

APPEAL PANEL DECISION FORM

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	\$0
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0
<input checked="" type="checkbox"/> Claimant's Final Proposal	Compensation Amount	\$38,445.52
	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 the BEL award to claimant, a dental practice located in ██████████, with a companion office in ██████████. BP asserts the Claims Administrator misapplied the provisions of Exhibit 5 of the Settlement Agreement which states that "Where a Multi-Facility Business prepares individual Facility P&L statements based on its books and records to support a claim, all shared costs shall be allocated among all facilities based on their



share of the total revenue of the Multi-Facility Business." BP contends the Claims Administrator failed to recognize that the consolidated general ledger submitted by claimant did not specify whether costs were shared between the two locations and thus the required allocation was absent from the records. Claimant responds that shared costs are only required for allocation in such a claim as this one when P&Ls for the individual facilities are created "to support a claim." Claimant thus argues that no additional cost allocation is required here because claimant always maintained separate P&Ls for each location in the ordinary course of its business and not as a consequence of the filing of this claim. Such contention is persuasive and correct. The Claims Administrator properly interpreted and applied the provisions of Exhibit 5 and there is no error. The award is affirmed and the appeal of BP is denied.