STATE OF WEST VIRGINIA
OFFICES OF THE INSURANCE COMMISSIONER

P.O. Box 50540
Charleston, WV 25305-0540

NOTICE OF PUBLIC HEARING REGARDING EXPORT LIST

NOTICE IS HEREBY GIVEN that the Insurance Commissioner of the State of West Virginia will hold a public hearing, at the time and place set forth below, concerning the renewal of the export list in the surplus lines area.

September 26, 2013
1:30 p.m.
Offices of the Insurance Commissioner
One Players Club Drive, 3rd Floor
P.O. Box 2901
Charleston, WV 25330

THE HEARING ROOM IS ACCESSIBLE TO PERSONS WITH MOBILITY IMPAIRMENTS. IF ACCOMODATIONS NEED TO BE MADE FOR OTHER DISABILITIES, SUCH AS HEARING IMPAIRMENT, PLEASE PHONE THE CONTACT PERSON LISTED IN THIS NOTICE BY SEPTEMBER 18, 2013 SO ARRANGEMENTS CAN BE MADE.

EXPORT LIST

Pursuant to W.Va. Code of State Rules Section 114-20-7, the Commissioner may maintain an export list of insurance coverages and classes that may be placed with surplus lines insurers. Insurance coverages and classes included on the export list may be placed with surplus lines insurers without completing a diligent search of admitted carriers. The Commissioner may declare eligible for placement with a nonadmitted insurer and exempt from all the requirements of West Virginia Code of State Rules Section 114-20-3, any type of insurance coverage or risk for which he or she finds, after a public hearing, that there is not a reasonable or adequate market among admitted insurers.

Pursuant to this rule, the Commissioner has previously collected information on whether or not there is a reasonable or adequate market among admitted insurers for certain risks or coverages. The Department reviewed the export lists in other states. We contacted West Virginia surplus line brokers and surveyed them as to the risks most placed by them. We received industry input from admitted carriers. We also have held annual public hearings and solicited public comment from all interested parties including surplus line brokers, admitted insurers, trade associations representing admitted insurers, agents and brokers, and consumer groups to provide us with evidence of a lack of a reasonable or adequate market amongst admitted carriers for particular risk or coverage. After this process, the Insurance Commission adopted the EXPORT LIST which can be found on the Insurance Commission's website at www.wvinsurance.gov.

RENEWAL

A public hearing shall be held annually regarding the export list. The above noticed hearing is being set to take testimony on the export list to see if any items should be added or removed.

In preparing your comments and/or testimony please be aware that items not appearing on this list will still be exportable but subject to the full documentation of the search being performed pursuant to West Virginia Code Section 33-12C-5.

HEARING AND WRITTEN TESTIMONY

As stated before, this hearing is public and interested parties may testify as time permits. The hearing will be structured with time and place priority afforded to those who have signed-up in advance to speak. If you wish to sign-up in advance to speak, submit your written request to the contact person listed below.

PLEASE BE AWARE THAT IN ORDER FOR THE COMMISSIONER TO CONSIDER ADDING A RISK OR COVERAGE TO THE EXPORT LIST, THE COMMISSIONER MUST HAVE EVIDENCE THAT THERE IS NOT AN ADEQUATE OR REASONABLE MARKET FOR THE RISK OR COVERAGE IN THE ADMITTED MARKET. SUBMISSION OF A STATEMENT SIMPLY REQUESTING A RISK OR COVERAGE TO BE ADDED TO THE LIST WITHOUT OTHER SUPPORTING EVIDENCE OF THE LACK OF AN ADEQUATE OR REASONABLE ADMITTED MARKET WILL NOT BE ENOUGH FOR THE COMMISSIONER TO ADD A RISK OR COVERAGE TO THE LIST.

All written testimony, comments, or documents must be sent to the Offices of the Insurance Commissioner in triplicate (original and two copies) and received by the Offices of the Insurance Commissioner at the address given below no later than 5:00 p.m. on September 24, 2013. All written testimony received at the hearings will be considered part of the hearing record. The Offices of the Insurance Commissioner will not accept any written testimony, comments, or documents which are transmitted to it by facsimile.

Please direct any questions regarding this Notice of Public Hearing, opportunities to testify, and written submissions for the record, to:

Karen Blake-Epperly
WV Offices of the Insurance Commissioner
P.O. Box 2901
Charleston, WV 25330

Dated: July 15, 2013

MICHAEL D. RILEY
Insurance Commissioner