

SERFF Tracking Number: HNVR-125661632 State: Arkansas  
First Filing Company: Hanover American Insurance Company, ... State Tracking Number: #21728050 \$50  
Company Tracking Number: ML-CW-08277-01F  
TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners  
Liability  
Product Name: Commercial Multi Peril; Avenues BOP; Terrorism Forms  
Project Name/Number: Commercial Multi Peril; Avenues BOP; Terrorism Forms/ML-CW-08277-01F

## Filing at a Glance

Companies: Hanover American Insurance Company, Massachusetts Bay Insurance Company, The Hanover Insurance Company

Product Name: Commercial Multi Peril; SERFF Tr Num: HNVR-125661632 State: Arkansas

Avenues BOP; Terrorism Forms

TOI: 05.0 Commercial Multi-Peril - Liability & SERFF Status: Closed State Tr Num: #21728050 \$50  
Non-Liability

Sub-TOI: 05.0002 Businessowners Co Tr Num: ML-CW-08277-01F State Status: Fees verified and received

Filing Type: Form Co Status: Reviewer(s): Betty Montesi, Llyweyia Rawlins, Brittany Yielding  
Author: Gregory Popolizio Disposition Date: 06/02/2008  
Date Submitted: 05/21/2008 Disposition Status: Approved

Effective Date Requested (New): 09/15/2008

Effective Date Requested (Renewal): 09/15/2008

Effective Date (New): 09/15/2008

Effective Date (Renewal):  
09/15/2008

State Filing Description:

## General Information

Project Name: Commercial Multi Peril; Avenues BOP; Terrorism Forms Status of Filing in Domicile: Pending

Project Number: ML-CW-08277-01F

Domicile Status Comments: N/A

Reference Organization: N/A

Reference Number: N/A

Reference Title: N/A

Advisory Org. Circular: N/A

Filing Status Changed: 06/02/2008

State Status Changed: 05/30/2008

Deemer Date:

Corresponding Filing Tracking Number: N/A

Filing Description:

Effective September 15, 2008, we wish to file BOP terrorism forms in response to the TRIA Extension Act of 2005. The following material is enclosed for your review:

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1. Filing Memorandum
2. Final Copy of Forms

Please note that the policyholder notices are being filed for informational purposes. The corresponding rules have been prepared as a "desk filing" as they are exempt from filing requirements. If there are any questions, please feel free to contact this office. Thank you.

Greg

Gregory A. Popolizio  
 The Hanover Insurance Group  
 Compliance Department  
 Phone: 508-855-4826  
 Facsimile: 508-855-4786  
 E-Mail: gpopolizio@hanover.com

## Company and Contact

### Filing Contact Information

Gregory A. Popolizio, State Filings Consultant Gpopolizio@hanover.com  
 440 Lincoln Street (508) 855-4826 [Phone]  
 Worcester, MA 01653 (508) 855-4786[FAX]

### Filing Company Information

Hanover American Insurance Company	CoCode: 36064	State of Domicile: New Hampshire
440 Lincoln Street	Group Code: 88	Company Type: Property & Casualty
Worcester, MA 01653	Group Name: The Hanover Ins Group	State ID Number:
(508) 855-1000 ext. [Phone]	FEIN Number: 04-3063898	
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Massachusetts Bay Insurance Company	CoCode: 22306	State of Domicile: New Hampshire
440 Lincoln Street	Group Code: 88	Company Type: Property &

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Casualty

Worcester, MA 01653

(508) 855-1000 ext. [Phone]

The Hanover Insurance Company  
440 Lincoln Street

Worcester, MA 01653

(508) 855-1000 ext. [Phone]

Group Name: The Hanover Ins  
Group

FEIN Number: 04-2217600

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CoCode: 22292  
Group Code: 88

Group Name: The Hanover Ins  
Group

FEIN Number: 13-5129825

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State ID Number:

State of Domicile: New Hampshire  
Company Type: Property &  
Casualty

State ID Number:

SERFF Tracking Number: *HNVR-125661632* State: *Arkansas*  
 First Filing Company: *Hanover American Insurance Company, ...* State Tracking Number: *#21728050 \$50*  
 Company Tracking Number: *ML-CW-08277-01F*  
 TOI: *05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners Liability*  
 Product Name: *Commercial Multi Peril; Avenues BOP; Terrorism Forms*  
 Project Name/Number: *Commercial Multi Peril; Avenues BOP; Terrorism Forms/ML-CW-08277-01F*

## Filing Fees

Fee Required? Yes  
 Fee Amount: \$50.00  
 Retaliatory? No  
 Fee Explanation: \$50.00 Flat Fee per Form Filing.

