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VIA E-MAIL & FEDERAL EXPRESS

Susan A. Yocum
Assistant Chief Counsel
Pennsylvania Gaming Control Board
303 Walnut Street, Strawberry Square
P.O. Box 69060
Harrisburg, PA 17106-9060

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RE: Public Comment on Proposed Rulemaking # 125-148

Dear Ms. Yocum:

Greenwood Gaming & Entertainment, Inc. ("GGE") is the holder of a table games operation certificate and a Category 1 slot machine license, which authorize GGE to operate Parx Casino 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 41 Pa.B. 3000, on June 11, 2011.

The rulemaking at issue proposes to replace the temporary regulations for Roulette, Big Six Wheel and Casino War. Specifically, the Board is replacing temporary regulation Chapter 531 with permanent regulation Chapter 617a, which would govern the rules of the game for Roulette. The Board is also replacing temporary regulation Chapter 533 with permanent regulation Chapter 619a, which would govern the rules of the game for Big Six Wheel. Finally, the Board is replacing temporary regulation Chapter 567 with permanent regulation Chapter 651a, which would govern the rules of the game for Casino War.

The following list of comments addresses various provisions of the Board's proposed rulemaking. The list also provides practical suggestions regarding operational flexibility and customer expectations. GGE offers these comments and considerations to increase the efficiency of table game operations and potential revenues for licensees and the Commonwealth.

1. **58 Pa. Code § 617a.5(d) (Rotation of Wheel and Ball)** – GGE believes section 617a.5(d) creates an additional procedural step that is unnecessary and creates potential for additional human errors and patron disputes. Currently, subsection 617a.5(d) provides that licensees offering the Five Adjacent Number Wager (i.e., Neighbor Wager) must move 1/5 of each winning Five Adjacent Number Wager from the Roulette wheel

replica to the box on the main Roulette layout. 58 Pa. Code § 617a.5(d) (*Proposed Rulemaking*, 41 Pa.B. 3000). GGE respectfully requests that the Board provide the licensees with an option to pay out the winning Five Adjacent Number Wager directly from the Roulette wheel replica.

The requirements of subsection (d) mandate that a Roulette dealer take the unnecessary steps of breaking down the Five Adjacent Number Wager, placing 1/5 of that wager on the winning box on the main Roulette layout and paying that wager from the main Roulette layout. Under this approach, potential human errors could increase. For example, a Roulette dealer could make a mistake in breaking down the Five Adjacent Number Wager into 1/5 to be placed on the main layout. A customer could also fail to understand what is happening and become upset that his wager was touched and paid out at a location on the layout different than his original bet. These unintended consequences seem unnecessary and avoidable. A winning Five Adjacent Number Wager can be adequately and safely paid to a customer from the Roulette wheel replica. In fact, winning and losing Five Adjacent Number Wagers should be treated no differently than any other wager on the main Roulette layout. Again, GGE respectfully requests that the Board amended proposed regulation 617a.5(d) to allow licensees with an option to pay out a winning Five Adjacent Number Wager directly from the Roulette wheel replica. GGE asks that the Board delete the current language of subsection (d) and replace it with the following language:

(d) If a certificate holder offers the Five Adjacent Number Wager, the certificate holder shall have the option of paying this winning wager (i) from the Roulette wheel replica, or alternatively, (ii) by relocating 1/5 of the winning Five Adjacent Number Wager from the Roulette wheel replica to the box on the main Roulette layout that contains the single number corresponding to the compartment in which the Roulette ball came to rest.

2. **58 Pa. Code § 619a.1(d) (Big Six Wheel Layout)** – GGE respectfully requests that that Board eliminate the requirements of section 619a.1(d) because it is redundant and unnecessary. Currently, subsection 619a.1(d) provides that each section of the wheel must display the payout odds for that wager. 58 Pa. Code § 619a.1(d) (*Proposed Rulemaking*, 41 Pa.B. 3000). GGE asks that this requirement be eliminated because the payout odds are already required to be placed on the table layout. See 58 Pa. Code § 619a.1(g)(3) (*Proposed Rulemaking*, 41 Pa.B. 3000). Moreover, the inclusion of the payout odds on the wheel will cause the print size to be reduced. By eliminating the payout odds on the wheel, the font size for the wagers is larger and easier to see. Again GGE requests that the Board eliminate subsection 58 Pa. Code § 619a.1(d) from the rules of the game for Big Six Wheel.
3. **Chapter 651a (Casino War)** – GGE respectfully requests that the Board review and adopt the regulatory revisions attached hereto as Exhibit A. GGE believes these revisions reflect a smoother and more customer friendly version of Casino War. While

GGE has attached its regulatory revisions, there are several issues which it would like to bring to the Board's attention.

