

COVID-19 PREMIUM REFUNDS, CREDITS, AND REDUCTIONS REPORT

For Reporting Periods: September, October, November, & December 2020 and Overall Totals
COVER PAGE

<u>Fidelity and Deposit Company of Maryland</u> <i>Company Name</i>		<u>39306</u> <i>NAIC Company Code</i>
<u>Zurich U.S. Insurance Pool Group</u> <i>Group Name</i>		<u>212</u> <i>NAIC Group Code</i>
<u>1299 Zurich Way</u> <i>Address</i>		
<u>Schaumburg</u> <i>City</i>	<u>IL</u> <i>State</i>	<u>60196</u> <i>Zip Code</i>
<input checked="" type="checkbox"/> Admitted insurer		
<input type="checkbox"/> Non-admitted and transacted through a Surplus Lines Broker		
<i>Under penalty of perjury, I declare that I have examined this report, and to the best of my knowledge and belief, it is true, correct, and complete.</i>		
<u>02.01.2021</u> <i>Date</i>		
<u>Lynn Zeitler</u> <i>Name of the Officer</i>	<u>847-413-5954</u> <i>Phone Number</i>	<u></u> <i>Fax Number</i>
<u>Vice President</u> <i>Title</i>	<u>lynn.zeitler@zurichna.com</u> <i>E-Mail Address</i>	
<u>Lynn Lenz</u> <i>Name of the Contact Person</i>	<u></u> <i>Phone Number</i>	<u></u> <i>Fax Number</i>
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This Report Is Due No Later Than: February 1, 2021

Please return the completed Cover Page to the Rate Specialist Bureau at RSBCovid19PR@insurance.ca.gov.
Any questions / correspondence can be directed to: RSBCovid19PR@insurance.ca.gov

CALIFORNIA DEPARTMENT OF INSURANCE
Attn: Rate Specialist Bureau, 11th Floor
300 South Spring Street, South Tower
Los Angeles, CA 90013-1230

INFORMATION PROVIDED IN THIS REPORT SHALL BE PUBLIC AND NON-CONFIDENTIAL

Questionnaire

COVID-19 Premium Refunds, Credits, and Reduction Report

Company Name: Fidelity and Deposit Company of Maryland

NAIC Code: 39306

Group Name: Zurich U.S. Insurance Pool Group

NAIC Group Code: 212

1) Has your company written premium in California in 2020 in any lines of business identified in Bulletin 2020-3?
Check all appropriate box(es) and identify all applicable lines, if any.

a. YES Our company writes in one of these lines of insurance listed below.
Place a check mark next to the lines that apply and go to question 2.

- 1. Private Passenger Automobile Insurance [PPA]
- 2. Commercial Automobile Insurance [CMA]
- 3. Workers' Compensation Insurance [WC]
- 4. Commercial Multiple Peril Insurance [CMP]
- 5. Commercial Liability Insurance [CML]
- 6. Medical Malpractice Insurance [MED]
- 7. Any other line of insurance that is impacted by COVID-19 pandemic. List below.

b. NO Our company does not write any lines of insurance listed above. End of Questionnaire.

2) Has your company taken action to refund premium in response to COVID-19?
Check the appropriate box and provide explanation in the appropriate section of the Explanatory Memorandum.

a. NO Please provide your explanation describing the types of risk exposures that are not subject to refund in the Explanatory Memorandum-section I.

b. YES Please provide a summary of your action plan to achieve the premium refund in response to this bulletin in the Explanatory Memorandum-section II.

3) Does your company have any rate filings pending approval by the Rate Regulation Branch in the California Department of Insurance that pertain to the lines of business in Bulletin 2020-3?
Check the appropriate box and identify the California Department of Insurance filing reference number(s) in the box provided, if applicable.

- a. No
- b. Yes Please list the Rate Filing Number(s) below.

20-1010-B

4) How did your company accomplish its refund of premium to policyholders? Please answer by line of insurance.
If the method differs by program within line of insurance, please check all boxes that apply and provide additional explanation in the accompanying Explanatory Memorandum - section II.

