



Minnesota Workers' Compensation
Insurers Association, Inc.
7701 France Avenue South ▪ Suite 450
Minneapolis, MN 55435-3200

February 15, 2006

ALL ASSOCIATION MEMBERS

Circular Letter 06-1478

RE: NCCI Item P-1401 — Revision of the Rural Electrification Administration Endt.

The Minnesota Department of Commerce has approved the above filing to become effective 12:01 a.m., July 1, 2006, for new and renewal business in the State of Minnesota.

The Rural Electrification Administration (REA) is now known as the Rural Utilities Service (RUS). The purpose of the above filing item is to change the references in the Rural Electrification Administration Endorsement (WC 00 03 09) to reflect this name change.

Exhibit I illustrates the changes necessary to the *Minnesota Forms Manual* to implement Item P-1401 in Minnesota. Exhibit II illustrates changes to the *Minnesota Forms Manual* to update the Index. As you review Item P-1401, please note the revised language has been highlighted on both exhibits.

A copy of National Council's original filing memorandum is included for your convenience to provide additional background information on this particular filing.

To view copies of all currently approved forms and endorsements for Minnesota, please visit MWCIA's website at www.mwcia.org and select the drop-down menu for "Minnesota Manuals" on the left-hand margin of our homepage.

Should you have any questions concerning Item P-1404 in Minnesota, please contact one of our Member & Customer Service's staff by calling 952.897.1737 (Option 1) or emailing info@mwcia.org.

A NOTICE TO MEMBERSHIP:

The Minnesota Department of Commerce requests that MWCIA remind its members that the above filing items were filed by MWCIA on behalf of all member carriers. Approval of the above filing by the Department of Commerce, therefore, applies automatically to all member carriers and separate filings of the manual rules and/or forms in connection with this filing by individual carriers is not required.

Effective July 1, 2006

RURAL UTILITIES SERVICE ENDORSEMENT

1. We will submit our policy and endorsement forms to the **Rural Utilities Service (RUS)** prior to using them.
2. We will mail to the **Rural Utilities Service** at least ten days advance notice of the termination of the policy.
3. If you are immune from tort liability, we will not use that immunity as a defense unless you so request us. You agree that waiving the defense of immunity will not make us liable for any payment in excess of the limits of liability stated in the policy.
4. If you are a cooperative or a mutual organization, we agree with the **Rural Utilities Service** that the insurance afforded by this policy is subject to the following provisions:
 - a. We agree that we will not use, either in the adjustment of claims or in the defense of suits against you, your immunity from tort liability, unless you interpose such defense;
 - b. You agree that the waiver of the defense of immunity shall not subject the company to liability of any portion of a claim, verdict or judgment in excess of the limits stated in the policy;
 - c. We agree that if you are relieved of liability because of your immunity, either by interposition of such defense at your request or by voluntary action of a court, the insurance applicable to the injuries on which such suit is based, to the extent it would otherwise have been available to you, shall apply to your officers and employees in their capacity as such; provided that all defenses other than immunity in suits against you or against the company under the policy shall be available to the company with respect to such officers and employees in suits against such officers and employees or against the company under the policy.

Note:

Use this endorsement if the insured is a rural electrification cooperative and this endorsement is required by the **RUS**.

EXHIBIT II
INDEX
MINNESOTA FORMS MANUAL

The following forms and endorsements in this Minnesota Forms Manual have been approved by the Minnesota Commerce Department and are available for use in Minnesota.