First, the proposed regulations do not appear to allow or even contemplate the use of a continuous shuffler. See 58 Pa. Code § 651a.3 (*Proposed Rulemaking*, 41 Pa.B. 3000). GGE believes a continuous shuffler will provide a cleaner and simpler procedure for operating Casino War. Moreover, the use of a continuous shuffler would require only one color and design for a deck of cards. It would also increase the speed of the game and significantly improve the customer experience at the game. Finally, continuous shufflers are used for Casino War in other jurisdictions like Nevada.

Second, GGE requests a revision to the manner in which the initial wager, when lost due to a tie hand, is handled. See 58 Pa. Code § 651a.9(c) (*Proposed Rulemaking*, 41 Pa.B. 3000). Under the proposed rulemaking, the licensee initiates the "pay and take" process if a patron chooses a War deal after a tie. As a result, the dealer takes the Initial Wager and requires the patron to make a new wager—i.e., War Wager. GGE believe the more appropriate procedure would be to keep the Initial Wager on the table layout and add the War Wager to the layout. After the conclusion of the War deal, the dealer can initiate the "pay and take" process and collect the Initial Wager(s).

Third and finally, GGE has made other minor technical revisions regarding the number of players seated at a war table, the number of decks of cards that may be used to operate a Casino War game and the order of paying the Initial Wager(s). GGE believes these revisions allow a more customer friendly approach and mirror other jurisdictions that allow the game of Casino War.

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 J. Schroeder
Assistant General Counsel
Greenwood Gaming & Entertainment, Inc.

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cc: Silvan B. Lutkewitte, III, Chairman, Independent Regulatory Review Commission
Thomas C. Bonner, Esq.

Exhibit A

CHAPTER 651a. CASINO WAR

Sec.

- 651a.1. Definitions.
- 651a.2. Casino War table; physical characteristics.
- 651a.3. Cards; number of decks; dealing shoe.
- 651a.4. Opening of the table for gaming.
- 651a.5. Shuffle and cut of the cards.
- 651a.6. Casino War card rankings.
- 651a.7. Wagers.
- 651a.8. Procedure for dealing the cards.
- 651a.9. Procedures for completion of each round of play; collection and payment of wagers.
- 651a.10. Payout odds.
- 651a.11. Irregularities.

§ 651a.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Initial Wager—The wager that shall be made by a player prior to any cards being dealt to participate in the round of play.

Original deal—The first card that is dealt to each player and the dealer to determine the result for the Initial Wager in a round of play.

Round of play—One complete cycle of play during which each player has placed an Initial Wager, been dealt a card, surrendered or gone to War, if appropriate, and had his wagers paid or collected in accordance with this chapter.

Tie hand—A hand in the original deal or War deal when the rank of a player's card and the rank of the dealer's card are equal.

War—The decision of a player, in accordance with the option offered under § 651a.9(c)(2) (relating to procedures for completion of each round of play; collection and payment of wagers), to place a War Wager when there is a tie hand on the original deal.

War deal—The deal of the cards that follows the placement of a War Wager.

War Wager—A wager ~~that is equal to a player's initial wager that is required to be made if the~~ player elects to go to War.

§ 6 51a.2. Casino War table; physical characteristics.

(a) Casino War shall be played at a table having betting positions for no more than ~~seven~~ ten players on one side of the table and a place for the dealer on the opposite side of the table.

(b) The layout for a Casino War table shall be approved by the Bureau of Gaming Operations and contain, at a minimum, the following:

(1) The name or logo of the certificate holder.

(2) A separate designated betting area at each betting position for the placement of Initial and War Wagers.

(3) A separate designated betting area for the placement of Tie Wagers.

(4) The payout odds for a Tie Wager and War Wager. If the payout odds are not inscribed on the layout, a sign identifying the payout odds shall be posted at each Casino War table.

(c) Each Casino War table must have a drop box and a tip box attached on the same side of the gaming table, but on opposite sides of the dealer, as approved by the Bureau of Casino Compliance. The Bureau of Casino Compliance may approve an alternative location for the tip box when a card shuffling device or other table game equipment prevents the placement of the drop box and tip box on the same side of the gaming table as, but on opposite sides of, the dealer.

§ 6 51a.3. Cards; number of decks; dealing shoe.

