

SERFF Tracking Number: XLAM-125549933 State: Arkansas
 Filing Company: Greenwich Insurance Company State Tracking Number: EFT \$50
 Company Tracking Number: 08GE-EN-UM01-MU-AR
 TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0000 Other Liability Sub-TOI Combinations
 Product Name: Commercial Umbrella/Excess Environmental
 Project Name/Number: Exclusion of Automobile Terrorism Form/Rule Filing /08GD-EN-UM01-MU-AR

Filing at a Glance

Company: Greenwich Insurance Company
 Product Name: Commercial Umbrella/Excess Environmental SERFF Tr Num: XLAM-125549933 State: Arkansas
 TOI: 17.0 Other Liability - Claims Made/Occurrence SERFF Status: Closed State Tr Num: EFT \$50
 Sub-TOI: 17.0000 Other Liability Sub-TOI Combinations Co Tr Num: 08GE-EN-UM01-MU-AR State Status: Fees verified and received
 Filing Type: Form Co Status: Reviewer(s): Betty Montesi, Edith Roberts, Brittany Yielding
 Author: Arshay Brown Disposition Date: 04/10/2008
 Date Submitted: 03/17/2008 Disposition Status: Approved
 Effective Date Requested (New): 04/01/2008 Effective Date (New):
 Effective Date Requested (Renewal): 04/01/2008 Effective Date (Renewal):
 State Filing Description:

General Information

Project Name: Exclusion of Automobile Terrorism Form/Rule Filing Status of Filing in Domicile: Pending
 Project Number: 08GD-EN-UM01-MU-AR Domicile Status Comments:
 Reference Organization: Reference Number:
 Reference Title: Advisory Org. Circular:
 Filing Status Changed: 04/10/2008 Deemer Date:
 State Status Changed: 04/01/2008
 Corresponding Filing Tracking Number:
 Filing Description:
 Greenwich Insurance Company is filing an update to their Commercial Umbrella/Excess Form Filing to comply with the Terrorism Risk Insurance Program Reauthorization Act of 2007. This filing only applies to the Environmental program currently on file with your Division under Company Filing Number UMB-99-001, approved effective 09/24/1999.

We propose an effective date of April 1, 2008.

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Company and Contact

Filing Contact Information

Arshay Brown, State Filings Analyst Arshay.Brown@xlgroup.com
 1201 North Market Street (302) 661-7048 [Phone]
 Wilmington, DE 19801 (302) 778-4190[FAX]

Filing Company Information

Greenwich Insurance Company CoCode: 22322 State of Domicile: Delaware
 1201 North Market street Group Code: 1285 Company Type:
 Suite 501
 Wilmington, DE 19801 Group Name: State ID Number:
 (866) 304-3079 ext. [Phone] FEIN Number: 95-1479095

Filing Fees

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

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Greenwich Insurance Company	\$50.00	03/17/2008	18715744

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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Edith Roberts	04/10/2008	04/10/2008

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	04/01/2008	04/01/2008	Arshay Brown	04/08/2008	04/08/2008
Industry Response						

SERFF Tracking Number: XLAM-125549933 State: Arkansas
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Disposition

Disposition Date: 04/10/2008

Effective Date (New):

Effective Date (Renewal):

Status: Approved

Comment:

Rate data does NOT apply to filing.

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Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	Expedited Filing Transmittal Document	Approved	Yes
Supporting Document	Response Cover Letter	Approved	Yes
Form	Exclusion of Automobile Terrorism	Approved	Yes

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Objection Letter

Objection Letter Status Pending Industry Response

Objection Letter Date 04/01/2008

Submitted Date 04/01/2008

Respond By Date

Dear Arshay Brown,

This will acknowledge receipt of the captioned filing.

Please help me to fully understand the reason for this endorsement. Would there be no underlying coverage for commercial auto under this program, therefore, the reason for the exclusion?

Is this terrorism involving the use of an auto? Please explain.

Please feel free to contact me if you have questions.

