

Filing at a Glance

Company: ACE Property & Casualty Insurance Company

Product Name: 07-GL-044F

SERFF Tr Num: ACEH-125102463 State: Arkansas

TOI: 17.0 Other Liability - Claims

SERFF Status: Closed

State Tr Num: AR-PC-07-023051

Made/Occurrence

Sub-TOI: 17.0001 Commercial General Liability Co Tr Num: 07-GL-044F

State Status:

Filing Type: Form

Co Status:

Reviewer(s): Michelle Fahey, Betty Montesi, Edith Roberts

Authors: Connie McFarlane, Barb Niles, CPCU, ARP, Bob Wolfrom

Disposition Date: 07-16-2007

Date Submitted: 02-12-2007

Disposition Status: Approved

Effective Date Requested (New): On Approval

Effective Date (New):

Effective Date Requested (Renewal): On Approval

Effective Date (Renewal):

General Information

Project Name: New Program Filing-Welders Program-Forms & "a"
Rates

Status of Filing in Domicile:

Project Number: 07-GL-044F

Domicile Status Comments:

Reference Organization:

Reference Number:

Reference Title:

Advisory Org. Circular:

Filing Status Changed: 07-16-2007

State Status Changed:

Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

The purpose of this filing is to introduce our new Welders Program. Our filing includes three independent endorsements for use with the ISO General Liability Coverage Part.

FORMS-

LD-15083 Exclusion Welding or Cutting Operations

LD-15082a Welding Supply Distributors Escaped Gas Protection Endorsement

LD-18267 Additional Insured Where Required Under Contract

Refer to attached Filing Memo for further details concerning this program.

This program will be implemented upon your approval.

Company and Contact

Filing Contact Information

Robert Wolfrom, CPCU, Regulatory Specialist robert.wolfrom@ace-ina.com
436 Walnut Street (215) 640-5123 [Phone]
Philadelphia, PA 19106 (215) 640-4986[FAX]

Filing Company Information

ACE Property & Casualty Insurance Company CoCode: 20699 State of Domicile: Pennsylvania
PO Box 1000 Group Code: 626 Company Type:
436 Walnut Street
Philadelphia, PA 19106 Group Name: State ID Number:
(215) 640-5123 ext. [Phone] FEIN Number: 06-0237820

Filing Fees

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

CHECK NUMBER	CHECK AMOUNT	CHECK DATE
PS 00276539	\$50.00	02-08-2007

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Edith Roberts	07-16-2007	07-16-2007
Withdrawn	Edith Roberts	07-16-2007	07-16-2007

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	Edith Roberts	02-27-2007	02-27-2007	Bob Wolfrom	07-13-2007	07-13-2007

Filing Notes

Subject	Note Type	Created By	Created On	Date Submitted
We only wanted to withdraw the one form	Note To Reviewer	Bob Wolfrom	07-16-2007	07-16-2007

Disposition

Disposition Date: 07-16-2007

Effective Date (New):

Effective Date (Renewal):

Status: Approved

Comment: Dear Mr. Wolfrom:

I have now applied your withdrawal request to the correct individual form.

Please let me know if this doesn't process correctly.

Have a great day!

Rate data does NOT apply to filing.

Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	COVER LETTER	Approved	Yes
Supporting Document	FILE MEMO	Approved	Yes
Form <i>(revised)</i>	Exclusion Welding or Cutting Operations	Withdrawn	Yes
Form	Exclusion Welding or Cutting Operations	Withdrawn	Yes
Form	Welding Supply Distributors Escaped Gas Protection Endorsement	Approved	Yes
Form	Additional Insured Where Required Under Contract	Approved	Yes

Disposition

Disposition Date: 07-16-2007

Effective Date (New):

Effective Date (Renewal):

Status: Withdrawn

Comment:

Rate data does NOT apply to filing.

Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	COVER LETTER	Approved	Yes
Supporting Document	FILE MEMO	Approved	Yes
Form <i>(revised)</i>	Exclusion Welding or Cutting Operations	Withdrawn	Yes
Form	Exclusion Welding or Cutting Operations	Withdrawn	Yes
Form	Welding Supply Distributors Escaped Gas Protection Endorsement	Approved	Yes
Form	Additional Insured Where Required Under Contract	Approved	Yes

Objection Letter

Objection Letter Status Pending Industry Response

Objection Letter Date 02-27-2007

Submitted Date 02-27-2007

Dear Robert Wolfrom, CPCU,

This will acknowledge receipt of the captioned filing.

With reference to Form LD-15083, you must include an exception for "smoke, vapor, fumes or soot from a hostile fire". A hostile fire may be defined as one "which breaks out from where it was intended to be."

Please feel free to contact me if you have questions.

Edith Roberts

Sr. Certified Rate and Form Analyst

Sincerely,

Edith Roberts

Response Letter

Response Letter Status Submitted to State

Response Letter Date 07-13-2007

Submitted Date 07-13-2007

Dear Edith Roberts,

Comments:

Response 1

Comments: In response to your comments, we would like to withdraw LD-15083 from this filing.

I apologize for the delay.

No Supporting Documents have changed.

Form Schedule Item Changes

Form Name	Form Number	Edition Date	Form Type	Action	Action Specific Data	Readability Score
Exclusion Welding or Cutting Operations	LD-15083	(12/03)	Endorsement/Amendment/Conditions	Withdrawn		0

Created by SERFF on 07-16-2007 11:18 AM

No Rate/Rule Schedule Item Changes

Sincerely,

Barb Niles, CPCU, ARP, Bob Wolfrom, Connie McFarlane

Note To Reviewer

Created By:

Bob Wolfrom on 07-16-2007 09:56 AM

Subject:

We only wanted to withdraw the one form

Comments:

Edith,

Per my response, we only wanted to withdraw the one endorsement LD-15083 from the filing. We did not want to withdraw the remaining forms. Could you please re-open for the review of the remaining forms. Thank you.

Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Withdrawn	Exclusion Welding or Cutting Operations	LD-15083	(12/03)	Endorseme nt/Amendm ent/Condi ons	Withdrawn	0.00	
Withdrawn	Exclusion Welding or Cutting Operations	LD-15083	(12/03)	Endorseme nt/Amendm ent/Condi ons	New	0.00	LD-15083 Exclusion - Welding or Cutting Operations.p df
Approved	Welding Supply Distributors Escaped Gas Protection Endorsement	LD- 15082a	(01/07)	Endorseme nt/Amendm ent/Condi ons	New	0.00	LD15082a Welding Supply Escaped Gas revised.pdf
Approved	Additional Insured Where Required Under Contract	LD-18267	(05/2005)	Endorseme nt/Amendm ent/Condi ons	New	0.00	LD18267_B L KT ADDITIONA L INSURED.p df

WELDING SUPPLY DISTRIBUTORS ESCAPED GAS PROTECTION ENDORSEMENT

Named Insured			Endorsement Number
Policy Symbol	Policy Number	Policy Period to	Effective Date of Endorsement
Issued By (Name of Insurance Company)			

Insert the policy number. The remainder of the information is to be completed only when this endorsement is issued subsequent to the preparation of the policy.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM

Schedule of Gases:

All gases sold or distributed by the Insured

Exclusion g. (aircraft, "auto" or watercraft) does not apply to "bodily injury" or "property damage" caused by an "Escaped gas incident."

Exclusion f. (pollution) is deleted and is replaced by the following:

- f. Any injury, damage, expense, cost, loss, liability or legal obligation arising out of or in any way related to pollution, however caused.

Pollution includes the actual, alleged or potential presence in or introduction into the environment of any substance if such substance has, or is alleged to have, the effect of making the environment impure, harmful or dangerous. Environment includes any air, land, structure or the air therein, watercourse or water, including underground water.

We shall have no duty to defend any "suit" arising out of or in any way related to pollution excluded by this endorsement.