Filing fee check number 0021728050 in the amount of \$50.00 will be submitted to the DOI today along with a copy of the SERFF General Information pages.

Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Hanover American Insurance Company	\$0.00	05/21/2008	
Massachusetts Bay Insurance Company	\$0.00	05/21/2008	
The Hanover Insurance Company	\$0.00	05/21/2008	

CHECK NUMBER	CHECK AMOUNT	CHECK DATE
0021728050	\$50.00	05/14/2008

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## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Approved	Llyweyia Rawlins	06/02/2008	06/02/2008

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## Disposition

Disposition Date: 06/02/2008  
Effective Date (New): 09/15/2008  
Effective Date (Renewal): 09/15/2008  
Status: Approved  
Comment:

Rate data does NOT apply to filing.

### Overall Rate Information for Multiple Company Filings

Overall Percentage Rate Indicated For This Filing	0.000%
Overall Percentage Rate Impact For This Filing	0.000%
Effect of Rate Filing-Written Premium Change For This Program	\$0
Effect of Rate Filing - Number of Policyholders Affected	0

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Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	Explanatory Memorandum	Approved	Yes
Form	Cap on Losses From Certified Acts of Terrorism	Approved	Yes
Form	Exclusion of Certified Acts of Terrorism	Approved	Yes
Form	Arkansas Exclusion of Punitive Damages Related to a Certified Act of Terrorism	Approved	Yes
Form	Notice to Arkansas Policyholders Terrorism Coverage Acceptance	Approved	Yes
Form	Notice to Arkansas Policyholders Terrorism Coverage Rejection	Approved	Yes
Form	Notice - Rejection of Terrorism Coverage	Approved	Yes
Form	Notice - Disclosure of Premium		
Form	Notice - Offer of Terrorism Coverage	Approved	Yes
	Notice - Disclosure of Premium		
Form	Acceptance of Coverage		
Form	Notice - Rejection of Terrorism Coverage	Withdrawn	Yes
	Notice - Disclosure of Premium		
Form	Notice - Offer of Terrorism Coverage	Withdrawn	Yes
	Notice - Disclosure of Premium		
Form	Acceptance of Coverage		
Form	Nuclear, Biological or Chemical Terrorism Exclusion (Other Than Certified Acts of Terrorism); Cap on Losses From Certified Acts of Terrorism	Withdrawn	Yes
Form	Exclusion of Certified Acts of Terrorism and Other Acts of Terrorism	Withdrawn	Yes
Form	Exclusion of Acts of Biological or Chemical Terrorism; Cap on Losses from Certified Acts of Terrorism	Withdrawn	Yes
Form	Exclusion of Certified Acts and Other Acts of Terrorism	Withdrawn	Yes
Form	Notice to Policyholders Potential Restrictions of Terrorism Coverage	Withdrawn	Yes
	Notice to Policyholders Potential	Withdrawn	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	391-1114	01/08	Endorsement/Amendment/Conditions	New	0.00	3911114 01 08 Cap On Losses from Certified Acts of Terrorism.pdf
Approved	Exclusion of Certified Acts of Terrorism	391-1115	01/08	Endorsement/Amendment/Conditions	New	0.00	3911115 01 08 Exclusion of Certified Acts of Terrorism.pdf
Approved	Arkansas Exclusion of Punitive Damages Related to a Certified Act of Terrorism	391-1314	01/08	Endorsement/Amendment/Conditions	New	0.00	3911314 01 08 Arkansas Exclusion of punitive damages related to a certified act of terrorism.pdf
Approved	Notice to Arkansas Policyholders Terrorism Coverage Acceptance	391-1316	01/08	Disclosure/ Notice	New	0.00	3911316 01 08 Notice to Arkansas Policyholders Terrorism Coverage Acceptance.pdf
Approved	Notice to Arkansas	391-1315	01/08	Disclosure/ Notice	New	0.00	3911315 01 08 Notice to