- Introduction
- Workers' Compensation and Employers Liability Insurance Policy Rules
- WC 00 00 00 A Workers Compensation and Employers Liability Insurance Policy
- WC 00 01 01 A Defense Base Act Coverage Endorsement
- WC 00 01 04 A Federal Employers' Liability Act Coverage Endorsement
- WC 00 01 06 A Longshore and Harbor Workers' Compensation Act Coverage Endt.
- WC 00 01 08 A Nonappropriated Fund Instrumentalities Act Coverage Endorsement
- WC 00 01 09 A Outer Continental Shelf Lands Act Coverage Endorsement
- WC 00 01 11 Migrant and Seasonal Agricultural Worker Protection Act Coverage Endorsement
- WC 00 01 13 Terrorism Risk Insurance Extension Act Endorsement
- WC 00 02 01 A Maritime Coverage Endorsement
- WC 00 02 03 Voluntary Compensation Maritime Coverage Endorsement
- WC 00 02 04 Limited Maritime Coverage Endorsement
- WC 00 03 01 A Alternate Employer Endorsement
- WC 00 03 02 Designated Workplaces Exclusion Endorsement
- WC 00 03 03 C Employers Liability Coverage Endorsement
- WC 00 03 04 Insurance Company as Insured Endorsement
- WC 00 03 05 Joint Venture as Insured Endorsement
- WC 00 03 09 B Rural Utilities Service Endorsement
- WC 00 03 10 Sole Proprietors, Partners, Officers and Others Coverage Endorsement
- WC 00 03 11 A Voluntary Compensation and Employers Liability Coverage Endt.
- WC 00 03 13 Waiver of Our Right to Recover from Others Endorsement
- WC 00 04 01 A Aircraft Premium Endorsement
- WC 00 04 03 Experience Rating Modification Factor Endorsement
- WC 00 04 05 Policy Period Endorsement
- WC 00 04 06 A Premium Discount Endorsement

- WC 00 04 09 Premium Determination Endorsement — Former Self-Insurers 1
- WC 00 04 10 Premium Determination Endorsement — Former Self-Insurers 2
- WC 00 04 12 Contingent Experience Rating Modification Factor Endorsement
- WC 00 04 14 Notification of Change in Ownership Endorsement
- WC 00 04 19 Premium Due Date Endorsement
- Policyholder Disclosure Notice of Terrorism Insurance Coverage
- WC 00 04 22 Foreign Terrorism Premium Endorsement
- WC 00 05 03 A Retrospective Premium Endorsement — One Year Plan
- WC 00 05 04 A Retrospective Premium Endorsement — Three Year Plan
- WC 00 05 05 A Retrospective Premium Endorsement — Long-Term Construction Project
- WC 00 05 08 Retrospective Premium Endorsement Aviation Exclusion
- WC 00 05 09 A Retrospective Premium Endorsement Changes
- WC 00 05 10 Retrospective Premium Endorsement Non-Ratable Catastrophe Element or Surcharge
- WC 00 05 11 Retrospective Premium Endorsement Short Form
- WC 00 05 12 A Retrospective Premium Endorsement One Year Plan — Multiple Lines
- WC 00 05 13 A Retrospective Premium Endorsement Three Year Plan — Multiple Lines
- WC 00 05 14 A Retrospective Premium Endorsement Long Term Construction Project — Multiple Lines
- WC 00 05 15 Retrospective Premium Endorsement Flexibility Options
- WC 00 06 03 Benefits Deductible Endorsement
- WC 89 06 09 B Policy Termination/Cancelation/Reinstatement Notice
- WC 22 00 00 A Minnesota Amendatory Endorsement
- WC 22 00 01 Information Page
- WC 22 03 01 Minnesota Compliance with Applicable Trade Sanction Laws
- WC 22 03 02 Minnesota Independent Contractors Coverage Endorsement
- WC 22 03 03 Minnesota Third Degree of Kindred Family Member Exclusion Endt.
- WC 22 03 04 Minnesota Employee Leasing Endorsement
- WC 22 03 05 Minnesota Exclusion of Coverage for Leased Employees Endorsement
- WC 22 04 01 Minnesota Contracting Premium Adjustment Program Endorsement
- WC 22 04 02 Minnesota Anniversary Rating Date Endorsement