However, this exclusion does not apply with respect to the items listed in the **Schedule of Gases** but only if:

1. The claim for damages or any "suit" seeking damages for of "bodily injury" or "property damage" arise, or alleged to have arisen, as a result of an "escaped gas incident."
2. The claim for damages or any "suit" seeking damages is both made against an insured and reported to us within 60 days of the "escaped gas incident" that gives rise or is alleged to give rise to the claim for damages or "suit" seeking damages.

"Escaped gas incident" means:

1. An unintentional and "sudden" escape during the policy period of a gaseous substance listed in the **Schedule of Gases:**
 - a. From a cylinder, cryogenic container or tank that is on your premises; or
 - b. From a cylinder, cryogenic container or tank that you distributed which is off your premises but only if the escape is due to the failure of valves, hoses, equipment, cylinders, cryogenic containers or tanks that you provided to your customers; or
 - c. From a cylinder, cryogenic container or tank at a site where you are loading or unloading (but only from an "auto"), installing, connecting, filling, charging or servicing cylinders, cryogenic containers or tanks if the gases escape as a result of your activities.

"Escaped gas incident" does not include:

- a) any accumulation of gases or any exposure to gases over a period of more than 72 hours, or
- b) any series of two or more escapes extending or causing exposure to gases over a period of more than 72 hours.

"Sudden" means abrupt or instantaneous.

Notwithstanding anything in the previous paragraphs, this insurance does not apply to any injury, damage, expense, cost, loss, liability or legal obligation arising out of or in any way related to contamination or pollution of the air, land, water or watercourse caused in whole or in part by:

1. Chemical waste or residue of any kind, including residue from cleaning, repairing, storing or disposing of cylinders, cryogenic containers or tanks, and including substances which are to be reused, reclaimed or recycled; or
2. Cylinders, cryogenic containers or tanks which have been removed from use, discarded or abandoned, including any which are to be reclaimed or recycled.

Authorized Agent

ADDITIONAL INSURED – WHERE REQUIRED UNDER CONTRACT

Named Insured			Endorsement Number
Policy Symbol	Policy Number	Policy Period to	Effective Date of Endorsement
Issued By (Name of Insurance Company)			

Insert the policy number. The remainder of the information is to be completed only when this endorsement is issued subsequent to the preparation of the policy.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.
This endorsement modifies insurance provided under the following:
COMMERCIAL GENERAL LIABILITY COVERAGE FORM

SECTION II – WHO IS AN INSURED is amended to include as an additional insured.

Any person or organization to whom you become obligated to include as an additional insured under this policy, as a result of any contract you enter into prior to the date of any “occurrence “ covered under this policy which requires you to furnish insurance to that person or organization, but only with respect to liability for “bodily injury”, “property damage” or “personal and advertising injury” arising out of your sole negligence emanating from your operations, or premises owned by or rented to you . The insurance provided will not exceed the lesser of:

1. The coverage and/or limits of this policy, or
2. The coverage and/or limits required by said contract or agreement.

 Authorized Agent

Rate Information

Rate data does NOT apply to filing.

Supporting Document Schedules

Bypassed -Name:	Uniform Transmittal Document- Property & Casualty	Review Status:	Approved	07-16-2007
Bypass Reason:	N/A			
Comments:				
Satisfied -Name:	COVER LETTER	Review Status:	Approved	07-16-2007
Comments:				
Attachment:				
Cover Letter- Forms.pdf				
Satisfied -Name:	FILE MEMO	Review Status:	Approved	07-16-2007
Comments:				
Attachment:				
Filing Memo- Form _All except OH_.pdf				



ace ina

ACE INA
Filing & Regulation
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436 Walnut Street
Philadelphia, PA 19106

215.640.1811 *tel*
215.640.4986 *fax*

Theresa.boyce@ace-ina.com
www.ace-ina.com

Theresa Boyce
Filing Manager

February 8, 2007

Department of Insurance

RE: Company ACE USA # 626 NAIC # FEIN
ACE Property & Casualty Insurance Company 20699 06-0237820

Commercial General Liability
Form Filing
Welders Program
Our Filing Number: 07-GL-044F

Dear Commissioner:

The purpose of this filing is to introduce our new Welders Program. Our filing includes three independent endorsements for use with the ISO General Liability Coverage Part.

