

Satisfied -Name: Cover Letter	Review Status: Accepted for Informational Purposes	03/18/2008
Comments:		
Attachment: AR - Rates.pdf		
Satisfied -Name: Letter of Authorization	Review Status: Accepted for Informational Purposes	03/18/2008
Comments:		
Attachment: TMNF (1-1-08).pdf		
Satisfied -Name: Filing Memo	Review Status: Accepted for Informational Purposes	03/18/2008
Comments:		
Attachment: Final Forms and Rules Explanatory Memo _USE THIS ONE_.pdf		



WESTMONT ASSOCIATES, INC.

March 14, 2008

The Honorable Julie Benafield-Bowman
Commissioner of Insurance
Arkansas Insurance Department
1200 West 3rd Street
Little Rock, AR 72201-1904

Attn: Property and Casualty Division

RE Tokio Marine and Nichido Fire Insurance Co., LTD (U.S. Branch)
NAIC #3098-12904/FEIN #13-6108722
Contractual Liability Insurance Policy (Service Contracts)
Other Liability
Rates Submission
Company Filing Number: 08-AR-1-GL-43-1
Effective Date: Upon Earliest Possible Approval/Acknowledgement

Dear Commissioner Benafield-Bowman:

The captioned companies are filing for your approval their Contractual Liability Insurance Policy (Service Contracts) rates submission. Please be advised that this is a new program for the Company and does not replace any previously filed rates. A letter permitting Westmont Associates, Inc. to submit this filing on the company's behalf is enclosed.

The purpose of this policy is to gain approval of a service contract liability policy. The policy provides coverage only in the event the insured is unable to fulfill its obligations under a vehicle service contract.

Enclosed are the rates the Company proposes to use for their Vehicle Service Contract Liability Insurance Policies.

Please note that the forms associated with this filing have been filed under a separate cover letter as filing number 08-AR-3-GL-42-1.

Your early approval of this submission is respectfully requested. Enclosed please find a self-addressed stamped envelope for your convenience in returning the duplicate copy of this filing, evidencing your approval.

Respectfully Submitted,

Sherri Penn

Sherri Penn
Senior Analyst
sherri@westmontlaw.com

Enclosures

Cc: M. Nadler
P. Olson



Tokio Marine Management, Inc.
U.S. Manager and/or Manager for
Tokio Marine & Nichido Fire
Insurance Co., Ltd. (U.S. Branch)
Trans Pacific Insurance Company
TM Casualty Insurance Company
TNUS Insurance Company

230 Park Avenue
New York, New York 10169
Phone: (212) 297-6600
Main Fax: (212) 297-6062
Claims Fax: (212) 297-6064

MILLEA GROUP

January 1, 2008

Re: Tokio Marine & Nichido Fire Insurance Co., Ltd. (U.S. Branch)
NAIC # 3098-12904
FEIN # 13-6108722
Letter of Authorization
Filing of Forms, Rates, and Rules

In accordance with applicable statutes and regulations of your state, Nancy Stepanski, Wesley Pohler, Jennifer Waldron, and Westmont Associates, Inc. are hereby authorized to file rates, rules, and forms on behalf of the Company.

Sincerely,

Pamela J. Olson
Vice President – Corporate Underwriting

**TOKIO MARINE AND NICHIDO FIRE INSURANCE COMPANY, LTD
(U.S. BRANCH)**

**FORMS AND RATES
EXPLANATORY MEMORANDUM**

**CONTRACTUAL LIABILITY INSURANCE POLICY
(Service Contracts)**

Contractual liability reimbursement policies are issued to administrators and dealers who, through contracts with consumers, have agreed to provide services. The purpose of this policy is to provide coverage in the event the insured is unable to fulfill its contractual obligations.

The Vehicle Service Contract allows the individual to purchase an extended warranty past the manufacturer factory warranty.

Enclosed are the forms and rates we propose to use:

1. **NAMED INSURED:** Seller or Issuer of Service Contracts.
2. **POLICY COVERAGE:** We will reimburse or pay on behalf of the Named Insured all covered sums that the Named Insured is legally obligated to pay or will provide service that the Named Insured is legally obligated to perform according to contractual obligations under the provisions of the insured service contracts issued or sold by the Named Insured,
3. **TERM OF INSURANCE:** The term of insurance is from the Effective Date continuous until cancelled.
4. **AMOUNT OF INSURANCE:** Cost of performing service or meeting other contractual obligations under Service Agreements administered by Administrator and sold by the Named Insured.
5. **TERRITORIAL LIMITS:** The policy covers only within the limits of the United States, its territories or possessions, and Canada (excluding transportation to and from Alaska and Hawaii).
6. **CLAIMS:** The Company will only pay claims upon demand by a service contract holder for sums and services covered under an insured service contract. The most the Company will pay for liability is the sum of all amounts and services that the named insured is legally obligated to pay or perform under the insured service contracts.
7. **POLICY LIMITS:** The policy does not insure against:
 - a. Any claim or loss for which the Named Insured is not obligated under the terms of the Service Agreement.
 - b. Any claim or loss covered by an applicable warranty provided by a vehicle manufacturer.
 - c. Any loss or liability of an Insured for delay in repair or delay in obtaining labor or part(s).

- d. Any consequential damages, including, but not limited to, damage to other parts caused by a defect in a part supplied by a manufacturer or an Insured's employee's negligence in performing a repair.
- e. Any negligent failure by an Insured or and Insured's employee to protect a vehicle from theft, vandalism or action of the elements.
- f. Loss to the vehicle caused by collision or casualty or by infidelity, conversion or embezzlement by an Insured who has custody of the vehicle or persons to whom the vehicle is entrusted.
- g. Loss or damage less than the deductible amount stated in the Service Agreement.

FORMS

CONTRACTUAL LIABILITY INSURANCE POLICY (SERVICE CONTRACT)

DECLARATIONS

Contractual Liability Insurance Policy Declarations, CLP9 05 001 11 07 includes the following provisions:

- a. Policy Number;
- b. Named Insured;
- c. Named Insured Address;
- d. Administrator Name and Address;
- e. Description of Named Insured;
- f. Policy Period;
- g. Limits Of Liability;
- h. Premium;
- i. Forms and Endorsements;
- j. Signature.

CONTRACTUAL LIABILITY INSURANCE POLICY (SERVICE CONTRACT)

**Contractual Liability Insurance Policy,
CLP9 00 002 11 07**

policy that will be issued to administrators and dealers.

Contractual Liability Insurance Policy (Service Contract) includes the following provisions:

- A. Insuring Agreement;
- B. Limits Of Liability;
- C. Exclusions;
- D.. Conditions;

E. Definitions.

**CONTRACTUAL LIABILITY INSURANCE POLICY
COVERAGE EXPLANATION (SERVICE CONTRACT)**

Amendatory Clause	Explanation
Section A. Insuring Agreement	Indicates that Company will pay on behalf of Named Insured if the Named Insured fails to perform its Contractual Obligations.
Section B. Limits Of Liability	As defined in the policy.
Section C. Exclusions	Lists all exclusions to the coverage provided under the policy.
Section D. Conditions	Provides for various duties that are required to be done by the Company or the Insured.
Section E. Definitions	Defines terms throughout the policy.