

Maryland Insurance Administration

2011 Report on the Use of Territory As a Rating Factor in Establishing Private Passenger Automobile Insurance Rates



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For further information concerning this document, please contact:

Tinna Quigley
Director of Government Relations and Policy Development
Maryland Insurance Administration
200 St. Paul Place, Suite 2700
Baltimore, Maryland 21202
410-468-2202

This document is available in alternative format upon request from
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Preface

Section 11-339 of the Insurance Article (Chapter 410, Laws of Maryland 2006) requires the Insurance Commissioner to submit a report to the General Assembly on or before July 1 of each year about the use of territory as a factor in establishing rates for private passenger automobile insurance by insurers and the Maryland Automobile Insurance Fund (“MAIF”).

For the purposes of this report, the Maryland Insurance Administration (“MIA”) uses the National Association of Insurance Commissioners (“NAIC”) definition of private passenger vehicle for premium purposes as there is no other source available. The NAIC definition includes not only regular automobiles (as defined by Maryland motor vehicle statutes and regulations), but also includes recreational vehicles (“RVs” a.k.a. motor homes), trailers (both travel and utility), motorcycles, scooters, all terrain vehicles (“ATVs”), antique and collector cars. Certain types of mobile homes, warranties and mechanical breakdown coverages may also be included. These types of vehicles will be described as specialty vehicles or coverages.

In addition, for the purposes of this report, private passenger automobile insurance will refer to regular automobile insurance as defined by statute; specifically, Section 11-135 of the Transportation Article.

This report contains information on (1) the number of insurers actively engaged in providing private passenger automobile liability insurance in the State; and (2) the number of those insurers that use territory as a factor in establishing automobile insurance rates.

Private Passenger Automobile Market Overview

For calendar year 2010, one hundred sixty nine (169) insurers reported that they had direct premiums written for the private passenger lines of business. Those lines of business are: 19.1 – Private

passenger auto no-fault (personal injury protection); 19.2 – Other private passenger auto liability; and 21.1 – Private passenger auto physical damage. The premiums shown in Exhibit 2 also include specialty vehicles. For this report, 13 carriers are not included in this report (See Exhibit 1) as they have no written premium and are not writing new business.

With regard to regular automobile liability insurance, all carriers use territories for rating purposes. From a premium perspective, this represents approximately 99% of all private passenger automobile premiums in Maryland. For the remaining premium, territories are almost always used for RV's, motorcycles, and scooters. However, for coverages like antique and collector vehicles, ATV's and trailers (travel and utility), the use of territories depends on the particular insurer and type of product/program that it is offering.

As shown in Exhibit 1, 138 carriers representing 99.92% of the Maryland market write regular automobile liability insurance and all of these carriers use territory as a rating factor. This is not to say that the remaining carriers do not use territorial rating for specialty coverages; rather, the use of territory as a rating factor for that small segment will depend upon the product the insurer is offering.

Maryland Regulation COMAR 31.07.03

Chapter 410, Laws of Maryland 2006 (HB 1600), also resulted in the enactment of §11-216 and §11-319 of the Insurance Article, which requires any insurer using territories as a factor in establishing automobile insurance rates to submit a statement to the Insurance Commissioner certifying that (1) the territories used by the insurer have been reviewed within the previous three years and (2) the use of the territories is actuarially justified.

To ensure compliance with §11-216 and §11-319, the Insurance Commissioner adopted regulations in order to provide guidance to insurers. Those regulations¹, in addition to providing guidance, contain a Certification Statement for use by MAIF, private insurance companies and rating organizations to certify that their territories have been reviewed in the past three years and that they are actuarially justified. As a part of its ongoing

¹ COMAR 31.07.03, Review of Automobile Rating Territories. See Exhibit 3.

efforts to monitor the use of territory as a rating factor, the MIA will develop a database to track the submission of these certifications.

Summary

Calendar year 2010 mirrored the experience of calendar year 2009, with almost every insurer that writes regular automobile liability insurance in Maryland utilizing territory as a rating factor. Additionally, the Maryland Insurance Administration has not received any indication from insurers, MAIF, or any rating organization that the use of territory as a rating factor will be discontinued anytime in the near future.

In addition, please refer to the Maryland Insurance Administration rate guides for Private Passenger Automobiles, RV's and ATV's, and Motorcycles. These guides will show how territorial rating is being applied with actual scenarios by certain zip codes.