- WC 22 06 00 Minnesota Policy Change Endorsement
- WC 22 06 01 C Minnesota Cancellation and Nonrenewal Endorsement
- WC 22 06 02 Minnesota Policy Information Page Endorsement Insured's Name
- WC 22 06 03 Minnesota Policy Information Page Endorsement Policy Number
- WC 22 06 04 Minnesota Policy Information Page Endorsement Effective Date
- WC 22 06 05 Minnesota Policy Information Page Endorsement Expiration Date
- WC 22 06 06 Minnesota Policy Information Page Endorsement —
Insured's Mailing Address
- WC 22 06 07 Minnesota Policy Information Page Endorsement —
Experience Modification
- WC 22 06 08 Minnesota Policy Information Page Endorsement Producer's Name
- WC 22 06 09 Minnesota Policy Information Page Endorsement —
Change in Workplace of Insured
- WC 22 06 10 Minnesota Policy Information Page Endorsement—
Insured's Legal Status
- WC 22 06 11 Minnesota Policy Information Page Endorsement Add States
- WC 22 06 12 Minnesota Policy Information Page Endorsement Employer Limits
- WC 22 06 13 Minnesota Policy Information Page Endorsement Change in State
- WC 22 06 14 Minnesota Policy Information Page Endorsement —
Endorsement Numbers
- WC 22 06 15 Minnesota Policy Information Page Endorsement —
Class, Rate, Other Change
- WC 22 06 16 Minnesota Policy Information Page Endorsement —
Interim Adjustment of Premium
- WC 22 06 17 Minnesota Policy Information Page Endorsement —
Carrier Servicing Office
- WC 22 06 18 Minnesota Policy Information Page Endorsement —
Interstate/Intrastate Risk ID Number
- WC 22 06 19 Minnesota Policy Information Page Endorsement Carrier Number
- WC 22 06 20 Minnesota Entity Address Schedule

FILING MEMORANDUM

ITEM P-1401—REVISION OF THE RURAL ELECTRIFICATION ADMINISTRATION ENDORSEMENT

PURPOSE

The purpose of this item is to change the name of the agency listed on the Rural Electrification Administration Endorsement (WC 00 03 09 or WC 00 03 09 A). The Rural Electrification Administration is now known as the Rural Utilities Service. The Rural Electrification Endorsement WC 00 03 09 and WC 00 03 09 A will be replaced by the Rural Utilities Service Endorsement WC 00 03 09 B.

BACKGROUND

The Rural Electrification Administration Endorsement (WC 00 03 09) was created to provide instruction for rural cooperatives required to submit information to the Rural Electrification Administration. In 1994, WC 00 03 09 A was created because there was a revision of the Rural Electrification Administration requirements for cooperative or mutual organizations.

Congress established the Rural Utilities Service as a federal agency within the United States Department of Agriculture, and it absorbed the Rural Electrification Administration and its responsibilities for rural electrification and telephone service.

PROPOSAL

It is proposed that the revised Rural Utilities Service Endorsement (WC 00 03 09 B) as contained in the attached exhibit be adopted in all states that currently have approved either WC 00 03 09 or WC 00 03 09 A. The following is a summary of each of the exhibits included in this item filing package:

- Exhibits 1 and 2 show the removal of both WC 00 03 09 and WC 00 03 09 A
- Exhibit 3 details the changes to WC 00 03 09 B in NCCI's *Forms Manual of Workers Compensation and Employers Liability Insurance*
- Because Florida requires that the notes be filed, Exhibit 4 includes the notes to WC 00 03 09 B in NCCI's *Forms Manual of Workers Compensation and Employers Liability Insurance* for Florida only

IMPACT

This item does not impact current premium levels.

IMPLEMENTATION

It is proposed that the attached exhibits be implemented:

- In all states except Virginia, effective at 12:01 a.m. on January 1, 2006, applicable to new and renewal voluntary and assigned risk business only
- In Virginia, it is proposed that this item be effective for new and renewal voluntary and assigned risk policies effective on and after 12:01 a.m. on January 1, 2006

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