FORMS-

LD-15083 Exclusion Welding or Cutting Operations
LD-15082a Welding Supply Distributors Escaped Gas Protection Endorsement
LD-18267 Additional Insured Where Required Under Contract

Refer to attached Filing Memo for further details concerning this program.

This program will be implemented upon your approval.

Please contact me if you have questions or need additional information.

Sincerely,

Filing Manager

FILING MEMORANDUM
Forms

PROGRAM HISTORY:

ACE/Westchester Specialty Insurance Group has been writing this business since 12/31/2003 on non admitted paper. The program previously was written by the Royal & Sun Alliance Insurance Group since 1992. When St. Paul Travelers purchased the renewal rights of the Royal & Sun Alliance business, St. Paul Travelers decided to cancel the program through appropriate notice of non renewals. ACE/Westchester Specialty Group realized the opportunity and the quick timeframe of the notices.

ACE/Westchester Specialty Group was/is concerned about the developing welding rod litigation this class of business is experiencing. In order to offer any coverage to this class of business so that insureds were not without insurance coverage from the St. Paul Travelers notices of non renewals, mandatory specific exclusions were developed and the offering was on a non admitted basis.

ACE/Westchester Specialty Group, with 60 days in 2003, stepped into the void left by St. Paul Travelers for the entire program. Now it is almost three years later and ACE/Westchester would like to move the forms and rates to the admitted marketplace.

FILING:

The purpose of this filing is to introduce our new Welders Program. Our filing includes three independent forms for use with the ISO General Liability coverage part.

FORMS-

LD-15083	Exclusion Welding or Cutting Operations Restricts Coverage	Mandatory	No Premium Charge
LD-15082a	Welding Supply Distributors Escaped Gas Protection Endorsement Broadens Coverage	Mandatory	No Premium Charge
LD-18267	Additional Insured Where Required Under Contract Broadens Coverage	Optional	No Premium Charge

Superseded Attachments

Please note that all items on the following pages are items, which have been replaced by a newer version. The newest version is located with the appropriate schedule on previous pages. These items are in date order with most recent first.

Original Date:	Schedule	Document Name	Replaced Date	Attach Document
No original date	Form	Exclusion Welding or Cutting Operations	02-08-2007	LD-15083 Exclusion - Welding or Cutting Operations.pdf

EXCLUSION - WELDING OR CUTTING OPERATIONS

Named Insured			Endorsement Number
Policy Symbol	Policy Number	Policy Period to	Effective Date of Endorsement
Issued By (Name of Insurance Company)			

Insert the policy number. The remainder of the information is to be completed only when this endorsement is issued subsequent to the preparation of the policy.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

This endorsement modifies all insurance provided under the following: **COMMERCIAL GENERAL LIABILITY COVERAGE FORM**

The following is added to **SECTION I – COVERAGES 2. Exclusions:**

This insurance does not apply to:

Any request, demand, claim, cost, loss, liability or obligation caused by, resulting from, arising out of or related to, in whole or in part, threatened or alleged exposure to, inhalation of, presence of, ingestion of, or absorption of fumes, vapors, dust, residue, smoke, soot, gases, chemicals, radiation or radioactive material, particles, or particulate arising from:

- a. Welding operations, including but not limited to welding, brazing, soldering, thermal spraying or cutting; or
- b. Welding or cutting equipment, including but not limited to rods, electrodes, wire or similar product, welding consumables, base metals and any coatings present on the base material; or
- c. Any supervision, instructions, recommendations, warnings or advice given or which should have been given in connection with a or b above.

The addition of this endorsement does not imply that other policy provisions, including but not limited to any pollution exclusion, do not also exclude coverage for such injury, damage, expense, cost, loss, liability or legal obligation.

Authorized Agent