Exhibits

- ❖ Exhibit 1: 2010 Summary Exhibit showing Market Share for those insurers that write regular automobile insurance
- ❖ Exhibit 2: 2010 Listing of Private Passenger Automobile Insurers Showing Market Share and Use of Territory as a Rating Factor
- ❖ Exhibit 3: COMAR 31.07.03 Review of Automobile Rating Territories

<u>Type of Insurer</u>	<u>Number of</u>	<u>2010 Market Share</u>
Regular Auto Insurance*	138	99.92%
No Regular Auto Insurance**	18	0.08%
All Other***	13	0.00%
TOTAL	169	100.00%

*For Regular Auto Insurers, these carriers may also write some specialty coverages, like motorcycles, RV, antique autos, etc.....

**No Regular Auto Insurance Insurers include companies that write only specialty coverages.

*** Includes companies with negative premium (10), OR those where the premium deals with with various accounting issues (2), and one in runoff.

Exhibit 2

2010 Rank	2010 Group Code	2010 NAIC Cocode	Company Name	2010 Written Premium	2010 Market Share	Cumulative Market Share	Writes Regular Auto	Uses Territories
1	176	25178	STATE FARM MUT AUTO INS CO	650,971,742	17.24%	17.24%	Y	Y
2	31	35882	GEICO GEN INS CO	341,068,302	9.03%	26.28%	Y	Y
3	31	22063	GOVERNMENT EMPLOYEES INS CO	271,784,558	7.20%	33.48%	Y	Y
4	213	26271	ERIE INS EXCH	243,347,920	6.45%	39.92%	Y	Y
5	8	19232	ALLSTATE INS CO	230,246,632	6.10%	46.02%	Y	Y
6	140	23787	NATIONWIDE MUT INS CO	157,214,929	4.16%	50.18%	Y	Y
7	140	23760	NATIONWIDE GEN INS CO	132,650,782	3.51%	53.70%	Y	Y
8	200	25941	UNITED SERV AUTOMOBILE ASSN	123,604,694	3.27%	56.97%	Y	Y
9	8	17230	ALLSTATE PROP & CAS INS CO	122,259,956	3.24%	60.21%	Y	Y
10	31	22055	GEICO IND CO	112,791,289	2.99%	63.20%	Y	Y
11	155	11851	PROGRESSIVE ADVANCED INS CO	104,893,011	2.78%	65.98%	Y	Y
12	0	34800	MAIF	102,336,300	2.71%	68.69%	Y	Y
13	111	23035	LIBERTY MUT FIRE INS CO	91,583,983	2.43%	71.11%	Y	Y
14	176	25143	STATE FARM FIRE & CAS CO	83,869,467	2.22%	73.33%	Y	Y
15	200	25968	USAA CAS INS CO	83,131,575	2.20%	75.54%	Y	Y
16	8	19240	ALLSTATE IND CO	52,251,598	1.38%	76.92%	Y	Y
17	140	23779	NATIONWIDE MUT FIRE INS CO	51,616,677	1.37%	78.29%	Y	Y
18	155	32786	PROGRESSIVE SPECIALTY INS CO	42,120,902	1.12%	79.40%	Y	Y
19	3548	27998	TRAVELERS HOME & MARINE INS CO	40,983,009	1.09%	80.49%	Y	Y
20	31	41491	GEICO CAS CO	40,140,153	1.06%	81.55%	Y	Y
21	155	16322	PROGRESSIVE DIRECT INS CO	32,848,105	0.87%	82.42%	Y	Y
22	111	37214	AMERICAN STATES PREFERRED INS CO	32,031,201	0.85%	83.27%	Y	Y
23	155	24252	PROGRESSIVE AMER INS CO	28,332,896	0.75%	84.02%	Y	Y
24	155	42994	PROGRESSIVE CLASSIC INS CO	24,239,887	0.64%	84.66%	Y	Y
25	8	11252	ENCOMPASS HOME & AUTO INS CO	24,079,505	0.64%	85.30%	Y	Y
26	0	35173	AGENCY INS CO OF MD INC	20,816,029	0.55%	85.85%	Y	Y
27	8	10071	ENCOMPASS INS CO OF AMER	18,743,152	0.50%	86.35%	Y	Y
28	250	14958	PENINSULA INS CO	17,498,239	0.46%	86.81%	Y	Y
29	771	11681	KEYSTONE INS CO	16,940,524	0.45%	87.26%	Y	Y
30	28	19976	AMICA MUT INS CO	16,892,100	0.45%	87.71%	Y	Y
31	91	27120	TRUMBULL INS CO	16,404,115	0.43%	88.14%	Y	Y
32	140	13242	TITAN IND CO	16,277,332	0.43%	88.57%	Y	Y