(a) Casino War shall be played with six or eight decks of cards that are identical in appearance. Each deck of cards must consist of 52 cards and 2 cover cards.

(b) All cards used in Casino War shall be dealt from a manual dealing shoe unless the certificate holder elects to use a continuous shuffler. The dealing shoe must be located on the table to the left of the dealer.

(c) If an automated card shuffling device is utilized, Casino War shall be played with ~~4~~ 6 to 16 decks of cards in accordance with the following requirements:

(1) The cards shall be separated into two batches with an equal number of decks included in each ~~batch~~ batch unless using a continuous shuffler which will contain only one batch of cards.

(2) The cards in each batch must be of the same design, but the backs of the cards in one batch must be of a different color than the cards included in the other batch.

(3) One batch of cards shall be shuffled and stored in the automated card shuffling device while the other batch is being dealt or used to play the game.

(4) Both batches of cards shall be continuously alternated in and out of play with each batch being used for every other dealing shoe unless the certificated holder chooses to use a continuous shuffler which will only contain one batch of cards.

(5) The cards from only one batch shall be placed in the discard rack at any given time.

(d) The decks of cards opened for use at a Casino War table shall be changed at least once every 24 hours.

§ 6 51a.4. Opening of the table for gaming.

(a) Except as provided in subsection (c), after receiving six or more decks of cards at the table, the dealer shall inspect the cards for any defects.

(b) After the cards are inspected, the cards shall be spread out face up on the table for visual inspection by the first player to arrive at the table. The cards shall be spread in horizontal fan shaped columns by deck according to suit and in sequence.

(c) After the first player is afforded an opportunity to visually inspect the cards, the cards shall be turned face down on the table, mixed thoroughly by a washing of the cards and stacked.

(d) If an automated shuffling device is utilized, all the decks in one batch of cards shall be spread for inspection on the table separate from the decks in the other batch of cards. After the first player is afforded an opportunity to visually inspect the cards, each batch of cards shall separately be turned face down on the table and stacked.

(e) If the decks of cards received at the table are preinspected and reshuffled in accordance with § 603a.16 (u) or (v) (relating to cards; receipt, storage, inspection and removal from use), subsections (a)—(d) do not apply.

(Editor's Note: Chapter 603a will be adopted on or before the date of final adoption of this proposed rulemaking.)

§ 6 51a.5. Shuffle and cut of the cards.

(a) Immediately prior to commencement of play, unless the cards were reshuffled in accordance with § 603a.16(u) or (v) (relating to cards; receipt, storage, inspection and removal from use), after each dealing shoe of cards is dealt or when directed by a floorperson or above, the dealer shall shuffle the cards, either manually or by use of an automated card shuffling device, so that the cards are randomly intermixed. Upon completion of the shuffle, the dealer or device shall place the deck of cards in a single stack.

(Editor's Note: Chapter 603a will be adopted on or before the date of final adoption of this proposed rulemaking.)

(b) After the cards have been shuffled and stacked, the dealer shall offer the stack of cards to be cut, with the backs facing away from the dealer, to players in the following order:

(1) The first player to the table if the game is just beginning.

(2) The player on whose betting area the cover card appeared during the last round of play.

(3) The player at the farthest point to the right of the dealer if the cover card appeared on the dealer's hand during the last round of play.

(4) The player at the farthest point to the right of the dealer if the reshuffle was initiated at the discretion of a floorperson or above.

(c) If the player designated in subsection (b) refuses the cut, the dealer shall offer the cut to each other player moving clockwise around the table until a player accepts the cut. If a player does not accept the cut, the dealer shall cut the cards.

(d) The player or dealer making the cut shall place a cover card in the stack at least ten cards in from the top or bottom of the stack.

(e) Once the cover card has been inserted, the dealer shall take all cards above the cover card and the cover card and place them on the bottom of the stack. The dealer shall then insert the second cover card in the stack at a position at least approximately 1/4 of the way in from the bottom of the stack.

(f) After the cards have been cut and before the cards have been placed in the dealing shoe, a floorperson or above may require the cards to be recut if the floorperson or above determines that the cut was performed improperly or in any way that might affect the integrity or fairness of the game. If a recut is required, the cards shall be recut, at the certificate holder's option, by the player who last cut the cards or by the next player entitled to cut the cards, as determined under subsection (b)(4). The stack of cards shall then be inserted into the dealing shoe for commencement of play.

