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August 12, 2011



**HOLLYWOOD Casino**  
at PENN NATIONAL RACE COURSE

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**Sent via Certified Mail**

Ms. Susan Yocum  
Assistant Chief Counsel  
Pennsylvania Gaming Control Board  
303 Walnut Street, Strawberry Square  
5<sup>th</sup> Floor Verizon Tower  
Harrisburg, PA 17101

**Re: Mountainview Thoroughbred Racing Association, d/b/a Hollywood Casino at Penn National Race Course, Comments on Proposed Rulemaking Regulation No. 125-152.**

Dear Ms. Yocum;

Mountainview Thoroughbred Racing Association, d/b/a Hollywood Casino at Penn National Race Course ("HCPN"), respectfully offers these comments to the Pennsylvania Gaming Control Board's ("Board") Proposed Regulations No. 125-152. HCPN thanks the Board for the opportunity to share our experience with the Board. In drafting final table game regulations, the Board should strive to create a regulatory framework which allows each operator sufficient flexibility to efficiently and profitably manage their operation. Based on this philosophy, HCPN offers the following comments and suggestions.

**§ 641a.3. Cards; number of decks**

The proposed regulation §641a.3(c)(2) requires cards dealt from an automatic dealing shoe to be changed at least every eight hours. As such, on a game which remains open for a continuous 24-hour period, an operator is required to use three sets of cards. HCPN proposes that this section be amended to state that cards dealt from an automatic dealing shoe be changed at least every twelve hours. Under this proposal, a game which remains open for a continuous 24-hour period would only require 2 sets of cards.

Changing sets of cards is a valuable tool used to help prevent cheating, as it guarantees that "marked" cards are removed from play at a determined interval. However, the actual process of changing cards can take several minutes. During this time, the game is halted and the casino, and by extension the Commonwealth, is not generating any revenue. HCPN dealers and supervisory staff are trained to continually check for marks or other damage to cards on these games. If any abnormalities are found, the cards are immediately replaced. By increasing the duration of use from eight hours to twelve hours, the Board will still be protecting the integrity of the cards, while decreasing player inconvenience and increasing revenue generation.

The above captioned proposal refers to four card poker. HCPN would like to propose the same changes for §643a.3(c)(2) Let it Ride, §649a.3(c)(2) Three Card Poker, and §653a.3(c)(2) Ultimate Texas Hold'em.

#### **§641a.4. Opening of the table for gaming**

The proposed regulation §641a.4(b),(c), and (d) requires that cards must remain spread face up on the layout until a player arrives and visually inspects the cards. HCPN proposes that this section be amended to state that after five minutes have elapsed, an operator may begin the process of thoroughly mixing and washing the cards, and proceed to the shuffle procedures in accordance with §641a.5.

HCPN understands that this provision is in place to afford players the opportunity to inspect the cards, to make sure that that operator is “playing with a full deck”. However, in HCPN’s experience, players do not actually take the time to inspect the cards. Players implicitly assume, and rightfully so, that the highly regulated nature of the casino industry ensures that operators will respect the integrity of the cards. From a practical standpoint, this provision simply delays the start of the first game, costing both the operator and the Commonwealth revenue, in addition to causing delay and frustration to the player. During the five minute proposed time frame, the cards would be captured by video surveillance. In addition, the automatic shuffling machine immediately detects if the proper cards are not present. As such, HCPN feels that adequate safeguards exist to eliminate this provision.

The above captioned proposal refers to four card poker. HCPN would like to propose the same changes for §643a.4(b),(c),(d) Let it Ride, §649a.4(b),(c),(d) Three Card Poker, and §653a.4(b),(c),(d) Ultimate Texas Hold'em.