Sincerely,

Edith Roberts

Response Letter

Response Letter Status Submitted to State

Response Letter Date 04/08/2008

Submitted Date 04/08/2008

Dear Edith Roberts,

Comments:

Response 1

Comments: Ms. Roberts,

Please find attached our response cover letter.

Thank you,

Arshay Brown

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Changed Items:

Supporting Document Schedule Item Changes

Satisfied -Name: Response Cover Letter

Comment:

No Form Schedule items changed.

No Rate/Rule Schedule items changed.

Sincerely,
Arshay Brown

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Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	Exclusion of Automobile Terrorism	CEUE171	12/07	Endorsement/Amendment/Conditions		0.00	CEUE1711207.pdf

ENDORSEMENT #

This endorsement, effective 12:01 a.m., forms a part of
Policy No. issued to
by

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

EXCLUSION OF AUTOMOBILE TERRORISM

This endorsement modifies insurance provided under the following:

COMMERCIAL EXCESS FOLLOW FORM AND UMBRELLA LIABILITY POLICY

- A. The following DEFINITIONS are added and apply under this endorsement wherever the term terrorism or the phrase any injury or damage, are in bold:
1. **Terrorism** means activities against persons, organizations or property of any nature:
 - a. That involve the following or preparation for the following:
 - (1) Use or threat of force or violence; or
 - (2) Commission or threat of a dangerous act; or
 - (3) Commission or threat of an act that interferes with or disrupts an electronic, communication, information, or mechanical system; and
 - b. When one or both of the following applies:
 - (1) The effect is to intimidate or coerce a government or the civilian population or any segment thereof, or to disrupt any segment of the economy; or
 - (2) It appears that the intent is to intimidate or coerce a government, or to further political, ideological, religious, social or economic objectives or to express (or express opposition to) a philosophy or ideology.
 2. **Any injury or damage** means any injury or damage covered under the Scheduled Underlying Insurance, commercial automobile policy, to which this endorsement is applicable
- B. The following exclusion is added:
- The **Scheduled Underlying Insurance**, commercial automobile policy, to which **Coverage A** applies and **Coverage B**, to the extent this policy provides coverage not provided by **Scheduled Underlying Insurance**, commercial automobile policy, does not apply to:

TERRORISM

We will not pay for **any injury or damage** caused directly or indirectly by **terrorism**, including action in hindering or defending against an actual or expected incident of **terrorism**. **Any injury or damage** is excluded regardless of any other cause or event that contributes concurrently or in any sequence to such injury or damage. But this exclusion applies only when one or more of the following are attributed to an incident of **terrorism**:

1. The **terrorism** is carried out by means of the dispersal or application of radioactive material, or through the use of a nuclear weapon or device that involves or produces a nuclear reaction, nuclear radiation or radioactive contamination; or
2. Radioactive material is released, and it appears that one purpose of the "terrorism" was to release such material; or
3. The **terrorism** is carried out by means of the dispersal or application of pathogenic or poisonous biological or chemical materials; or
4. Pathogenic or poisonous biological or chemical materials are released, and it appears that one purpose of the **terrorism** was to release such materials; or
5. The total of insured damage to all types of property exceeds \$25,000,000. In determining whether the \$25,000,000 threshold is exceeded, we will include all insured damage sustained by property of all persons and entities affected by the **terrorism** and business interruption losses sustained by owners or occupants of the damaged property. For the purpose of this provision, insured damage means damage that is covered by any insurance plus damage that would be covered by any insurance but for the application of any terrorism exclusions; or
6. Fifty or more persons sustain death or serious physical injury. For the purposes of this provision, serious physical injury means:
 - a. Physical injury that involves a substantial risk of death; or
 - b. Protracted and obvious physical disfigurement; or
 - c. Protracted loss of or impairment of the function of a bodily member or organ.

Multiple incidents of **terrorism** which occur within a (72) seventy two hour period and appear to be carried out in concert or to have a related purpose or common leadership will be deemed to be one incident, for the purpose of determining whether the thresholds in B.6 Paragraphs B.5. or. are exceeded.

