

SERFF Tracking Number: AMAX-125753913 State: Arkansas
Filing Company: American Association of Insurance Services State Tracking Number: EFT \$100
Company Tracking Number: AAIS-2008-18DOP
TOI: 05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI: 05.0003 Commercial Package
Liability
Product Name: Contractors & Developers Output
Project Name/Number: DOP CW War and Military Action - Excl Endt AAIS-2008-18DOP/AAIS-2008-18DOP

Filing at a Glance

Company: American Association of Insurance Services

Product Name: Contractors & Developers Output SERFF Tr Num: AMAX-125753913 State: Arkansas

Output

TOI: 05.0 Commercial Multi-Peril - Liability & Non-Liability SERFF Status: Closed State Tr Num: EFT \$100

Sub-TOI: 05.0003 Commercial Package Co Tr Num: AAIS-2008-18DOP State Status: Fees verified and received

Filing Type: Form Co Status: Reviewer(s): Llyweyia Rawlins
Author: SPI AAIS Disposition Date: 07/31/2008
Date Submitted: 07/30/2008 Disposition Status: Filed

Effective Date Requested (New): 01/01/2009 Effective Date (New): 01/01/2009

Effective Date Requested (Renewal): Effective Date (Renewal):

State Filing Description:

General Information

Project Name: DOP CW War and Military Action - Excl Endt AAIS-2008-Status of Filing in Domicile: Pending 18DOP

Project Number: AAIS-2008-18DOP

Domicile Status Comments:

Reference Organization:

Reference Number:

Reference Title:

Advisory Org. Circular:

Filing Status Changed: 07/31/2008

State Status Changed: 07/31/2008

Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

Re: AAIS-2008-18DOP

Contractors and Developers Output Program

New Mandatory Endorsement

SERFF Tracking Number: AMAX-125753913 *State:* Arkansas
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Dear Sir or Madam:

On behalf of our affiliated companies, the American Association of Insurance Services (AAIS) filing a new endorsement for use with the Contractors And Developers Output Program on a mandatory basis to replace the war exclusion contained in the Contractors And Developers Output Program - Property Coverage Part.

The Filing Memorandum provides a description of the material being proposed at this time. Copies of all materials are enclosed.

We propose that the endorsement described in this filing become effective January 1, 2009. Companies will be advised to take the filing action outlined in the attached company action exhibit.

Please be advised that, upon approval, the materials that are the subject of this filing may also be provided to affiliated companies in an electronic format. We will be happy to furnish you the same materials electronically, upon request. Due to differences in printer configurations or other hardware or software differences, the appearance of the materials that are the subject of this filing may be altered slightly when produced by another system. Such alterations will be cosmetic only and will not affect the content of the filed materials.

Sincerely,

Pallavi U. Shah
Senior Filings Specialist
Pallavis@AAISonline.com

Company and Contact

Filing Contact Information

Pallavi Shah, Senior Filing Specialist
1745 South Naperville Road

PallaviS@aaisonline.com
(630) 681-8347 [Phone]

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Wheaton, IL 60187-8132 (630) 681-8356[FAX]

Filing Company Information

American Association of Insurance Services CoCode: 31400 State of Domicile: Delaware
1745 S. Naperville Road Group Code: Company Type:
Wheaton, IL 60187-8132 Group Name: State ID Number:
(630) 681-8347 ext. [Phone] FEIN Number: 36-2021360

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Filing Fees

Fee Required? Yes
Fee Amount: \$100.00
Retaliatory? No
Fee Explanation:
Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
American Association of Insurance Services	\$100.00	07/30/2008	21670973

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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Filed	Llyweyia Rawlins	07/31/2008	07/31/2008

SERFF Tracking Number: *AMAX-125753913* *State:* *Arkansas*
Filing Company: *American Association of Insurance Services* *State Tracking Number:* *EFT \$100*
Company Tracking Number: *AAIS-2008-18DOP*
TOI: *05.0 Commercial Multi-Peril - Liability & Non- Sub-TOI:* *05.0003 Commercial Package*
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Product Name: *Contractors & Developers Output*
Project Name/Number: *DOP CW War and Military Action - Excl Endt AAIS-2008-18DOP/AAIS-2008-18DOP*

Disposition

Disposition Date: 07/31/2008

Effective Date (New): 01/01/2009

Effective Date (Renewal):

Status: Filed

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	Filed	Yes
Supporting Document	CW DO026000608 Filing Memo	Filed	Yes
Supporting Document	DO 0260 06 08 to DOP-100 Ed 1.0	Filed	Yes
Supporting Document	AR Forms Company Action Exhibit	Filed	Yes
Supporting Document	Important Notice - Copyrighted Materials	Filed	Yes
Form	Exclusion -- War and Military Action	Filed	Yes

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Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Filed	Exclusion -- War and Military Action	DO 0260	06 08	Endorsement/Amendment/Conditions		50.91	DO 0260.PDF

EXCLUSION -- WAR AND MILITARY ACTION

The policy is amended as follows:

PERILS EXCLUDED

Under Perils Excluded - All Covered Property, item 1.f. is deleted and replaced by the following:

War And Military Action --

"We" do not cover loss or damage caused directly or indirectly by the following:

- a. war, including undeclared or civil war; or
- b. warlike action by a military force, including action in hindering or defending against an actual or expected attack, by any government, sovereign, or other authority using military personnel or other agents; or
- c. insurrection, rebellion, revolution, usurped power, or action taken by governmental authority in hindering or defending against any of these.

With respect to any action that comes within the "terms" of this exclusion and involves nuclear reaction or radiation or radioactive contamination, this War And Military Action Exclusion supersedes the Nuclear Hazard Exclusion.

