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# Philadelphia Park CASINO

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INDEPENDENT REGULATORY  
REVIEW COMMISSION

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May 26, 2009

**VIA FEDERAL EXPRESS**

Richard Sandusky  
Director of Regulatory Review  
Pennsylvania Gaming Control Board  
303 Walnut Street  
P.O. Box 69060  
Harrisburg, PA 17106-9060

Attn: Public Comment on Rulemaking #125-102

**RE: Comments to Proposed Rulemaking #125-102**

Dear Mr. Sandusky:

Greenwood Gaming and Entertainment, Inc. ("GGE") is the holder of a Category 1 slot machine license which authorizes GGE to operate Philadelphia Park Casino & Racetrack in Bensalem, Pennsylvania. GGE respectfully submits the following comments to the Pennsylvania Gaming Control Board (the "Board") in connection with the Board's proposed rulemaking, as captioned above, which was published in the *Pennsylvania Bulletin* at 39 Pa.B. 2113, on April 25, 2009.

The proposed rulemaking in question, in part, amends the definitions of "key employee" under the Board's regulations. GGE respectfully objects to this portion of the proposed rulemaking in its current form because it is unnecessary and creates a substantial financial burden on licensees without an adequate regulatory justification.

In regards to the new definition for "key employee," the proposed rulemaking would clarify which positions require a key license from the Board. Besides adding five (5) job titles to the list of positions that require a key license, the proposed regulation would require any employee, who is authorized to issue or approve credits for free slots play or player reward points exceeding \$50 to an individual patron during any consecutive 5-day period, to receive a key employee license. See 58 Pa. Code 401a.3 – Key Employee (vi) (*as proposed at 39 Pa.B. 2113*). GGE respectfully objects to this proposed change because it creates a substantial financial burden without an adequate regulatory justification.

GGE has tentatively identified approximately eight (8) additional employees at its licensed facility who will need to change from a gaming license to a key employee license because they are

Richard Sandusky  
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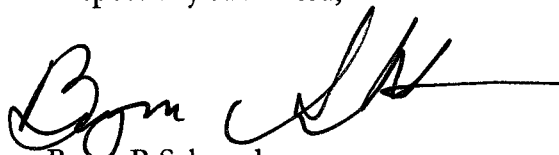
authorized to issue or approve free play. The annual renewal cost of the gaming license is \$350. In contrast, the initial fee and annual renewal fee for a key employee license is \$2,500. Adoption of the proposed regulation would require GGE to pay an additional \$2,150 per employee each year to obtain a key license. The proposed rulemaking increases licensing costs for GGE by approximately \$17,200 annually. GGE believes this is a substantial financial burden without an adequate justification.

Currently, all of the employees affected by the proposed rulemaking hold a gaming license. The application for a gaming license is very detailed and the investigation takes approximately four (4) to six (6) weeks. Moreover, the Board will not issue a temporary credential for gaming license applicants—i.e., the Board does not allow anyone who submits a gaming license application to work at a licensed facility until the investigation is completed. Count room employees and cage cashiers, who handle large amounts of cash each shift, conduct their employment activities with gaming licenses. The Board believes these employees are adequately vetted and investigated for their gaming licenses. GGE believes that the same gaming license for employees that issue free play is more than adequate. GGE is unaware of any issue or situation regarding the issuance of free play that would have been prevented if background information related to a key license application had been available. If the Board has additional information or more detail regarding its rationale for this proposed change, GGE respectfully requests that the Board provide it to the Independent Regulatory Review Commission and slot machine licensees.

In summary, GGE objects to this proposed rulemaking because the proposed regulation creates a substantial and unjustifiable negative fiscal impact on the Pennsylvania gaming industry without any meaningful regulatory purpose. Accordingly, the Board should omit the proposed addition of 58 Pa. Code 401a.3 – Key Employee (vi) from Final Rulemaking #125-102, and maintain the existing licensing procedures for employees that issue free play.

Thank you for considering the comments of GGE in connection with the proposed regulation. GGE will be happy to answer any questions that the Board may have on these comments.

Respectfully submitted,



Bryan P. Schroeder  
Assistant General Counsel  
Greenwood Gaming & Entertainment, Inc.

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cc: Arthur Coccodrilli, Independent Regulatory Review Commission (via Federal Express)