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2010 Rank	2010 Group Code	2010 NAIC Cocode	Company Name	2010 Written Premium	2010 Market Share	Cumulative Market Share	Writes Regular Auto	Uses Territories
33	200	18600	USAA GEN IND CO	15,510,883	0.41%	88.98%	Y	Y
34	175	25127	STATE AUTO PROP & CAS INS CO	15,072,505	0.40%	89.38%	Y	Y
35	0	13501	BRETHREN MUT INS CO	14,982,005	0.40%	89.78%	Y	Y
36	175	25135	STATE AUTOMOBILE MUT INS CO	14,111,788	0.37%	90.15%	Y	Y
37	200	21253	GARRISON PROP & CAS INS CO	13,205,180	0.35%	90.50%	Y	Y
38	215	16063	UNITRIN AUTO & HOME INS CO	13,196,056	0.35%	90.85%	Y	Y
39	4	29068	IDS PROP CAS INS CO	12,522,010	0.33%	91.18%	Y	Y
40	271	14990	PENNSYLVANIA NATL MUT CAS INS CO	12,219,777	0.32%	91.51%	Y	Y
41	241	34339	METROPOLITAN GRP PROP & CAS INS CO	11,860,167	0.31%	91.82%	Y	Y
42	3548	25658	TRAVELERS IND CO	10,720,550	0.28%	92.11%	Y	Y
43	640	14664	MUTUAL BENEFIT INS CO	10,170,760	0.27%	92.38%	Y	Y
44	91	34690	PROPERTY & CAS INS CO OF HARTFORD	10,065,143	0.27%	92.64%	Y	Y
45	111	33588	FIRST LIBERTY INS CORP	9,915,562	0.26%	92.91%	Y	Y
46	242	19259	SELECTIVE INS CO OF SC	9,797,583	0.26%	93.16%	Y	Y
47	212	11185	FOREMOST INS CO GRAND RAPIDS MI	9,789,214	0.26%	93.42%	Y	Y
48	111	24740	SAFECO INS CO OF AMER	9,652,507	0.26%	93.68%	Y	Y
49	8	15130	ENCOMPASS IND CO	9,525,574	0.25%	93.93%	Y	Y
50	91	30104	HARTFORD UNDERWRITERS INS CO	8,974,142	0.24%	94.17%	Y	Y
51	0	16128	PARAMOUNT INS CO	8,905,256	0.24%	94.41%	Y	Y
52	111	14613	MONTGOMERY MUT INS CO	8,639,612	0.23%	94.63%	Y	Y
53	1129	25712	ESURANCE INS CO	8,452,556	0.22%	94.86%	Y	Y
54	3548	36137	TRAVELERS COMMERCIAL INS CO	8,296,558	0.22%	95.08%	Y	Y
55	111	39012	SAFECO INS CO OF IL	7,500,748	0.20%	95.28%	Y	Y
56	212	32220	21ST CENTURY N AMER INS CO	7,405,908	0.20%	95.47%	Y	Y
57	91	11000	SENTINEL INS CO LTD	7,402,820	0.20%	95.67%	Y	Y
58	111	24074	OHIO CAS INS CO	6,621,587	0.18%	95.84%	Y	Y
59	212	10806	FARMERS NEW CENTURY INS CO	6,470,409	0.17%	96.02%	Y	Y
60	33	20117	CALIFORNIA CAS IND EXCH	6,148,312	0.16%	96.18%	Y	Y
61	213	26263	ERIE INS CO	5,666,430	0.15%	96.33%	Y	Y
62	1129	30210	* ESURANCE PROP & CAS INS CO	5,486,953	0.15%	96.47%	Y	Y
63	241	25321	METROPOLITAN DRT PROP & CAS INS CO	5,386,119	0.14%	96.62%	Y	Y
64	140	25453	NATIONWIDE INS CO OF AMER	5,285,228	0.14%	96.76%	Y	Y