(g) A reshuffle of the cards in the shoe shall take place after the cover card is reached in the shoe as required under § 651a.8 (d) (relating to procedure for dealing the cards) except that a floorperson may determine that the cards should be reshuffled after any round of play. The preceding requirements do not apply if a continuous shuffler is in use.

(h) If there is no gaming activity at the War table which is open for play, the cards shall be removed from the dealing shoe and the discard rack, and spread out on the table face down unless a player requests that the cards be spread face up on the table. After the first player is afforded an opportunity to visually inspect the cards:

(1) If there is not an automated shuffling device in use, the cards shall be mixed thoroughly by a washing of the cards, stacked, then shuffled and cut in accordance with this section.

(2) If an automated shuffling device is in use, the cards shall be stacked and placed into the automated shuffling device to be shuffled. The batch of cards already in the shuffler shall then be removed. Unless a player so requests, the batch of cards removed from the shuffler need not be spread for inspection and reshuffled prior to being dealt, if:

(i) The automated card shuffling device stores a single batch of shuffled cards inside the shuffler in a secure manner approved by the Bureau of Gaming Operations.

(ii) The shuffled cards have been secured, released and prepared for play in accordance with procedures approved by the Bureau of Gaming Operations.

(3) The preceding requirements of subsections (h), (h)(1) and (h)(2) do not apply if a continuous shuffler is in use.

§ 6 51a.6. Casino War card rankings.

The rank of the cards used in Casino War, for the purpose of determining a winning hand, shall be, in order from the highest to lowest rank: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3 and 2. The suit of a card does not have an effect on its rank.

§ 6 51a.7. Wagers.

(a) Wagers at Casino War shall be made by placing value chips or plaques on the appropriate betting area of the War layout. Verbal wagers accompanied by cash may not be accepted.

(b) To participate in a round of play, a player shall place an Initial Wager.

(c) At the same time as an Initial Wager or a War Wager is placed, each player shall have the option of placing a Tie Wager which shall win if the deal results in a tie hand.

(d) Except as provided in § 651a.9(e) (relating to procedures for completion of each round of play; collection and payment of wagers), all wagers at Casino War shall be placed prior to the dealer announcing "no more bets" in accordance with the dealing procedures in § 651a.8 (relating to procedure for dealing the cards). Once a wager has been placed, a player may not handle, remove or alter any wagers until a decision has been rendered and implemented with respect to that wager.

(e) A certificate holder shall specify in its Rules Submission, required under § 601a.2 (relating to table games Rules Submissions), the number of adjacent boxes on which a player may place a wager in one round of play.

(Editor's Note: Chapter 601a will be adopted on or before the date of final adoption of this proposed rulemaking.)

§ 651a.8. Procedure for dealing the cards.

(a) All cards used to play Casino War shall be dealt from a dealing shoe. The dealer shall remove cards from the dealing shoe with his left hand and place the cards on the appropriate area of the layout with his right hand, except that the dealer shall have the option to deal cards to the first two positions with his left hand.

(b) After the cards have been cut and placed in the dealing shoe as required under § 651a.5 (relating to shuffle and cut of the cards), the dealer shall remove the first card from the dealing shoe face down and, without revealing its rank to anyone, place it in the discard rack. Each new dealer who comes to the table shall also remove the first card from the dealing shoe face down and, without revealing its rank to anyone, place it in the discard rack.

(c) Prior to dealing any cards, the dealer shall announce "no more bets." The dealer shall, starting with the player farthest to the dealer's left and continuing in a clockwise manner, deal the cards in the following order:

(1) One card face up to each player who has placed an Initial Wager in accordance with § 651a.7 (relating to wagers).

(2) One card face up to the dealer.

(d) When the cover card is the first card in the dealing shoe at the beginning of a round of play or is reached during the deal of the cards, the dealer shall continue dealing the cards until that round of play is completed after which the cards shall be collected and reshuffled.

(e) Players and spectators may not handle, remove or alter any cards used to play Casino War.

§ 651a.9. Procedures for completion of each round of play; collection and payment of wagers.

(a) After the dealing procedures required under § 651a.8 (relating to procedure for dealing the cards) have been completed, the dealer shall, starting from his left and continuing around the table in a clockwise direction, compare the rank of each player's card with that of the dealer's card and settle all Initial and Tie Wagers as follows:

(1) If a player's card is lower in rank than the dealer's card, the player shall lose his Initial Wager and his Tie Wager, if applicable.

(2) If a player's card is higher in rank than the dealer's card, the player shall win his Initial Wager and lose his Tie Wager, if applicable.

