

SLOT MACHINE LICENSEE OWNER AFFIRMATION

AND NOW, this _ day of _____, 2020, I, [NAME],

do hereby present to the Pennsylvania Gaming Control Board (“PGCB” or “Board”) this

Affirmation, and state the following:

1. I, [AN ENTITY I AM AUTHORIZED TO REPRESENT, NAME OF ENTITY,] hold(s) an ownership interest in [SLOT MACHINE LICENSEE] and have/has a principal business address of [ADDRESS].
2. I, [AN ENTITY I AM AUTHORIZED TO REPRESENT, NAME OF ENTITY,] currently hold(s) a license in good standing issued by the Board.
3. I, [AN ENTITY I AM AUTHORIZED TO REPRESENT, NAME OF ENTITY,] continue(s) to satisfy the requirements of 4 Pa.C.S., Part II, and all criteria established by the Board for licensure, including, but not limited to, financial and character suitability requirements.
4. Pursuant to Act 42 of 2017 authorizing the creation of Category 4 Slot Machine licenses, as modified by Act 23 of 2020, and the policies promulgated by the Board regarding same, [PROPOSED LICENSEE] has submitted a sealed bid for a Category 4 Slot Machine license simultaneously with the submission of this Affirmation.
5. At least one week prior to the scheduled September 2, 2020 auction (by August 26, 2020), [PROPOSED LICENSEE] submitted to the Board’s Bureau of Licensing a bond or letter of credit payable to the Commonwealth of Pennsylvania in the amount of \$7,500,000.00.
6. [PROPOSED LICENSEE], if declared the winning bidder at the auction, provides the following center point for its Category 4 location:
 - a. Latitude: _____
 - b. Longitude: _____
 - c. Municipality: _____
 - d. County: _____
7. [PROPOSED LICENSEE] certifies that its designated Category 4 location is in compliance with the provisions of Act 42 of 2017, as modified by Act 23 of 2020, based upon [METHOD OF DETERMINATION].
8. [PROPOSED LICENSEE] certifies that its Category 4 licensed facility will not be within forty (40) linear miles of any other Category 1, Category 2, or Category 3 licensed facility, another Category 4 facility site, or the center point of another Category 4 location if a facility site within that location has not yet been selected.

9. The Category 4 licensed facility of **[PROPOSED LICENSEE]** will not be located (a) in a county currently hosting a Category 3 licensed facility and/or (b) a county of the sixth class which is contiguous to a county that hosts a Category 2 licensed facility.
10. The Category 4 facility of **[PROPOSED LICENSEE]** will not be located in a municipality of the Commonwealth that has opted to prohibit such facility.
11. The Category 4 location selected by **[PROPOSED LICENSEE]** is not located within any portion of the areas described in Paragraph 8 above.
12. The Category 4 licensed facility built by **PROPOSED LICENSEE]** will be sited within the boundaries of the Category 4 location identified above.
13. Prior to issuance of the Category 4 Slot Machine license, if applicable, **[PROPOSED LICENSEE]** will waive any exemptions, deductions, abatements, or credits created under the Keystone Opportunity Zone and related programs.
14. **[PROPOSED LICENSEE]**, in the development and submission of the aforementioned bid, has not engaged in any conduct that could be deemed by the Board or any other authority to be bid-rigging or collusion, including but not limited to the following:
 - a. sharing of information or the agreement between two or more potential bidders regarding bid strategy, bid amounts, or proposed Category 4 locations, whether directly or indirectly, including through third parties, with the intent to or having the potential to suppress the winning big amounts or frustrate competitive bidding;
 - b. engaging in complementary bidding designed to create an appearance of competition without actual competition between bidders;
 - c. agreeing to divide customer or market areas between bidders or potential bidders;
 - d. agreement by either party to payment or compensation in any form by a winning bidder to other actual bidders or potential bidders in connection with any actual bid or refusal to bid at an auction held by the Board;
 - e. any other conduct that violates applicable Federal and/or State laws regarding consumer protection and/or Antitrust.
15. **[PROPOSED LICENSEE]** understands and acknowledges that if not declared the winning bidder at the auction, the Board will not announce **[PROPOSED LICENSEE's]** losing bid amount or proposed Category 4 location.
16. **[PROPOSED LICENSEE]** further understands and acknowledges that any information obtained by the Board of conduct that could be deemed bid-rigging or collusion, or independent Board suspicion thereof, shall be referred to Federal and/or State law enforcement, pursuant to 4 Pa.C.S. § 1305.2(C)(2).

The undersigned hereby states that the facts above set forth are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

Date: _____

By: _____
Signature

Printed Name and Title