



GOVERNMENT OF PUERTO RICO
Office of the Commissioner of Insurance

October 18, 2017

CIRCULAR LETTER NO. CC-2017-1913-EX

TO ALL INSURERS THAT ARE AUTHORIZED TO CONTRACT INSURANCE IN PUERTO RICO, GENERAL AGENTS, MANAGERS, AND SURPLUS LINES BROKERS

PROVISIONAL PROCESS FOR THE CIRCULATION OF SURPLUS LINES RISK DURING THE STATE OF EMERGENCY DUE TO HURRICANE MARÍA

Dear Sirs and Madams:

Pursuant to Circular Letter No. CC-2016-1886-AF, issued on May 26, 2016, on July 1, 2016 the Office of the Commissioner of Insurance implemented a new application through the online services portal for the electronic management of processes related to surplus lines business and as the sole means for processing surplus lines risk circulation. Due to the passage of hurricane María, access to the application through the online services portal has been experiencing service interruptions of service.

Therefore, to provide a provisional means for electronic processing of surplus lines risk circulation and until access to the application at our online services portal is reestablished, surplus lines risk circulation will be processed using Form OCS-EX - 2017- 1913-001, promulgated by the Office of the Commissioner of Insurance and which is enclosed with this Circular Letter. All surplus lines brokers that wish to circulate risk must complete Form OCS-EX-2017-1913-001 in its entirety and send it for processing the circulation through our Office at the following email addresses: surpluslines@ocs.pr.gov and rvazquez@ocs.pr.gov.¹ so that risk for which circulation is being requested may be circulated by this Office through our application on the online services porta, until access is reestablished to this service.

To facilitate the risk circulation process, between 9:00 a.m. and 3:00 p.m. this Office will maintain computers at our offices that have the application available for processing surplus lines risk circulation so that surplus lines brokers that may so require may use their account for processes related to surplus lines business such as risk circulation, closing cases, and data entry for generating different reports.

¹ Surplus lines brokers should complete all parts of the Form. Otherwise, the risk may not be circulated. Also, they must send the Form to both email addresses.



Authorized insurers that receive a Notice of Circulation of a Surplus Lines Case and are interested in or want to accept the risk should visit our offices, within the term provided in the Notice, and use the available computers with the application to complete the process of reporting their determination. Likewise, within the same time frame, the insurer must simultaneously notify the surplus lines broker at the email address that is shown on the application and the OCI at the email addresses shown above of their determination regarding the circulated risk. If the insurer does not complete this process, it will be deemed that the risk was rejected.

You are advised that once you have been notified that access has been reestablished to the application at our online services portal, the mechanism established in Circular Letter No. CC-2016-1886-AF for processing surplus lines risk circulation will be resumed.

It is important to clarify that the provisional method stated in this letter related for processes related to surplus lines business does not imply exemption from strict compliance with the provisions of Chapter 10 of the Puerto Rico Insurance Code and Rule 28 of the Regulations of the Code. You are also advised that surplus lines brokers must maintain the necessary documentation to evidence compliance with the provisions of this Circular Letter.

Strict compliance is hereby required.

Very truly yours,

Javier Rivera-Ríos, LUTCF
Commissioner of Insurance

Enclosure