Exhibit 2

2010 Rank	2010 Group Code	2010 NAIC Cocode	Company Name	2010 Written Premium	2010 Market Share	Cumulative Market Share	Writes Regular Auto	Uses Territories
65	761	21873	FIREMANS FUND INS CO	5,228,530	0.14%	96.90%	Y	Y
66	0	40720	INTERSTATE AUTO INS CO INC	5,082,168	0.13%	97.03%	Y	Y
67	3548	25666	TRAVELERS IND CO OF AMER	4,943,120	0.13%	97.16%	Y	Y
68	215	10914	KEMPER INDEPENDENCE INS CO	4,902,014	0.13%	97.29%	Y	Y
69	169	21164	DAIRYLAND INS CO	4,743,660	0.13%	97.42%	Y	Y
70	38	20303	GREAT NORTHERN INS CO	4,688,233	0.12%	97.54%	Y	Y
71	250	13692	DONEGAL MUT INS CO	4,084,232	0.11%	97.65%	Y	Y
72	212	21709	TRUCK INS EXCH	3,991,141	0.11%	97.75%	Y	Y
73	2538	42447	NATIONAL GEN ASSUR CO	3,810,197	0.10%	97.86%	Y	Y
74	3548	19070	STANDARD FIRE INS CO	3,763,553	0.10%	97.95%	Y	Y
75	91	29459	TWIN CITY FIRE INS CO CO	3,468,624	0.09%	98.05%	Y	Y
76	3478	19530	STATE AUTO NATL INS CO	3,030,852	0.08%	98.13%	Y	Y
77	626	18279	BANKERS STANDARD INS CO	2,954,590	0.08%	98.21%	Y	Y
78	215	10226	UNITRIN DIRECT INS CO	2,931,149	0.08%	98.28%	Y	Y
79	212	20796	21ST CENTURY PREMIER INS CO	2,744,074	0.07%	98.36%	Y	Y
80	253	14168	HARLEYSVILLE MUT INS CO	2,593,265	0.07%	98.42%	Y	Y
81	241	40169	METROPOLITAN CAS INS CO	2,585,108	0.07%	98.49%	Y	Y
82	54	10448	CUMBERLAND INS CO INC	2,495,238	0.07%	98.56%	Y	Y
83	242	39926	SELECTIVE INS CO OF THE SOUTHEAST	2,352,023	0.06%	98.62%	Y	Y
84	12	19402	CHARTIS PROP CAS CO	2,320,197	0.06%	98.68%	Y	Y
85	408	29963	UNITED FARM FAMILY INS CO	2,193,787	0.06%	98.74%	Y	Y
86	250	22586	ATLANTIC STATES INS CO	2,186,807	0.06%	98.80%	Y	Y
87	111	42404	LIBERTY INS CORP	2,017,644	0.05%	98.85%	Y	Y
88	111	44393	WEST AMER INS CO	1,924,715	0.05%	98.90%	Y	Y
89	155	24260	PROGRESSIVE CAS INS CO	1,862,855	0.05%	98.95%	Y	Y
90	0	21261	ELECTRIC INS CO	1,858,277	0.05%	99.00%	Y	Y
91	215	10915	UNITRIN DIRECT PROP & CAS CO	1,796,430	0.05%	99.05%	Y	Y
92	771	10675	AAA MID ATLANTIC INS CO	1,663,488	0.04%	99.09%	Y	Y
93	91	19682	HARTFORD FIRE IN CO	1,654,221	0.04%	99.14%	Y	Y
94	300	22683	TEACHERS INS CO	1,598,912	0.04%	99.18%	Y	Y
95	140	37877	NATIONWIDE PROP & CAS INS CO	1,454,829	0.04%	99.22%	Y	Y
96	300	22756	HORACE MANN PROP & CAS INS CO	1,414,156	0.04%	99.26%	Y	Y

