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November 16, 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 #125-106

RE: Comments to Proposed Rulemaking #125-106

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. 6073, on October 17, 2009.

The proposed rulemaking at issue amends various regulations that affect a wide variety of Board regulations—specifically, requirements for the display of employee credentials, use of non-fixed seating with respect to slot machines and detailed revisions to internal control requirements. This rulemaking represents an attempt by the Board to reduce inefficiencies and preserve resources in the oversight of the gaming industry. Most of these revisions significantly improve the efficiency of the Board and preserve its resources in connection with operational matters at Pennsylvania casinos. However, GGE must question and object to some of the changes in the proposed rulemaking. GGE believes that the Board can further clarify and refine some of its regulations.

For example, section 435a.6(c) of the proposed rulemaking addresses the display of employee credentials at licensed facilities. Under this proposed section, an employee who does not work on the gaming floor may carry their Board-issued credentials, while an employee that works on the gaming floor must display the Board-issued credential at all times. The Board created an additional exemption by allowing food and beverage employees that work on the gaming floor to carry their Board-issued credential if the employee displays an access badge with a unique

identification number. GGE strongly endorses the exception for employees that do not work on the gaming floor. However, GGE believes that the exemption for food and beverage personnel should be expanded to cover any casino employee whose majority of his or her job duties and responsibilities require customer service.

The rationale for creating the exemption for food and beverage personnel can and should be extended to customer service positions. In fact, the access badge used by all GGE employees, including food and beverage personnel, has a font size much larger than the Board-issued credential. As a result, GGE's access badges are much easier to read on surveillance cameras and in-person than the Board-issued credential. GGE has player service representatives, player service managers, valet parkers, slot shift managers, department directors and vice presidents whose job duties include components of the responsibilities of food and beverage personnel. Under the current regulation and the proposed rulemaking, these individuals would still need to constantly display their Board-issued credential. GGE respectfully request that the Board further expand the exemption for food and beverage personnel to include any casino employee whose majority of his or her job duties and responsibilities include customer service.

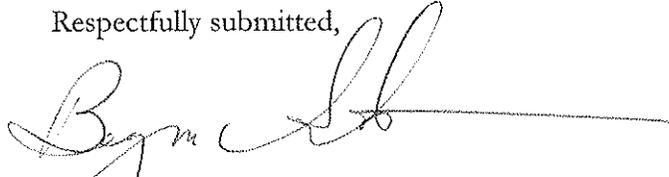
In addition, the proposed revisions to section 461a.19(c) appear to overrule and/or rescind Board-issued technical standard 58 Pa. Code § 461b.5. GGE strongly objects to the proposed requirement of section 461a.19(c) without the Board rescinding technical standard 461b.5. GGE would recommend that the Board include the requirements of 461b.5 into a proposed rulemaking, possibly proposed regulation 58 Pa. Code 461a.19(c), so slot machine licensees can publicly comment on the technical standard's requirements, which can go through the proper regulatory review process. As a result, GGE respectfully request that the Board rescind technical standard 58 Pa. Code 461b.5, as part of this proposed rulemaking. GGE also request that the Board include the provisions of the technical standard into the language of 58 Pa. Code § 461a.19, so the standard's requirements can meet the regulatory review process, including review by the Independent Regulatory Review Commission.

Section 465a.33(a)(5) would allow emergency access to the Central Control Computer (CCC) equipment for "environmental adjustments." The term "environmental adjustments" is not defined in the proposed rulemaking, the Board's regulations or the Board's enabling act—the Pennsylvania Race Horse Development and Gaming Act, 4 Pa. C.S. § 1101 *et seq.* GGE believes this term is vague and ambiguous. Regulatory violations by slot machine licensees can result in substantial fines, especially involving improper access. As a result, GGE respectfully request that the Board further clarify and define the term "environmental adjustments" so licensees can definitely know what this term means for emergency access to the CCC equipment and room.

Richard Sandusky
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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,

A handwritten signature in cursive script, appearing to read "Bryan P. Schroeder", followed by a long horizontal line extending to the right.

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

bps

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