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May 20, 2013

**VIA EMAIL & 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

**RE: Public Comment on Regulation # 125-168**

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Dear Ms. Yocum:

Greenwood Gaming & Entertainment, Inc. ("GGE") is a table games operation certificate holder and the holder of a Category 1 slot machine license that authorize GGE to operate Parx Casino in Bensalem, Pennsylvania. GGE respectfully submits the following objections and questions 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 43 Pa.B. 2152, on April 20, 2013.

The rulemaking at issue proposes the following regulatory modifications: (i) formal transition of two (2) policy statements into binding regulations; (ii) allowance for conditional licensure of gaming junket enterprises; (iii) amendments to the procedures for removal from the Board self-exclusion list; (iv) update several provisions in connection with cash equivalents; and (v) addition of a pay table for an existing Blackjack wager. GGE endorses nearly all of these changes and believes several of these modifications significantly assist patrons. However, GGE opposes certain sections of this rulemaking that deal with the transition of the advertising policy statement. Specifically, GGE objects to proposed regulation 58 Pa. Code 501a.7(e) and its timing requirements for casino advertisements.

According to proposed regulation 58 Pa. Code 501a.7(d), GGE and other casino licensees must include one of three gambling assistance message in all advertisements as defined by the Board. As a result, GGE ensures that all advertisements contain the following gambling assistance message: "Gambling Problem? Call 1-800-GAMBLER." While proposed section 501a.7(d) requires the gambling assistance message, subsection (e) dictates the font size and timing of this message.

Proposed subsection 501a.7(e)(3) addresses the font size of the gambling assistance message for video and television advertisements. According to this subsection, the height of the message's font must be the largest or tallest of two options: (i) 2% of the height of the image that will be displayed; or (ii) 2% of the width of the image that will be displayed. See 58 Pa. Code 501a.7(e)(3)(i) (*Proposed Rulemaking*, 43 Pa. B. 2152). This proposed regulation deals with video and television advertisements (collectively, "video advertisements"). GGE strenuously objects to the following timing requirement.

Specifically, subsection 501a.7(e)(3)(ii) requires the gambling assistance message to "be visible for the entire time the video or television advertisement is displayed." See 58 Pa. Code 501a.7(e)(3)(ii) (*Proposed Rulemaking*, 43 Pa. B. 2152). This requirement fails to recognize that some video advertisements are part of multi-million dollar media and branding campaigns where high-quality broadcast television commercials are integral to the campaign. In these high-quality broadcast television commercials, outside media consultants or the casino licensees create a backstory that pulls a viewer into the commercial, then there is the "reveal" that highlights the casino, its amenities, its positive attributes and its branding message. Consultants and licensees work tirelessly and spend tens of thousands of dollars to create this "build-up" for the big "reveal."

In the case of GGE, our newest branding campaign is "Get Lucky In No Time." As part of this campaign, we have created broadcast commercials that provide a short build-up to the "reveal"—Parx Casino, its entertainment options, its amenities and its proximity to your home and work. GGE would prefer to only display the gambling assistance message at the prescribed 2% height after it mentions Parx Casino or shows some form of gambling. By displaying the message before a verbal mention of Parx Casino or a visual image of gambling, the "build-up" component of the commercial is eviscerated and the big "reveal" is no longer a surprise. In essence, it makes high-quality, cutting edge broadcast commercials obsolete for Pennsylvania casinos.

Based on the preceding issues, GGE objects to proposed regulation 501a.7(e)(3) for video advertisements and respectfully request that the Board consider the following suggested language for 58 Pa. Code 501a.7(e)(3):

***(3) For video and television:***

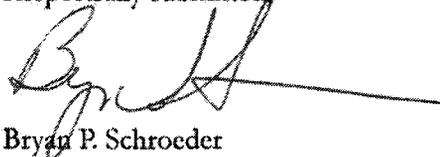
***(i) The height of the font used for the gambling assistance message shall be at least 2% of the height or width, whichever is greater, of the image that will be displayed.***

***(ii) The gambling assistance message shall be visible from the moment the video or television advertisement mentions the casino licensee's name or displays a gambling image, to the end of the advertisement, but in no case may the period of time that the gambling assistance message is visible be less than 25% of the total length of time for that advertisement.***

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Assistant Chief Counsel  
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GGE respectfully requests that the Board review the preceding objections to Proposed Rulemaking #125-168 and consider the proposed alternative regulation language for 58 Pa. Code 501a.7(e)(3). Thank you for considering the questions 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: Silvan B. Lutkewitte, III, Chairman, Independent Regulatory Review Commission  
Thomas C. Bonner, Esq.