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Policyholders	Arkansas
Terrorism	Policyholder
Coverage	s Terrorism
Rejection	Coverage
	Rejection.pdf
Approved Notice - Rejection of Terrorism Coverage Notice - Disclosure of Premium	401-1126 01/08 Disclosure/ New Notice
	0.00
	4011126 01 08 Notice - Rejection of Terrorism Coverage Notice - Disclosure of Premium.pdf
Approved Notice - Offer of Terrorism Coverage Notice - Disclosure of Premium Acceptance of Coverage	401-1127 01/08 Disclosure/ New Notice
	0.00
	4011127 01 08 Notice - Offer of Terrorism Coverage Notice - Disclosure of Premium Acceptance of Coverage.pdf
Withdrawn Notice - Rejection of Terrorism Coverage Notice - Disclosure of Premium	391-1118 01/07 Disclosure/ Withdrawn
	Replaced Form #:0.00
	N/A
	Previous Filing #:
	AR-PC-06-022133
Withdrawn Notice - Offer of Terrorism Coverage Notice - Disclosure of Premium Acceptance of Coverage	391-1119 01/07 Disclosure/ Withdrawn
	Replaced Form #:0.00
	N/A
	Previous Filing #:
	AR-PC-06-022133

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Withdrawn Nuclear, 391-1127 01/07 Endorsement/Amendment/Conditions Replaced Form #:0.00  
 Biological or  
 Chemical  
 Terrorism  
 Exclusion (Other Than Certified Acts of Terrorism); Cap on Losses From Certified Acts of Terrorism

Withdrawn Exclusion of Certified Acts of Terrorism and Other Acts of Terrorism 391-1128 01/07 Endorsement/Amendment/Conditions Replaced Form #:0.00  
 N/A  
 Previous Filing #: AR-PC-06-022133

Withdrawn Exclusion of Acts of Biological or Chemical Terrorism; Cap on Losses from Certified Acts of Terrorism 391-1123 01/07 Endorsement/Amendment/Conditions Replaced Form #: N/A  
 Previous Filing #: AR-PC-06-022133

Withdrawn Exclusion of Certified Acts and Other Acts of Terrorism 391-1124 01/07 Endorsement/Amendment/Conditions Replaced Form #: N/A  
 Previous Filing #: AR-PC-06-022133

Withdrawn Notice to Policyholders Potential Restrictions of Terrorism Coverage 391-1163 01/07 Disclosure/ Withdrawn Notice Replaced Form #: N/A  
 Previous Filing #: AR-PC-06-022133

Withdrawn Notice to Policyholders Potential 391-1164 01/07 Disclosure/ Withdrawn Notice Replaced Form #: N/A  
 Previous Filing #:

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Liability  
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Project Name/Number: Commercial Multi Peril; Avenues BOP; Terrorism Forms/ML-CW-08277-01F  
Restrictions of AR-PC-06-  
Terrorism 022133  
Coverage



**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:

### BUSINESSOWNERS COVERAGE FORM

- A.** The following provisions are added to the Businessowners Policy and apply to Property and Liability Coverages:

#### **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.** The following provision is added to **Section I – Property** of Businessowners Coverage **Form 391-1003**.

#### **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 Form 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:

BUSINESSOWNERS COVERAGE FORM

### **SCHEDULE**

The **Exception Covering Certain Fire Losses** (Paragraph **B.2.**) applies to property located in the following state(s):

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

**A.** The following provisions are added to the Businessowners Policy and apply to Property and Liability Coverages:

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 provisions are added to **Section I – Property** of Businessowners Coverage **Form 391-1003.**

1. 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.

2. **Exception Covering Certain Fire Losses**

The following exception to the exclusion in Paragraph **B.1.** 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 Additional Coverages.

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.

### 3. 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 Form or Policy, such as losses excluded by the Nuclear Hazard Exclusion or the War And Military Action Exclusion.

### C. The following provision is added to the **Section II – Liability** of the Businessowners Coverage Form **391-1003**.

#### 1. The following exclusion is added:

This insurance does not apply to:

#### **TERRORISM**

"Any injury or damage" arising, directly or indirectly, out of a "certified act of terrorism".

#### 2. The following definition is added:

For the purposes of this endorsement, "any injury or damage" means any injury or damage covered under any Coverage Form to which this endorsement is applicable, and includes but is not limited to "bodily injury", "property damage" or "personal and advertising injury" as may be defined in any applicable Coverage Form.

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

## **ARKANSAS EXCLUSION OF PUNITIVE DAMAGES RELATED TO A CERTIFIED ACT OF TERRORISM**

This endorsement modifies insurance provided under the following:

### **BUSINESSOWNERS COVERAGE FORM**

The following provisions are added to **Section II – Liability** of the Businessowners Coverage Form **391-1003**:

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

This insurance does not apply to:

**TERRORISM PUNITIVE DAMAGES**

Damages arising, directly or indirectly, out of a "certified act of terrorism" that are awarded as "punitive damages".