- a. Return of Premium - sending payment (checks, credit back to credit card, etc.) to policyholders for the amount of the premium adjustment.
- b. Premium Credit - giving a credit at the next installment or renewal equal to the amount of the premium adjustment.
- c. Premium Reduction - reducing the premium amount payable at the next renewal.
- d. Dividend - refunding an amount as a policyholder dividend.
- e. Other - please specify:

Line of Insurance

PPA	CMA	WC	CMP	CML	MED	OTHR
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5) Explain which of the following method(s) your company used to compute the premium refund.
Please check the appropriate box for each line of insurance. If the response differs by program within line of insurance, check the box for the predominant program in the line, and provide additional explanation for the remaining programs in the accompanying Explanatory Memorandum - section II.

Line of Insurance

Methods (a) or (b) are adjustments that can be performed consistent with the current approved rating plan.

- a. Reclassification of exposures to comport with current exposure
- b. Reduction of the rated exposures to reflect actual or anticipated exposures
 Select an exposure base to be adjusted from the list below for each line of insurance.
 - b1. Miles Driven
 - b2. Payroll
 - b3. Gross Receipts
 - b4. Other, please specify:

PPA	CMA	WC	CMP	CML	MED	OTHR
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- c. Application, or expected application, of a uniform premium reduction for all policyholders in the line.
 The premium refund can be a fixed amount or an average percentage based on the change in exposures.
 Considerations relevant to determining the refund amount may include distribution of policyholders across mileage bands or type of use of vehicle for personal auto insurance or, at a minimum, premium for a commercial policy.

- c1. Enter the uniform premium reduction refund amount for all or select group of policyholders. [\$]
- c2. Enter the applied average percentage based on estimated change in risk and/or reduction in exposure. [%]
- c3. If the refund applies only to selected programs, industries, classifications, essential vs non-essential business, etc.
 please identify and include detailed program information in the Explanatory Memorandum-Section II.

- d. Reassessment of the classification and exposure bases of affected risks on a case by case basis

Line of Insurance						
PPA	CMA	WC	CMP	CML	MED	OTHR

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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- 6) Identify any and all other measures that your company has taken to help policyholders during the COVID-19 quarantine period.
 Select a method from the list below for each line of insurance. If the method differs by program within line of insurance, check the box for the predominant program in the line, and provide additional explanation for the remaining programs in Explanatory Memorandum - section II.

- a. Providing a grace period to pay insurance premium.
- b. Waiving late fees.
- c. Suspending cancellation of policies
- d. Extending Coverage to Delivery Services
- e. Other, please specify:

Line of Insurance						
PPA	CMA	WC	CMP	CML	MED	OTHR
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

END OF QUESTIONNAIRE

Explanatory Memorandum
COVID-19 Premium Refunds, Credits, and Reduction Report

Company Name: Fidelity and Deposit Company of Maryland

NAIC Code: 39306

Group Name: Zurich U.S. Insurance Pool Group

NAIC Group Code: 212

- [I] If your company writes in any lines of insurance specified in Bulletin 2020-3 and has determined no refunds are necessary, please explain and provide any relevant documents.

Responses for question #: 2a.

If you need additional space, please include an additional file with your submission.

No refund credits were applied in CML as no policyholder presented evidence that COVID-19 adversely impacted their exposure during this reporting period. See attached memo that explains our willingness to provide credits were there is adverse impact. See also our reasoning regarding our CMP Business. Please see the attached memo.

- [II] If your company writes in one of the lines specified in Bulletin 2020-3 and has issued refunds for your policyholders, please explain all actions taken to date to refund premium in response to or consistent with this Bulletin. Please include California-specific information and an explanation and justification for the amount, effective date, and duration of any premium refund, and how those measures reflect the actual or expected reduction of exposure to loss.

Please provide any relevant documents.

Responses for question #: 2b, 4, and 5

If you need additional space, please include an additional file with your submission.

As stated in the California Bulletin 2020-08 ("the Bulletin"), *"The COVID-19 pandemic has severely curtailed activities of policyholders in both personal and commercial lines. As a result, projected loss exposures of many insurance policies have become overstated or misclassified. This is especially true for policies where premiums are based partly on measures of risk such as number of miles driven, revenue, and payrolls which have all dropped significantly because of COVID-19."* Fidelity and Deposit Company of Maryland ("FDCM") acknowledges the impact of COVID-19 on certain of its California policyholders and makes this submission in response to the Bulletin for our refund amounts in June, July and August.