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Supporting Document Schedules

Review Status:
Bypassed -Name: Uniform Transmittal Document-
Property & Casualty **Filed** 07/31/2008
Bypass Reason: Not Applicable
Comments:

Review Status:
Satisfied -Name: CW DO026000608 Filing Memo **Filed** 07/31/2008
Comments:
Attachment:
CW DO026000608 Filing Memo.PDF

Review Status:
Satisfied -Name: DO 0260 06 08 to DOP-100 Ed 1.0 **Filed** 07/31/2008
Comments:
Attachment:
DO 0260 06 08 to DOP-100 Ed 1_0.PDF

Review Status:
Satisfied -Name: AR Forms Company Action Exhibit **Filed** 07/31/2008
Comments:
Attachment:
AR Forms Company Action Exhibit.PDF

Review Status:
Satisfied -Name: Important Notice - Copyrighted
Materials **Filed** 07/31/2008
Comments:
Attachment:
Important Notice - Copyrighted Materials.PDF

AMERICAN ASSOCIATION OF INSURANCE SERVICES
Contractors and Developers Output Program -- Endorsement
Filing Memorandum

AAIS is filing a new endorsement for use with the Contractors And Developers Output Program on a mandatory basis to replace the war exclusion contained in the Contractors And Developers Output Program - Property Coverage Part.

Previously, the terrorism exclusion endorsements that addressed non-certified acts of terrorism restated the War And Military Action Exclusion. AAIS withdrew those endorsements in a previous filing, since the Terrorism Risk Insurance Program Reauthorization Act of 2007 eliminated the distinction between foreign and domestic terrorism. The War And Military Action Exclusion language initially filed in those withdrawn non-certified acts of terrorism endorsements is now being filed under the property coverage part. The anti-concurrent causation language, however, has been removed since similar language is already contained in the lead-in to the exclusions found within the Contractors And Developers Output Program - Property Coverage Part.

This memorandum describes the new endorsement. A copy of the new endorsement described below is included with this filing.

DO 0260 06 08 - EXCLUSION -- WAR AND MILITARY ACTION

Endorsement DO 0260 06 08 replaces the war exclusions found in the Contractors And Developers Output Program - Property Coverage Part.

AAIS PROPOSED DO 0260 06 08	AAIS CURRENT DOP-100 ED 1.0	COMMENTS
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The policy is amended as follows:

PERILS EXCLUDED

Under Perils Excluded - All Covered Property, item 1.f. is deleted and replaced by the following:

War And Military Action --

"We" do not cover loss or damage caused directly or indirectly by the following:

- a. war, including undeclared or civil war; or
- b. warlike action by a military force,

including action in hindering or defending against an actual or expected attack, by any government, sovereign, or other authority using military personnel or other agents; or

PERILS EXCLUDED

War --

"We" do not pay for loss caused by war. This means:

- 1) declared war, undeclared war, civil war, insurrection, rebellion, or revolution;
- 2) a warlike act by a military force or by military personnel;

This endorsement clarifies that loss or damage caused directly or indirectly by war, etc. is excluded.

Constructively the same

Constructively the same

The provisions of this endorsement broadens/clarifies the exclusion by listing the specific types of actions excluded.

AAIS PROPOSED DO 0260 06 08	AAIS CURRENT DOP-100 ED 1.0	COMMENTS
--	--	-----------------

c. insurrection, rebellion, revolution, usurped power,

or action taken by governmental authority in hindering or defending against any of these.

With respect to any action that comes within the "terms" of this exclusion and involves nuclear reaction or radiation or radioactive contamination, this War And Military Action Exclusion supersedes the Nuclear Hazard Exclusion.

- 3) the destruction, seizure, or use of the property for a military purpose; or
- 4) the discharge of a nuclear weapon even if it is accidental.

The endorsement adds this exclusion

The provision of the endorsement broadens/clarifies the exclusion by listing the specific types of actions excluded.

The policy excludes discharge of a nuclear weapon. Because of the possible ambiguity between this exclusion and the Nuclear Hazard Exclusion, the endorsement states that the War And Military Action Exclusion supersedes the Nuclear Hazard Exclusion with respect to nuclear reaction or radiation.

AMERICAN ASSOCIATION OF INSURANCE SERVICES

COMPANY ACTION EXHIBIT

ARKANSAS

FORMS AND ENDORSEMENTS

Companies that have granted AAIS filing authority for forms and endorsements for this line of insurance:

- can adopt an AAIS forms and endorsements filing, without modifications, on the effective date designated by AAIS without notifying the Arkansas Insurance Department (ARID).
- can adopt an AAIS forms and endorsements filing on an earlier effective date by notifying the ARID at least 30 days before their chosen effective date.
- can adopt an AAIS forms and endorsements filing on a later effective date by notifying the ARID at least 30 days before the effective date designated by AAIS.
- can modify an AAIS forms and endorsements filing by establishing an effective date and submitting their modifications to the ARID at least 30 days before their chosen effective date.
- can choose not to adopt an AAIS forms and endorsements filing by notifying the ARID on or before the effective date designated by AAIS.

Companies that have not granted AAIS filing authority for forms and endorsements for this line of insurance:

- can adopt an AAIS forms and endorsements filing by establishing an effective date and making a reference filing with the ARID at least 30 days before their chosen effective date. A reference filing should contain only transmittal forms and the filing reference numbers. Copies of AAIS filed and approved materials should ***not*** be included in a reference filing.

Include the AAIS and state file numbers in all correspondence with the ARID.

IMPORTANT NOTICE:

COPYRIGHTED MATERIALS

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