



ORDER NO. R 08-13

SURPLUS LINES PLACEMENT LIST

On October 9, 2008, the director of the Division of Insurance held a hearing pursuant to AS 21.06.180 – 21.06.230 to receive testimony concerning the kinds of insurance for which insureds generally are unable to secure coverage from admitted insurers. Based on this testimony, the director has decided what types of insurance coverage to include on the surplus lines placement list.

Findings of Fact

1. The director finds that types of coverage listed on the attached surplus lines placement list are currently unavailable from the admitted market. The following are **added** to the previous placement list.

Buildings – air-supported dome structures – Fire and allied lines
Contractors – design-build – Professional liability
Crane component manufacturing – General liability
Crane inspectors – Professional liability
Engineers – environmental – Professional liability
Engineers – hydrology – Professional liability
Mental health professionals and counselors – Professional liability
Mortgage bankers/brokers – Errors and Omissions, Fiduciary bonds

2. The director finds that there were no requests to remove anything from the previous placement list.
3. The director finds that there were no objections to modifying “Aviation” on the previous placement list to read “Aviation parts manufacturing,” and to change the line of coverage for “Automobile – commercial” from “Physical damage” to “Monoline physical damage.”

Conclusions of Law

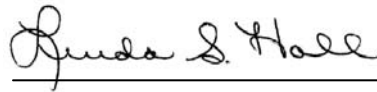
1. The hearing held on October 9, 2008 met the requirements of AS 21.06.180 – 21.06.230 and 3 AAC 25.040.
2. The surplus lines list is amended to include only those kinds of insurance that are currently unavailable from admitted insurers as enumerated in the above Findings of Fact.

3. Under AS 21.34.020(3) and 3 AAC 25.030, producing brokers must make a diligent search of the market to determine whether the insurance is available from an admitted insurer. Due diligence will be presumed if the producing broker affirms that the coverage is on this list.
4. A producing broker may apply for an exception under AS 21.34.020(4) when coverage is available in the admitted market.

IT IS ORDERED that the list that follows is the surplus lines placement list to be used until a replacement order is issued. This order replaces Order R 07-07, issued October 22, 2007.

This order is effective December 18th, 2008.

Dated this 18th day of December, 2008, at Anchorage, Alaska.

A handwritten signature in cursive script that reads "Linda S. Hall". The signature is written in black ink and is positioned above a horizontal line.

Linda S. Hall
Director