Background

The Bulletin permits every insurer reasonable flexibility in determining how best to quickly and fairly accomplish a refund of premium where appropriate using several refund methods. FDCM in accordance with the Commissioner's guidelines, has taken prompt and fair action throughout the pandemic and continuing through this date. Further, FDCM is prepared to take future actions, when need is evidenced, to provide premium relief for impacted policyholders by reviewing exposures and adjusting exposures or implementing future exposure adjustment in accordance with the Bulletin. Prior to the issuance of the Bulletin, FDCM implemented a case-by-case approach to reviewing changes in exposure and premium charges for all lines of business and all business segments. We point out that the case-by-case approach has since been acknowledged by the Bulletin. This strategy was applied to the reporting lines as stated in our questionnaire. FDCM has continued explicit conversations with California brokers and policyholders in order to analyze specific policyholders' unique circumstances so that a tailored solution can be fashioned in order to meet an individual policyholder's needs. Our case-by-case approach is a review of individual policies and/or accounts collectively upon request of the insured or the broker. The case-by-case approach is applicable to all lines where an exposure change warrants such actions.

Commercial Liability:

After review and analysis of the potential for risk to have changed as a result of COVID-19, and the contours of that changed risk, FDCM has concluded on a going forward basis that a case-by-case approach is best tailored for our Commercial Liability segments. Our Casualty book has not seen a reduction in losses, and our ultimate results are too volatile to predict. Further, the impact of the severity losses and the new exposures arising new negligence standards from COVID-19 to businesses in all sectors cannot be predicted at this time.

In addition, in our construction and commercial automobile businesses many workers worked increased hours with fewer days off in order to meet the needs of the population during the pandemic. The longer hours and pressure to manufacture, warehouse and deliver necessary goods may have increased the severity in the line. Therefore, it is impossible to predict the ultimate impact that COVID-19 will have on this line of business.

Further, our customers due benefit from loss sensitive business that occur in many forms: retrospective rating plans, large deductibles, self-insured retentions, single-parent captives, and group captives. Much of the FDCM book of business across all lines in this segment is loss sensitive business. Loss sensitive business, in whatever form, requires the insurer to provide claims and/or other services such as regulatory reporting, risk engineering, other vendor services including administering claims or managing claim's administrators. This responsibility and expense of administering the program is not reduced because of COVID-19. One of the key benefits to customers who choose a loss sensitive program is that the policyholder is paying a reduced premium when compared to premium that would be charged for a guaranteed cost program. Second, the policyholder also immediately realizes economic value when claim frequency decreases because the policyholder's self-funded losses are reduced. For example, for all loss sensitive programs each policyholder experiences a reduction in loss fund adjustments due to a

decrease in frequency and this reduction immediately inures to the policyholders. In addition, the frequency across most lines does not generally drive premium.

In each of these segments, where a change in exposure was evident, premium credits have been provided where warranted, specific to each line of business, to individual policyholders. This was the result of a review of individual policyholder's unique set of circumstances and a determination that a refund was justifiable based upon those circumstances. Therefore, in summary, our case-by-case approach is best suited for this set of business segments because the insurance programs are loss sensitive, individualized, and therefore, individual solutions are most appropriate.

Commercial Auto

While there may be some reduction in reported claim counts, they do not tell the full story. There is strong evidence of higher Auto Liability severities during this same time period:

- The percentage of Auto Liability claims involving fatalities (as of the claim report date) is up over 16% during the COVID period, as compared to last year
- The percentage of Auto Liability claims related to reckless driving (speeding or DUI) is up over 40% during the COVID period, as compared to last year
- We anticipate an increased reporting lag during this period
- Injury costs could end up being higher as some may have delayed seeking medical treatment during this period

We are continuing to make case-by-case adjustments where a reduction in exposure is demonstrated.

Worker's Compensation

The Workers' Compensation line of business analysis considerations it is unclear as to what the ultimate results will be due to the pandemic. We cannot predict this line due to the variability of the increased medical and medical leave costs due to COVID-19.