Exhibit 2

2010 Rank	2010 Group Code	NAIC Cocode	Company Name	2010 Written Premium	2010 Market Share	Cumulative Market Share	Writes Regular Auto	Uses Territories
97	215	26085	WARNER INS CO	1,405,421	0.04%	99.29%	Y	Y
98	0	33545	SEMINOLE CAS INS CO	1,313,901	0.03%	99.33%	Y	Y
99	3098	18058	PHILADELPHIA IND INS CO	1,297,088	0.03%	99.36%	Y	Y
100	311	40231	OLD DOMINION INS CO	1,296,788	0.03%	99.40%	Y	Y
101	761	21881	NATIONAL SURETY CORP	1,296,129	0.03%	99.43%	Y	Y
102	38	20281	FEDERAL INS CO	1,246,869	0.03%	99.46%	Y	Y
103	253	35696	HARLEYSVILLE PREFERRED INS CO	1,178,680	0.03%	99.49%	Y	Y
104	140	19100	AMCO INS CO	1,158,927	0.03%	99.53%	Y	Y
105	361	23469	AMERICAN MODERN HOME INS CO	1,046,030	0.03%	99.55%	Specialty	
106	311	14788	NGM INS CO	1,042,719	0.03%	99.58%	Y	Y
107	300	22578	HORACE MANN INS CO	1,009,658	0.03%	99.61%	Y	Y
108	241	40649	ECONOMY PREMIER ASSUR CO	923,051	0.02%	99.63%	Y	Y
109	19	10111	AMERICAN BANKERS INS CO OF FL	877,005	0.02%	99.66%	Y	Y
110	3548	28188	TRAVCO INS CO	864,698	0.02%	99.68%	Y	Y
111	311	29939	MAIN ST AMER ASSUR CO	769,833	0.02%	99.70%	Y	Y
112	155	38628	PROGRESSIVE NORTHERN INS CO	721,936	0.02%	99.72%	Y	Y
113	140	42889	VICTORIA FIRE & CAS CO	719,135	0.02%	99.74%	Y	Y
114	38	10052	CHUBB NATL INS CO	711,667	0.02%	99.76%	Y	Y
115	241	26298	METROPOLITAN PROP & CAS INS CO	693,539	0.02%	99.77%	Y	Y
116	244	10677	CINCINNATI INS CO	658,923	0.02%	99.79%	Y	Y
117	38	20397	VIGILANT INS CO	576,884	0.02%	99.81%	Y	Y
118	215	43044	RESPONSE INS CO	571,373	0.02%	99.82%	Y	Y
119	1129	37915	ESSENTIA INS CO	539,062	0.01%	99.84%	Specialty	
120	38	20346	PACIFIC IND CO	469,223	0.01%	99.85%	Y	Y
121	140	10723	NATIONWIDE ASSUR CO	455,994	0.01%	99.86%	Y	Y
122	215	31968	MERASTAR INS CO	415,230	0.01%	99.87%	Y	Y
123	212	43974	21ST CENTURY IND INS CO	360,467	0.01%	99.88%	Y	Y
124	3678	13455	BANKERS INDEPENDENT INS CO	348,947	0.01%	99.89%	Y	Y
125	91	37478	HARTFORD INS CO OF THE MIDWEST	346,849	0.01%	99.90%	Y	Y
126	0	41459	ARMED FORCES INS EXCH	332,564	0.01%	99.91%	Y	Y
127	91	29424	HARTFORD CAS INS CO	329,816	0.01%	99.92%	Y	Y
128	0	44229	TRUSTSTAR INS CO	326,009	0.01%	99.93%	Specialty	

