



APPEAL PANEL DECISION FORM

2014-568

I. CLAIMANT AND CLAIM INFORMATION

Claimant Name	Last/Name of Business	First	Middle
	██████████ ██████████ ██████████ ██████████		
Claimant ID	██████████	Claim ID	██████████
Claim Type	Business Economic Loss		
Law Firm	██████████ ██████████		

II. DECISION

Select the Compensation Amount set forth in either BP's Final Proposal or the Claimant's Final Proposal as the final outcome on the claim and check the appropriate box to signify your decision.

<input type="checkbox"/> BP's Final Proposal	Compensation Amount	\$70,350
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0
<input checked="" type="checkbox"/> Claimant's Final Proposal	Compensation Amount	\$86,268.96
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0

III. PRIMARY BASIS FOR PANELIST DECISION

Please select the primary basis for your decision. You may also write a comment describing the basis for your decision.

- Error in documentation review.**
- Error in calculation.**
- Error in RTP multiplier.**
- Error in Prior Spill-Related Payment Amount.**
- No error.**

Comment (optional):

BP appeals this BEL award in favor of ██████████ ██████████ ██████████ BP contends that Policy 495 was not properly applied which resulted in claimant's revenues and expenses not being sufficiently matched. The argument is made that the claimant's cash accounting did not address certain spikes in income that were not properly tied to expenses and the Claims Administrator did not follow proper procedure to correct these anomalies.



Despite these contentions, there was no error in this case in the application of Policy 495. Once the submitted P and Ls have been analyzed for any errors, the Claims Administrator is to assess whether the claim fits one of 7 enumerated circumstances in rule 495. In this case, none of the 7 issues were triggered. Accordingly, this claim, even though based on a cash method of accounting, is presumed to be sufficiently matched. A claimant's financials should be subject to further review only if one of the 7 circumstances apply. There is an additional provision in 495 which allows for the CSSP to perform further matching analysis, if the Claims Administrator believes there is sufficient indicia of non-matching. This assessment did not occur in the immediate case.

Additionally, BP complained about distortions in expenses relating to supplements costs and medical supplies. However, the CA requested and received adequate information on these items.

Based on the foregoing, BP's appeal is denied and the award in favor of the claimant is affirmed.