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

1. "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:
  - a. 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
  - b. 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.
2. "Punitive damages" means damages that may be imposed to punish a wrongdoer and to deter others from similar conduct.

## NOTICE TO ARKANSAS POLICYHOLDERS

### TERRORISM COVERAGE ACCEPTANCE

The Terrorism Risk Insurance Act of 2002 established a program (Terrorism Risk Insurance Program) within the Department of the Treasury, under which the federal government shares, with the insurance industry, the risk of loss from future terrorist attacks. That Program was extended by the federal government under **the Terrorism Risk Insurance Program Reauthorization Act of 2007** and will not expire until December 31, 2014. Your policy will become effective (or will be renewed) with the coverage provided under the new act and you have elected to purchase terrorism coverage. This Notice is being provided to you for the purpose of summarizing your coverage. The summary is a brief synopsis of significant exclusionary provisions and limitations.

This Notice does **not** form a part of your insurance contract. The Notice is designed to alert you to coverage restrictions and to other provisions in certain terrorism endorsement(s) in this policy. If there is any conflict between this Notice and the policy (including its endorsements), the provisions of the policy (including its endorsements) apply.

Carefully read your policy, including the endorsements attached to your policy.

#### **YOUR POLICY AT THE START OF YOUR NEW POLICY TERM:**

**391-1114** – The coverage for certified acts of terrorism is subject to the statutory \$100 billion cap on liability for losses and subject to the nuclear hazard exclusion and all other underlying policy exclusions. Coverage for acts of terrorism that are not certified (for example, acts which do not exceed the dollar threshold for federal certification or acts which occur outside the jurisdictional boundary of the federal program) is not subject to the statutory cap. The coverage for “certified acts of terrorism” is more fully defined in the endorsement. This coverage is subject to a limit on our liability pursuant to the federal Terrorism Risk Act Program Reauthorization Act of 2007.

With respect to “certified acts of terrorism” and acts of terrorism that are not certified the policy exclusions (for example, the nuclear hazard and war exclusions) and other policy provisions continue to apply.

391-1314 - The endorsement excludes “punitive damages” either directly or indirectly arising out of a certified act of terrorism and for which you are awarded damages. Neither the federal government nor insurance company is obligated to pay “punitive damages”. “Punitive damages” is more fully defined in the endorsement.

**See the definition of terrorism for purposes of the terrorism exclusion.**

## NOTICE TO ARKANSAS POLICYHOLDERS

### TERRORISM COVERAGE REJECTION

The Terrorism Risk Insurance Act of 2002 established a program (Terrorism Risk Insurance Program) within the Department of the Treasury, under which the federal government shares, with the insurance industry, the risk of loss from future terrorist attacks. That Program was extended by the federal government under **the Terrorism Risk Insurance Program Reauthorization Act of 2007** and will not expire until December 31, 2014. Your policy will become effective (or will be renewed) with the coverage provided under the new act but you have elected **not** to purchase terrorism coverage. This Notice is being provided to you for the purpose of summarizing your coverage. The summary is a brief synopsis of significant exclusionary provisions and limitations.

This Notice does **not** form a part of your insurance contract. The Notice is designed to alert you to coverage restrictions and to other provisions in certain terrorism endorsement(s) in this policy. If there is any conflict between this Notice and the policy (including its endorsements), the provisions of the policy (including its endorsements) apply.

Carefully read your policy, including the endorsements attached to your policy.

#### **YOUR POLICY AT THE START OF YOUR NEW POLICY TERM:**

**391-1115** – This endorsement does not provide coverage for certified acts of terrorism. There is no coverage for loss or damage caused directly or indirectly by a "certified act of terrorism". "Certified acts of terrorism" is more fully defined in the endorsement. The exclusion does not extend to acts of terrorism that are not certified (for example, acts which do not exceed the dollar threshold for federal certification or acts which occur outside the jurisdictional boundary of the federal program). This exclusion also does not extend to fire following an act of terrorism, with respect to states which have a Standard Fire Policy (SFP) statute or similar statute prohibiting such exclusion. The Schedule indicates the applicability of the Exception Covering Certain Fire Losses, which is contained in the aforementioned endorsement.

With respect to acts of terrorism that are not certified the policy exclusions (for example, the nuclear hazard and war exclusions) and other policy provisions continue to apply.