Exhibit 2

2010 Rank	2010 Group Code	NAIC Cocode	Company Name	2010 Written Premium	2010 Market Share	Cumulative Market Share	Writes Regular Auto	Uses Territories
129	361	23450	AMERICAN FAMILY HOME INS CO	297,865	0.01%	99.93%	Specialty	
130	212	36587	21ST CENTURY NATL INS CO	269,525	0.01%	99.94%	Y	Y
131	140	42579	ALLIED PROP & CAS INS CO	240,083	0.01%	99.95%	Y	Y
132	91	22357	HARTFORD ACCIDENT & IND CO	237,221	0.01%	99.95%	Y	Y
133	88	22292	HANOVER INS CO	198,395	0.01%	99.96%	Y	Y
134	3495	22268	INFINITY INS CO	193,808	0.01%	99.96%	Specialty	
135	111	24724	FIRST NATL INS CO OF AMER	190,990	0.01%	99.97%	Y	Y
136	785	28932	MARKEL AMER INS CO	185,096	0.00%	99.97%	Specialty	
137	212	11800	FOREMOST PROP & CAS INS CO	141,785	0.00%	99.98%	Specialty	
138	1281	24821	MERITPLAN INS CO	129,324	0.00%	99.98%	Y	Y
139	17	10051	LYNDON SOUTHERN INS CO	118,604	0.00%	99.98%	Specialty	
140	4664	12873	* PRIVILEGE UNDERWRITERS RECP EXCH	86,605	0.00%	99.99%	Y	Y
141	2538	23728	NATIONAL GEN INS CO	78,946	0.00%	99.99%	Y	Y
142	0	31062	* IFA INS CO	70,382	0.00%	99.99%	Y	Y
143	0	34509	* RIDER INS CO	67,248	0.00%	99.99%	Specialty	
144	4254	40827	VIRGINIA SURETY CO INC	56,805	0.00%	99.99%	Specialty	
145	4716	26220	YOSEMITE INS CO	53,808	0.00%	99.99%	Specialty	
146	19	19615	AMERICAN RELIABLE INS CO	48,175	0.00%	100.00%	Specialty	
147	12	19445	* NATIONAL UNION FIRE INS CO OF PITTS	42,061	0.00%	100.00%	n/a	n/a
148	0	27502	WESTERN GEN INS CO	29,578	0.00%	100.00%	Specialty	
149	140	42587	DEPOSITORS INS CO	28,808	0.00%	100.00%	Y	Y
150	775	13714	PHARMACISTS MUT INS CO	24,219	0.00%	100.00%	Y	Y
151	84	32620	NATIONAL INTERSTATE INS CO	15,449	0.00%	100.00%	Specialty	
152	212	43699	AMERICAN FEDERATION INS CO	13,193	0.00%	100.00%	Specialty	
153	169	24988	SENTRY INS A MUT CO	7,102	0.00%	100.00%	Y	Y
154	2898	37850	PACIFIC SPECIALTY INS CO	5,444	0.00%	100.00%	Specialty	
155	8	37907	DEERBROOK INS CO	4,358	0.00%	100.00%	Y	Y
156	84	41106	TRIUMPHE CAS CO	4,126	0.00%	100.00%	Specialty	
157	1281	24813	BALBOA INS CO	2,534	0.00%	100.00%	n/a	n/a
158	313	33898	AEGIS SECURITY INS CO	2,131	0.00%	100.00%	Specialty	

Exhibit 2

2010 Rank	2010 Group Code	NAIC Cocode	Company Name	2010 Written Premium	2010 Market Share	Cumulative Market Share	Writes Regular Auto	Uses Territories
159	12	23841	NEW HAMPSHIRE INS CO	2,074	0.00%	100.00%	n/a	n/a
160	12	19399	AIU INS CO	-156	0.00%	100.00%	n/a	n/a
161	3098	12904	TOKIO MARINE & NICHIDO FIRE INS CO	-217	0.00%	100.00%	n/a	n/a
162	250	39900	PENINSULA IND CO	-570	0.00%	100.00%	n/a	n/a
163	458	35769	LYNDON PROP INS CO	-610	0.00%	100.00%	n/a	n/a
164	0	31240	COMMONWEALTH MUT INS CO OF AMER	-641	0.00%	100.00%	n/a	n/a
165	212	39306	FIDELITY & DEPOSIT CO OF MD	-856	0.00%	100.00%	n/a	n/a
166	1129	20648	EMPLOYERS FIRE INS CO	-1,212	0.00%	100.00%	n/a	n/a
167	212	19356	MARYLAND CAS CO	-3,003	0.00%	100.00%	n/a	n/a
168	761	21849	AMERICAN AUTOMOBILE INS CO	-8,369	0.00%	100.00%	n/a	n/a
169	212	23795	21ST CENTURY PACIFIC INS CO	-21,928	0.00%	100.00%	n/a	n/a
INDUSTRY TOTALS				3,775,381,150				

* Indicates the company is new for 2010 in terms of premiums

Following companies are not on 2010 premium list, but were on the 2009 Territorial rating report list

n/a	12	34789	AIG CENTENNIAL INS CO
n/a	84	26344	GREAT AMER ASSUR CO
n/a	361	41998	AMERICAN SOUTHERN HOME INS CO
n/a	626	22667	ACE AMER INS CO
n/a	1129	20621	ONEBEACON AMER INS CO
n/a	1129	21962	PENNSYLVANIA GEN INS CO
n/a	1129	21970	ONEBEACON INS CO