

ESURANCE INSURANCE COMPANY

**MASSACHUSETTS
MANDATORY ENDORSEMENT—M-0099-S (ED. 12-16)**

This endorsement includes changes that affect your auto insurance. Please read this endorsement carefully to see how it affects your policy.

Part 6. Medical Payments (Page 15):

**Part 6.
Medical
Payments**

After the first sentence, the following sentence is added:

The coverage of this Part is always secondary to, and in excess of, any health benefit plan which allows for coordination of benefits under Massachusetts law and the Personal Injury Protection coverage of this policy or any other Massachusetts automobile insurance policy.

To: Andrea Guen
Date: August 2, 2018
Filing Company: Esurance Insurance Company
PPA/Private Passenger Types (Autos Only)
Company Filing Number: 18-MA-EIC-PAFO-01
SERFF Tracking Number: ESUR-131408101
RE: Response to Department of Insurance Objections dated July 31, 2018

Dear Ms. Guen,

This letter is in response to your July 31, 2018 objection regarding the above referenced filing. Thank you for taking the time to review our application filing. Below is Esurance's response to your concern. Esurance would appreciate an opportunity to work with you in any way to resolve the any concerns regarding this filing.

Objection 1:

- M 0099 S, 12-2016, Endorsement/Amendment/Conditions, Mandatory Endorsement (Form)

Comments:

Please comply with the following corrections:

CONTENT

- Conclude the sentence "Please read this endorsement carefully to see how it affects your policy" (with insertion of remainder of content or a period).
- Replace "After the first sentence, this sentence is added:" with "After the first sentence, the following sentence is added:".
- Insert a comma after the phrase "The coverage of this Part is always secondary to".
- Insert a comma after the phrase "and in excess of".
- Conclude the paragraph (with insertion of remainder of content or a period).

Response:

Please see the revisions made to the M-0099-S Mandatory Endorsement

If you have any additional questions, please contact Korey Klaves at (916) 626-3210. Again, thank you for your time and attention to this filing.

Thank you,

Korey Klaves
Regulatory Compliance Counsel
Esurance Insurance Company
(916) 626-3610

ESURANCE INSURANCE COMPANY

**MASSACHUSETTS
MANDATORY ENDORSEMENT—M-0099-S (ED. 12-16)**

This endorsement includes changes that affect your auto insurance. Please read this endorsement carefully to see how it affects your policy

Part 6. Medical Payments (Page 15):

**Part 6.
Medical
Payments**

After the first sentence, this sentence is added:

The coverage of this Part is always secondary to and in excess of any health benefit plan which allows for coordination of benefits under Massachusetts law and the Personal Injury Protection coverage of this policy or any other Massachusetts automobile insurance policy

ESURANCE INSURANCE COMPANY

MASSACHUSETTS

MANDATORY ENDORSEMENT—M-0099-S (ED. 9-11-12-16)

This endorsement includes changes that affect your auto insurance. Please read this endorsement carefully to see how it affects your policy.

General Provisions and Exclusions (Page 30):

21. Actual Cash Value

Whenever the appraised cost of repair of an auto plus the probable salvage value of the auto may be reasonably expected to exceed the actual cash value of the auto, we shall determine the auto's actual cash value. Our determination shall be based on a consideration of all of the following factors:

- 1.) the retail book value for an auto of like kind and quality, but for the damage incurred;
2.) the price paid for the auto plus the value of prior improvements to the auto at the time of the accident, less appropriate depreciation;
3.) the decrease in value of the auto resulting from prior unrelated damage which is detected by the appraiser; and
4.) the actual cost of purchase of an available auto of like kind and quality but for the damage sustained.

This endorsement includes changes that affect your auto insurance. Please read this endorsement carefully to see how it affects your policy

Part 6. Medical Payments (Page 15):

Part 6. After the first sentence, this sentence is added:

Medical

Payments

The coverage of this Part is always secondary to and in excess of any health benefit plan which allows for coordination of benefits under Massachusetts law and the Personal Injury Protection coverage of this policy or any other Massachusetts automobile insurance policy

Style Definition: Normal: Font: 12 pt
Style Definition: Header: Font: 12 pt, English (United States)
Style Definition: Footer: Font: 12 pt, English (United States), Tab stops: 3.25", Centered + 6.5", Right + Not at 3" + 6"
Style Definition: Balloon Text: Font: (Default) Segoe UI, 9 pt, English (United States)
Style Definition: Envelope Address
Style Definition: head1
Style Definition: head2
Style Definition: head3
Formatted: Default, Hyphenate, Tab stops: Not at 3.55"
Formatted: Left: 0.75", Right: 0.75", Top: 0.75", Bottom: 0.75", Header distance from edge: 0.5", Footer distance from edge: 0.5"
Formatted: Font: Not Bold
Formatted: Font: Not Bold
Formatted: Space After: 0 pt, Hyphenate, Tab stops: Not at 3.55"
Formatted: Font color: Auto
Formatted: Font color: Auto
Formatted: Font: Bold, Font color: Auto

Formatted: Font: Arial
Formatted: Border: Bottom: (Single solid line, Auto, 0.5 pt Line width)
Formatted: Font: Times New Roman
Formatted: Font: Times New Roman
Formatted: Font: Times New Roman