Severity is also expected to increase due to the lag in workers' wellness care as well as care for severe illness such as cancer. We cannot discern the aggregate exposure changes at this point. While most hospitals have stopped elective procedures, they have an increase in ICU bed utilization. When states have started allowing elective procedures, the exposure might increase as previous conditions which were not serious could now require immediate surgery. Workers have also avoided going to the hospital and they now may require longer hospitalizations as they conditions have worsened.

In addition, in our construction and commercial automobile businesses many workers worked increased hours with fewer days off in order to meet the needs of the population during the pandemic. The longer hours and pressure to manufacture, warehouse and deliver necessary goods may have increased the severity in the line. Therefore, it is impossible to predict the ultimate impact that COVID-19 will have on this line of business.

In summary, in this business there is no indication that Worker's Compensation costs have been reduced as a result of COVID-19. By its nature, this is a long tail line that takes time to develop. Our ability to predict the outcome in this line is very time dependent. In addition, with new presumptions further add to the volatility. However, we do continue to make case-by case adjustments where changes in exposures are demonstrated. And, we much of this business is subject to audit.

Commercial Multiple Peril

The primary measure of potential loss exposure for commercial property is the total insured value of the real and personal property. The stay-at-home orders in response to the COVID-19 pandemic have not fundamentally changed a commercial property policyholder's exposure in terms of the value of their real and personal property.

A commercial property policyholder's loss exposure is further affected by the physical attributes and protection of the property for the insured perils. This includes the building material used in the construction of the property, presence and adequacy of fire suppression or other protection systems, human element programs to maintain property, and access to adequate water supplies and public fire brigades for firefighting operations. The stay-at-home orders have had no impact on the physical attributes of property insured, its physical protections or public resources available for firefighting operations. Curtailed activities of policyholders at insured locations does have potentially adverse impact on human element programs meant to protect property. This includes reduced inspection, maintenance and testing of critical systems at facilities and reduced human detection and mitigation of common causes of loss such as water, theft or vandalism.

Finally, a commercial property policyholder's loss exposure is affected by the type of operations occurring at the insured property. Those policyholders who have curtailed activities have potentially reduced some sources of loss. For example, a restaurant that has ceased operations has significantly reduced their potential for kitchen fires or a manufacturer who has ceased operations has significantly reduced their potential for fire starting from an overheated piece of machinery.

However, the vast majority of this business is considered Loss-Sensitive. Loss Sensitive business includes retrospective rating plans, large deductibles, SIRs, Group and Single Parent Programs. The reduction of claim frequency under any Loss Sensitive business programs are immediate help to insureds. The excess or severity losses only impact the insurer regardless of COVID-19.

However, as noted in the proceeding paragraphs, the reduction or elimination of some limited sources of loss may be offset by increases in other hazards, while the fundamental exposure of the physical property itself has not changed. As such, we conclude that there has been no meaningful reduction in loss exposure with respect to real and personal property in the aggregate.

The risk of physical loss or damage to real or personal property has not materially changed for commercial property policyholders. Many policyholders purchase business interruption coverage, which coverage would be triggered for physical loss or damage to property insured from a covered cause of loss. During a period of significantly curtailed operations, business interruption insured exposure would be reduced in a way that reflects the curtailed operations.

Refunds

Nearly all of the case-by-case refund credits reported here have been processed. We continue committed to the case-by-case approach in all lines where reduction in exposure can be demonstrated. Further, as mentioned above, much of the FDCM book is loss sensitive.

Summary

FDCM has implemented many measures to assist our policyholders who were impacted by COVID-19, reflective of the specific needs of our policyholders. One of FDCM's core principles is to be customer focused. We strive to illustrate that principle of putting our customers first by the listening and serving our customer's needs. In order put our California policyholders first, and prior to issuance of this Bulletin, FDCM implemented a case-by-case exposure review strategy for customers who were adversely impacted by COVID-19. In addition, we also implemented premium credits, exposure adjustments,

provided extended grace periods, waived late fees and credit reporting, and suspended of cancellation of policies for non-payment of premium.