- The Exception Covering Certain Fire Losses applies only in certain states. If the exception applies in any states under your policy, that is indicated in the Schedule of the terrorism endorsement. If the Exception applies, the Schedule indicates the affected types of insurance in affected states. When the Exception applies, the exclusion of terrorism does not apply to direct loss or damage by fire to Covered Property, with respect to affected types of insurance in affected states.

391-1314 - The endorsement excludes "punitive damages" either directly or indirectly arising out of a certified act of terrorism and for which you are awarded damages. Neither the federal government nor insurance company is obligated to pay "punitive damages". Punitive damages is more fully defined in the endorsement.

**See the definition of terrorism for purposes of the terrorism exclusion.**

**THIS ENDORSEMENT IS ATTACHED TO AND MADE PART OF YOUR POLICY IN RESPONSE TO THE DISCLOSURE REQUIREMENTS OF THE TERRORISM RISK INSURANCE ACT, AS AMENDED. THIS ENDORSEMENT DOES NOT GRANT ANY COVERAGE OR CHANGE THE TERMS AND CONDITIONS OF ANY COVERAGE UNDER THIS POLICY.**

Policy Number: \_\_\_\_\_

**NOTICE – REJECTION OF TERRORISM COVERAGE  
NOTICE - DISCLOSURE OF PREMIUM**

In accordance with the Terrorism Risk Insurance Act of 2002 (“Act”), as amended, we have offered you coverage for losses resulting from acts of terrorism, as defined in the Act. You are hereby notified that under the Act, as amended in 2007, the definition of act of terrorism has changed. The term “act of terrorism” means any 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; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been 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.

The Act establishes a program within the Department of the Treasury, under which the federal government shares, with the insurance industry, the risk of loss from future terrorist attacks. The Act applies when the Secretary of the Treasury certifies that an event meets the definition of an act of terrorism.

Note for Commercial Property or Commercial Inland Marine Policyholders in Standard Fire States:

In your state, a terrorism exclusion makes an exception for (and thereby provides coverage for) fire losses resulting from an act of terrorism. Therefore, if you reject the offer of terrorism coverage, that rejection does not apply to fire losses resulting from an act of terrorism. Coverage for such fire losses will be provided in your policy. The additional premium just for such fire coverage is due and stated in the DISCLOSURE OF PREMIUM/Fire Following Premium below.

**REJECTION STATEMENT**

You have rejected the offer of terrorism coverage. You understand that an **exclusion** for certain terrorism losses will be made part of your policy.

**DISCLOSURE OF PREMIUM**

Total Terrorism Premium \$ \_\_\_\_\_

Fire Following Premium \$ \_\_\_\_\_

Other than Fire Following Premium \$ \_\_\_\_\_

**DISCLOSURE OF FEDERAL PARTICIPATION IN PAYMENT OF TERRORISM LOSSES**

If you purchased terrorism coverage, any losses resulting from certified acts of terrorism may be partially reimbursed by the United States Government under a formula established by the Act. Your policy, however, may contain other exclusions which might affect your coverage, such as an exclusion for nuclear events. Under the formula, the United States Government generally reimburses 85% of covered terrorism losses exceeding the statutorily established deductible paid by the insurance company providing the coverage.

**DISCLOSURE OF \$100 BILLION CAP**

The Terrorism Risk Insurance Act, as amended, contains a \$100 billion cap that limits U.S. Government reimbursement as well as insurers’ liability for losses resulting from certified acts of terrorism when the amount of such losses exceeds \$100 billion in any one calendar year. If the aggregate insured losses for all insurers exceed \$100 billion, your coverage may be reduced.

**THIS ENDORSEMENT IS ATTACHED TO AND MADE PART OF YOUR POLICY IN RESPONSE TO THE DISCLOSURE REQUIREMENTS OF THE TERRORISM RISK INSURANCE ACT, AS AMENDED. THIS ENDORSEMENT DOES NOT GRANT ANY COVERAGE OR CHANGE THE TERMS AND CONDITIONS OF ANY COVERAGE UNDER THIS POLICY.**

Policy Number: \_\_\_\_\_

**NOTICE - OFFER OF TERRORISM COVERAGE  
NOTICE - DISCLOSURE OF PREMIUM  
ACCEPTANCE OF COVERAGE**

Coverage for "acts of terrorism," as defined in Section 102(1) of the Terrorism Risk Insurance Act ("Act") is included in your policy. You are hereby notified that under the Act, as amended in 2007, the definition of act of terrorism has changed. The term "act of terrorism" means any 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; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been 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.