With respect to this Exclusion, Paragraphs B.5. and B.6. describe the threshold used to measure the magnitude of an incident of **terrorism** and the circumstances in which the threshold will apply, for the purpose of determining whether this Exclusion will apply to that incident. In the event of any incident of **terrorism** that is not subject to this Exclusion, coverage does not apply to **any injury or damage** that is otherwise excluded.

All other terms and conditions remain the same.

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Rate Information

Rate data does NOT apply to filing.

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Supporting Document Schedules

Satisfied -Name: Uniform Transmittal Document-
Property & Casualty **Review Status:** Approved 04/10/2008

Comments:

We are submitting our Exclusion of Automobile Terrorism form. A Expedited Filing Transmittal has been provided.

Satisfied -Name: Expedited Filing Transmittal
Document **Review Status:** Approved 04/10/2008

Comments:

Attachment:

Expedited Transmittal Form _form only_.pdf

Satisfied -Name: Response Cover Letter **Review Status:** Approved 04/10/2008

Comments:

Attachment:

Response Cover letter.pdf

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

This page applies to the following state(s) Arkansas

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

Department Use only

Company Name(s)	Domicile	NAIC #	FEIN #
Greenwich Insurance Company	Delaware	22322	95-1479095

Contact Info for Filer

Name and address of Filer(s)	Telephone #	FAX #	e-mail
Arshay Brown 1201 N. Market Street Suite 501 Wilmington, DE 19801	302-661-7048	302-778-4190	Arshay.Brown@xlgroup.com

Filing information

Line of Insurance (see attachment)	Other Liability
Company Program Title (Marketing title) (if applicable)	Exclusion of Automobile Terrorism form for Commercial Excess Follow Form and Umbrella Liability Policy
Filing Type ** see note below	Form
This application is used with:	N/A
Effective Date Requested	4/1/08
Filing date	3/17/08
Company Tracking Number	08GD-EN-UM01-MU-AR
Date filing approved in domiciliary state, if applicable	Approval pending.

	<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	Exclusion of Automobile Terrorism	CEUE171 (12/07)	<input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input checked="" type="checkbox"/> Neither		
02			<input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither		

To be complete, a form 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.

Signature

Arshay Brown
Print Name:

State Filings Analyst
Title:



XL Insurance
Regulatory Services Group
1201 North Market Street
Suite 501
Wilmington, DE 19801
USA
Toll Free 866-304-3079
Phone 302-661-7010
Fax 302-778-4190

April 8, 2008

Ms. Edith Roberts
ARKANSAS INSURANCE DEPARTMENT
PROPERTY & CASUALTY DIVISION
1200 W 3RD ST
LITTLE ROCK AR 72201-1904

RE: Greenwich Insurance Company – NAIC: 22322 / FEIN: 95-1479095
Environmental Program
Commercial Umbrella/Excess Form and Rule Filing
Effective Date: April 1, 2008 (expedited file & use)
Company Filing Number: 08GD-EN-UM01-MU-AR
Terrorism Risk Insurance Program Reauthorization Act of 2007
Exclusion Of Automobile Terrorism Endorsement CEUE171 (12/07)

Dear Ms. Roberts:

Greenwich Insurance Company has received your objection dated, 4/1/08. Following is our response:

Our Exclusion of Automobile Terrorism Endorsement, CEUE171, mirrors the ISO Commercial Liability Umbrella Exclusion of Terrorism, CU 21 46 01 06, but for a few minor changes to account for policy specific differences. Our exclusion endorsement does not exclude underlying coverage for commercial auto. The Terrorism Risk Insurance Act of 2002, as amended excludes automobile insurance coverage from the Program. As our Commercial Excess Follow Form and Umbrella Liability Policy is excess over the scheduled underlying automobile insurance, this endorsement provides that we do not intend to cover injury or damage from terrorism related to the scheduled underlying insurance.

We trust that this addresses the questions you raised. Should you have any further questions on this filing, please contact me at the numbers listed below. Thank you for your attention to this filing.

Respectfully submitted,

Arshay Brown
State Filings Analyst
Toll Free: 866-304-3079 x7048
Arshay.Brown@xlgroup.com