



PENNSYLVANIA GAMING CONTROL BOARD
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July 25, 2024

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Sent via Electronic Mail

Mr. Benjamin Sutherland
Chief Executive Officer
Greentube USA LLC
5800 Rafael Rivera Way
Las Vegas, Nevada 89118

RE: Greentube § 810a.10(c)(3) Waiver Request

Dear Mr. Sutherland:

On behalf of the Pennsylvania Gaming Control Board ("Board" or "PGCB"), I have reviewed your waiver request and subsequent correspondence from Greentube, in which you are requesting a waiver of 58 Pa. Code § 810a.10(c)(3), which provides:

(c) *Incomplete games.* A game is incomplete when the game outcome remains unresolved or the outcome cannot be properly seen by the player.

....

(3) Wagers associated with an incomplete game must be voided within 30 days and the wagers can be forfeited or returned to the player provided that:

- (i) The terms and conditions of the game rules, or both, must clearly define how wagers will be handled when they remain undecided beyond the specified time period and the interactive gaming system must be capable of returning or forfeiting the wager as appropriate.
- (ii) In the event that a game cannot be continued due to an interactive gaming system action, all wagers must be returned to the players of the game.

In your waiver request, you noted that the independent test lab hired by Greentube has flagged Greentube's compensation mechanism for the handling of incomplete game rounds as operating inconsistently with PGCB regulations. Presently, Greentube's system automatically completes incomplete game rounds by determining winnings due to patrons, based on the games' expected win values. Greentube has subsequently revised its waiver request and is now seeking a six-month waiver period to allow Greentube to bring its platform and games into compliance with § 810a.10(c)(3).

At this time, I grant Greentube's request for time to come into compliance with 58 Pa. Code §810a.10(c)(3). Greentube shall have until January 31, 2025, to ensure its platform and interactive games are in full compliance with §810a.10(c)(3). PGCB will not extend this compliance deadline.

If you have any questions, please contact Lee Copello, Director, iGaming Compliance Operations, via email at [REDACTED], or Robert Wood, Assistant Chief Counsel, via email at [REDACTED]

Sincerely,



Kevin F. O'Toole
Executive Director

KFO/rmw

cc: Steve Cook, Chief Counsel, PGCB
Claire Yantis, Administrative Director, PGCB
Paul Resch, Director, Bureau of Gaming Operations, PGCB
Lee Copello, Director, iGaming Compliance Operations, PGCB
Heather Worner, Director, Office of Gaming Laboratory Operations, PGCB
Chad Zimmermann, Deputy Chief Counsel, PGCB
Robert Wood, Assistant Chief Counsel, PGCB