DISCLOSURE OF FEDERAL PARTICIPATION IN PAYMENT OF TERRORISM LOSSES

Under your coverage, any losses resulting from certified acts of terrorism may be partially reimbursed by the United States Government under a formula established by the Act, as amended. Your policy, however, may contain other exclusions which might affect your coverage, such as an exclusion for nuclear events. Under the formula, the United States Government generally reimburses 85% of covered terrorism losses exceeding the statutorily established deductible paid by the insurance company providing the coverage.

DISCLOSURE OF \$100 BILLION CAP

The Terrorism Risk Insurance Act, as amended, contains a \$100 billion cap that limits U.S. Government reimbursement as well as insurers' liability for losses resulting from certified acts of terrorism when the amount of such losses exceeds \$100 billion in any one calendar year. If the aggregate insured losses for all insurers exceed \$100 billion, your coverage may be reduced.

Premium for terrorism, if any, is stated below:

**DISCLOSURE OF PREMIUM**

Total Terrorism Premium \$	_____
Fire Following Premium	\$ _____
Other than Fire Following Premium	\$ _____



SERFF Tracking Number: HNVN-125661632 State: Arkansas  
First Filing Company: Hanover American Insurance Company, ... State Tracking Number: #21728050 \$50  
Company Tracking Number: ML-CW-08277-01F  
TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0002 Businessowners  
Liability  
Product Name: Commercial Multi Peril; Avenues BOP; Terrorism Forms  
Project Name/Number: Commercial Multi Peril; Avenues BOP; Terrorism Forms/ML-CW-08277-01F

## Supporting Document Schedules

**Satisfied -Name:** Uniform Transmittal Document-  
Property & Casualty **Review Status:** Approved 06/02/2008

**Comments:**

**Attachments:**

AR Trans Document.pdf  
AR Form Flg Schedule.pdf

**Satisfied -Name:** Explanatory Memorandum **Review Status:** Approved 06/02/2008

**Comments:**

**Attachment:**

Terrorism BOP Filing Memo 042908.pdf

## Property & Casualty Transmittal Document

<b>1. Reserved for Insurance Dept. Use Only</b>	<b>2. Insurance Department Use only</b> 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: 50%; 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					

<b>3. Group Name</b>	<b>Group NAIC #</b>
The Hanover Insurance Group	0088

4. Company Name(s)	Domicile	NAIC #	FEIN #	State #
Hanover Insurance Company	NH	22292	13-5129825	
Massachusetts Bay Insurance Company	NH	22306	04-2217600	
The Hanover American Insurance Company	NH	36064	04-3063898	

<b>5. Company Tracking Number</b>	ML-CW-08277-01F
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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
	Gregory A. Popolizio, AIS 440 Lincoln Street Worcester MA 01653	State Filings Consultant	508-855-4826	508-855-4786	gpopolizio@hanover.com

<b>7.</b> Signature of authorized filer	
<b>8.</b> Please print name of authorized filer	Gregory A. Popolizio, AIS

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

<b>9.</b>	<b>Type of Insurance (TOI)</b>	5.0000; Commercial Multi Peril	
<b>10.</b>	<b>Sub-Type of Insurance (Sub-TOI)</b>	5.0002; Businessowners	
<b>11.</b>	<b>State Specific Product code(s) (if applicable) [See State Specific Requirements]</b>	N/A	
<b>12.</b>	<b>Company Program Title (Marketing Title)</b>	Avenues BOP	
<b>13.</b>	<b>Filing Type</b>	<input type="checkbox"/> Rate/Loss Cost <input type="checkbox"/> Rules <input type="checkbox"/> Rates/Rules <input checked="" type="checkbox"/> Forms <input type="checkbox"/> Combination Rates/Rules/Forms <input type="checkbox"/> Withdrawal <input type="checkbox"/> Other (give description)	
<b>14.</b>	<b>Effective Date(s) Requested</b>	New: 09/15/2008	Renewal: 09/15/2008
<b>15.</b>	<b>Reference Filing?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>16.</b>	<b>Reference Organization (if applicable)</b>	N/A	
<b>17.</b>	<b>Reference Organization # &amp; Title</b>	N/A	
<b>18.</b>	<b>Company's Date of Filing</b>	05/21/2008	
<b>19.</b>	<b>Status of filing in domicile</b>	<input type="checkbox"/> Not Filed <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Authorized <input type="checkbox"/> Disapproved	