(3) If the player's card and the dealer's card are of equal rank (a tie hand), the player shall select one of the options in subsection (c) as to his Initial Wager and win his Tie Wager, if applicable.

(b) Losing Initial and Tie Wagers made on the original deal shall be collected by the dealer and placed in the table inventory container. Winning Initial and Tie Wagers made on the original deal shall be paid by the dealer in accordance with the payout odds provided in § 651.10 (relating to payout odds).

(c) If a player has a tie hand, the player shall select one of the following options:

(1) The player may surrender 1/2 of his Initial Wager and end his participation in that round of play. If a player selects this option, the dealer shall collect 1/2 of the player's Initial Wager and place it in the table inventory container. The dealer shall then return the remaining 1/2 of the Initial Wager to the player. The dealer shall then proceed around the table in a clockwise direction, repeating the process for each player with a tie hand who selects this option.

(2) The player may ~~surrender his entire Initial Wager and~~ place a War Wager in an amount equal to the player's Initial Wager, in accordance with subsection (e).

(d) After settling Initial Wagers and Tie Wagers on the original deal, the dealer shall collect the cards of all players except for the cards of those players with a tie hand who have elected to go to War. The collected cards shall be placed in the discard rack in a manner that permits the reconstruction of each hand of the original deal in case of a question or dispute.

(e) If any player elects to place a War Wager upon the occurrence of a tie hand, the dealer shall confirm the placement of the War Wager, ~~and collect the full amount of the player's Initial Wager and place it in the table inventory container.~~ The player's card and the dealer's card from the original deal shall remain exposed during the war deal. The dealer shall offer any player who has elected to go to War the opportunity to also place a Tie Wager on the War deal if applicable.

(f) The War deal shall begin with the dealer removing three cards from the shoe face down and, without revealing the rank of the three cards to anyone, placing them in the discard rack and then dealing the next card face up to the player farthest to the dealer's left who has placed a War Wager. The dealer shall place the player's War card on the table adjacent to the player's card from the original deal. The dealer shall then proceed around the table in a clockwise direction, repeating the process for each player who has placed a War Wager ~~and~~ against the dealer.

(g) After the dealing procedures required under subsection (f) have been completed, the dealer shall, beginning from the dealer's ~~left~~ right and proceeding around the table in a counter clockwise direction, compare the rank of each player's War card to the dealer's War card and settle all War and Tie Wagers as follows:

(1) If the player's War card is lower in rank than the dealer's War card, the player shall lose his Initial Wager and War Wager and his Tie Wager, if applicable.

(2) If the player's War card is higher in rank than the dealer's War card, the player shall win his War Wager and lose his Tie Wager, if applicable.

(3) If the player's War card and the dealer's War card are of equal rank, the player shall win his War Wager and his Initial Wager, if applicable, his Tie Wager ~~his Tie Wager, if applicable.~~

(h) Losing Initial War and Tie Wagers shall be collected by the dealer and placed in the table inventory container. Winning Initial War and Tie Wagers shall then be paid in accordance with the payout odds in § 651a.10. After the collection of all losing wagers and the payment of all winning wagers from the War deal, the dealer shall remove all remaining cards from the table and place them in the discard rack in a manner that permits the reconstruction of each hand of the War deal in case of a question or dispute.

§ 651a.10. Payout odds.

The certificate holder shall pay out winning Casino War wagers as follows:

(1) An Initial Wager shall be paid at odds of 1 to 1.

(2) A Tie Wager shall be paid at odds of 10 to 1.

(3) A War Wager shall be paid at odds of 21 to 1, unless the War deal results in a tie hand, in which case a War Wager shall be paid at odds of 32 to 1.

§ 651a.11. Irregularities.

(a) A card found face up in the dealing shoe while the cards are being dealt may not be used in the game and shall be placed in the discard rack.

(b) A card drawn in error without being exposed shall be used as though it were the next card from the dealing shoe.

(c) If a card is not dealt to a player's Initial Wager or Tie Wager in the original deal, the wager shall be void and returned to the player. The player shall be included in the next round of play.

(d) If an automated card shuffling device is being used and the device jams, stops shuffling during the shuffle or fails to complete a shuffle cycle, the cards shall be reshuffled.

(e) If an automated card shuffling device or automated dealing shoe malfunctions and cannot be used, the automated card shuffling device or automated dealing shoe must be covered or have a sign indicating that the automated card shuffling device or automated dealing shoe is out of order placed on the device before any other method of shuffling or dealing may be utilized at that table.