#### **§641a.9. Procedures for dealing the cards from the hand**

The proposed regulation §641a.9(a)(1) requires that if the cards are dealt from the dealer’s hand, an automated shuffling device shall be used to shuffle the cards. HCPN proposes that this section be amended to state that if the cards are dealt from the dealer’s hand, they shall be shuffled either by an automated shuffling device or manually, pursuant to §641a.5, *Shuffle and Cut of the Cards*.

HCPN utilizes an automated shuffling device, in conjunction with an automated dealing shoe, on the game of Four Card Poker. If the machine malfunctions or breaks down, it is entirely inoperable. As such, if the machine breaks down, HCPN would not be able to deal from the hand, as the regulation requires an automatic shuffling device in order to deal from the hand. HCPN would be forced to use a manual dealing shoe, which HCPN believes to be an inefficient process that would decrease both HCPN and Commonwealth revenue. Currently, operators are permitted to use a manual shuffle and deal by hand in non-banking poker games. HCPN feels that the procedures required under §641a.5 are sufficient for ensuring that the cards are properly shuffled by hand, and that it would not be detrimental to the integrity of gaming if operators were permitted to perform a manual shuffle and hand deal on a banking game.

The above captioned proposal refers to four card poker. HCPN would like to propose the same changes for §643a.9(a)(1) Let it Ride, §649a.9(a)(1) Three Card Poker, and §653a.9(a)(1) Ultimate Texas Hold'em.

#### **§641a.11. Procedures for completion of each round of play**

The proposed regulation §641a.11(d) requires a dealer to leave all cards on the table until all wagers have been settled. HCPN proposes that this section be amended to allow a dealer to remove the cards of each player, in successive order from right to left, immediately after the dealer has settled all wagers for that particular player.

HCPN feels that requiring all cards to remain on the table until after all wagers have been settled actually decreases the integrity of the cards. Once a player's wagers have been settled, HCPN sees no need for that player's cards to remain in front of the player. By allowing the cards to remain, the player is afforded an opportunity to mark or otherwise damage the cards while the dealer is focused on another player's wager. If the cards are placed in the discard rack immediately after the dealer has settled a player's wager, the hand can still be accurately reconstructed, if necessary. In addition, surveillance coverage is always available to aid in the resolution of a dispute.

The above captioned proposal refers to four card poker. HCPN would like to propose the same changes for §643a.12(g) Let it Ride, §649a.12(d) Three Card Poker, and §653a.12(k) Ultimate Texas Hold'em.

#### **§643a.11. Procedures for completion of each round of play (Let it Ride)**

The proposed regulation §643a.11(a)(3) requires that once a player has made a decision regarding bet number two, the player's cards shall be placed face down in the designated area on the layout. HCPN proposes that this section be amended to permit an operator, in the alternative, to require the cards to be placed under bet number three.

HCPN seeks this change in order to increase game security on Let it Ride. HCPN's proposed procedure makes it more difficult for a player to switch cards, as the cards will be under the wager. Since the cards will be further from the player, this proposed procedure will make it easier for the dealer to spot a player attempting to switch his cards. Consistent with the proposed regulation, players will not be permitted to touch the cards once they have been placed under the wager.

The proposed regulation §643a.11(c) and (e) require that the first community card that is turned face up must be placed on top of the remaining community card. HCPN proposes that this section be amended to state that the face up community card is placed next to remaining community card.

HCPN feels that covering the remaining community card is an unnecessary step, considering that neither community card is required to be covered at the initial deal. This procedure simply adds a needless step which decreases efficiency.

Again, HCPN thanks the Board for the chance to share our input into this process. HCPN views table games as an extraordinary opportunity to maximize tax revenue collection for the Commonwealth. In order to do so, HCPN urges to Board to use this opportunity to create a flexible regulatory framework for the operators, allowing each operator to efficiently and effectively generate additional revenue for themselves and the Commonwealth.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Zachary Zarnoch', with a stylized, flowing script.

Zachary Zarnoch  
Compliance Manager

cc:

F. Quigley, Vice President/General Manager  
M. Totino, IRRC