## Property & Casualty Transmittal Document

<b>20.</b>	<b>This filing transmittal is part of Company Tracking #</b>	ML-CW-08277-01F
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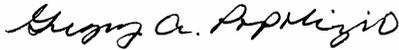
<b>21.</b>	<b>Filing Description</b> [This area can be used in lieu of a cover letter or filing memorandum and is free-form text]
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Effective September 15, 2008, we wish to file revised BOP terrorism forms in response to the TRIA Extension Act of 2005. The following material is enclosed for your review:

1. Filing Memorandum
2. Final Copy of Forms

Please note that the policyholder notices are being filed for informational purposes. The corresponding rules have been prepared as a "desk filing" as they are exempt from filing requirements. If there are any questions, please feel free to contact this office. Thank you.

Very truly yours,



Gregory A. Popolizio, AIS  
 State Filings Consultant  
 Telephone: (508) 855-4826  
 Facsimile: (508) 855-4786  
 E-Mail: gpopolizio@hanover.com

<b>22.</b>	<b>Filing Fees</b> (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]				
<table style="width: 100%;"> <tr> <td style="width: 15%;"><b>Check #:</b></td> <td>0021728050</td> </tr> <tr> <td><b>Amount:</b></td> <td>\$50.00</td> </tr> </table> <p style="text-align: center; margin-top: 20px;"><b>Refer to each state's checklist for additional state specific requirements or instructions on calculating fees.</b></p>		<b>Check #:</b>	0021728050	<b>Amount:</b>	\$50.00
<b>Check #:</b>	0021728050				
<b>Amount:</b>	\$50.00				

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

**FORM FILING SCHEDULE**

(This form must be provided ONLY when making a filing that includes forms)  
 (Do not refer to the body of the filing for the forms listing, unless allowed by state.)

1.	<b>This filing transmittal is part of Company Tracking #</b>	ML-CW-08277-01F
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2.	<b>This filing corresponds to rate/rule filing number</b> (Company tracking number of rate/rule filing, if applicable)	N/A
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3.	Form Name /Description/Synopsis	Form # Include edition date	Replacement Or Withdrawn?	If replacement, give form # it replaces	Previous state filing number, if required by state
01	Cap on Losses From Certified Acts of Terrorism	391-1114 01/08	<input checked="" type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	N/A	N/A
02	Exclusion of Certified Acts of Terrorism	391-1115 01/08	<input checked="" type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	N/A	N/A
03	Notice - Offer of Terrorism Coverage Notice - Disclosure of Premium - Acceptance of Coverage	401-1127 01/08	<input checked="" type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	N/A	N/A
04	Notice - Rejection of Terrorism Coverage Notice - Disclosure of Premium	401-1126 01/08	<input checked="" type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	N/A	N/A
05	Arkansas Exclusion of Punitive Damages Related to a Certified Act of Terrorism	391-1314 01/08	<input checked="" type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	N/A	N/A
06	Notice to Arkansas Policyholders - Terrorism Coverage Acceptance	391-1316 01/08	<input checked="" type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	N/A	N/A
07	Notice to Arkansas Policyholders - Terrorism Coverage Rejection	391-1315 01/08	<input checked="" type="checkbox"/> New <input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn	N/A	N/A
08	Notice - Rejection of Terrorism Coverage Notice - Disclosure of Premium	391-1118 01/07	<input type="checkbox"/> New <input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Withdrawn	N/A	AR-PC-06-022133
09	Notice - Offer of Terrorism Coverage Notice - Disclosure of Premium Acceptance of Coverage	391-1119 01/07	<input type="checkbox"/> New <input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Withdrawn	N/A	AR-PC-06-022133
10	Nuclear, Biological or Chemical Terrorism Exclusion (Other Than Certified Acts of Terrorism); Cap on Losses From Certified Acts of Terrorism	391-1127 01/07	<input type="checkbox"/> New <input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Withdrawn	N/A	AR-PC-06-022133
11	Exclusion of Certified Acts of Terrorism and Other Acts of Terrorism	391-1128 01/07	<input type="checkbox"/> New <input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Withdrawn	N/A	AR-PC-06-022133
12	Exclusion of Acts of Biological or Chemical Terrorism; Cap on	391-1123 01/07	<input type="checkbox"/> New <input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Withdrawn	N/A	AR-PC-06-022133

