



DIVISION OF INSURANCE

Frank H. Murkowski, Governor

ORDER NO. R 05-03

SURPLUS LINES PLACEMENT LIST

On October 7, 2005, 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 **additions** to the previous placement list.

Buildings – containing apartment(s) with any other occupancy – Property
Garage – auto repair (Hazard II) – Liability on garage form
Ocean marine – Monoline P&I
Real estate developers – Professional liability/E&O
Taxicabs – Physical damage only

2. The director finds that the following types of coverage are generally available to insureds from the admitted market and therefore **has not** added them to the placement list.

Insurance agents – Monoline professional liability

Conclusions of Law

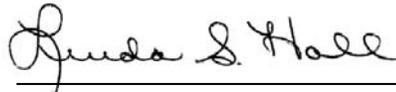
1. The hearing held on October 7, 2005, met the requirements of AS 21.06.180 – 21.06.230 and 3 AAC 25.040.
2. The surplus lines list is amended to include only those kinds of insurance that are currently unavailable from admitted insurers as enumerated in the above Findings of Fact.

3. Under AS 21.34.020(3) and 3 AAC 25.030, producing brokers must use due diligence 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 04-11, issued December 22, 2004.

This order is effective October 17, 2005.

Dated this 17th day of October, 2005, at Anchorage, Alaska.



Linda S. Hall
Director