Effective March 1, 2007

3.	Form Name /Description/Synopsis	Form # Include edition date	Replacement Or Withdrawn?	If replacement, give form # it replaces	Previous state filing number, if required by state
	Losses from Certified Acts of Terrorism				
13	Exclusion of Certified Acts and Other Acts of Terrorism	391-1124 01/07	<input type="checkbox"/> New <input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Withdrawn	N/A	AR-PC-06-022133
14	Notice to Policyholders Potential Restrictions of Terrorism Coverage	391-1163 01/07	<input type="checkbox"/> New <input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Withdrawn	N/A	AR-PC-06-022133
15	Notice to Policyholders Potential Restrictions of Terrorism Coverage	391-1164 01/07	<input type="checkbox"/> New <input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Withdrawn	N/A	AR-PC-06-022133

The Hanover Insurance Group  
Filing Memorandum  
Terrorism Forms and Rules  
Businessowners Line

The attached filing proposes to revise the terrorism forms and rules as filed by the Hanover Insurance Group in response to the TRIA Extension Act of 2005. This filing is to bring the Hanover Insurance Group in compliance with **Terrorism Risk Insurance Program Reauthorization Act of 2007**.

The **Terrorism Risk Insurance Act** of 2002 (TRIA). TRIA was enacted on November 26, 2002 and established a program within the Department of the Treasury in which the Federal Government will share the risk of loss from terrorist attacks with the insurance industry. Federal participation in losses resulting from terrorist attacks will be triggered when the Secretary of the Treasury certifies an act of terrorism. Certification requires concurrence with the Secretary of State and the Attorney General of the United States that the event is an act of terrorism committed by an individual(s) acting on behalf of any foreign interest, provided the terrorist act results in aggregate losses in excess of \$5 million. With respect to insured losses resulting from a certified act of terrorism, the Federal Government will reimburse individual insurers for 90% of losses in excess of the insurer's retention, which is based on a specified percentage of the insurer's earned premium for the year preceding the loss. Insured losses covered by the program are capped at \$100 billion per year unless subsequent action of Congress changes that amount; this provision serves to limit insurers' liability for losses.

In December 2005, President Bush signed into law the TRIA Extension Act of 2005 which will extend TRIA through December 31, 2007. Under the extension, the trigger for payment of federal funds will increase from \$5M to \$50M for certified acts of terrorism occurring after March 31, 2006, and to \$100M for certified acts of terrorism occurring in 2007. The federal share of losses, paid only when certified insured losses exceed the trigger, remains at 90% in 2006, but is reduced to 85% in 2007. Insurers' deductibles will continue to be calculated as a percentage of the previous year's direct earned premium in covered lines. However, the deductible will increase from the current 15% to 17.5% in 2006 and 20% in 2007.

On December 26, 2007 President Bush signed **Terrorism Risk Insurance Program Reauthorization Act** of 2007 into law effective immediately. TRIPRA amended the Terrorism Risk Insurance Act (TRIA) and extended it for another seven years through December 31, 2014. Under TRIPRA the definition of "act of terrorism" has been altered to remove the requirement that an act be committed "on behalf of any foreign person or foreign interest." Effectively, this means that domestic acts of terrorism can now be certified as "acts of terrorism" within the federal program, subject to those acts meeting the other definitional requirements of TRIPRA. The new act also sets requirements for advising policyholders of the \$100 billion cap at the time of an offer, issuance and renewal of coverage. The trigger for coverage remains \$100M for certified acts and the federal share of losses remains at 85%. Insurers' deductibles will continue to be calculated as a percentage of the previous year's direct earned premium in covered lines. The deductible remains at 20%.

Our Disclosure notice forms and Policyholder Notice forms filings are being updated to reflect the changes in terms and conditions under the TRIPRA.

**Businessowners:**

BOP policies may either accept or reject terrorism as regulated by the state's insurance department. ISO filed various terrorism forms with each individual state and those forms have been approved by the state. ISO approved terrorism forms reference the ISO businessowners coverage form. Hanover uses an independent businessowners coverage form. Hanover will file independent terrorism forms using the approved wording in the ISO terrorism forms in its entirety except that the forms will reference Hanover's independent businessowners coverage form.

The Hanover Insurance Group  
Filing Memorandum  
Terrorism Forms and Rules  
Businessowners Line

***Effective Date:***

TRIPRA was effective on 12/26/2007 and the terms and conditions of the extension make it necessary for our filings to be updated to reflect these changes. The proposed effective date for new and renewal business is 09/15/08.

Implementation requires changes to processing systems and modification of policy processing workflow. The appropriate business units are in the process of making these changes based on the effective date of 09/15/2008. The changes in our processing systems are scheduled to be implemented on 06/19/2008.