



PENNSYLVANIA GAMING CONTROL BOARD
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December 12, 2023

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Sent via Electronic Mail

Terri Schneider
Director of Compliance
Presque Isle Downs & Casino
8199 Perry Highway
Erie, Pennsylvania 16509

RE: DJ Wild Stud Poker—Two-Way Bad Beat Bonus Side Wager

Dear Ms. Schneider:

On behalf of the Pennsylvania Gaming Control Board (“Board” or “PGCB”), I have reviewed your correspondence and waiver request dated December 7, 2023. Presque Isle Downs & Casino (“PID”) is requesting permission to offer the Two-Way Bad Beat Bonus Wager consistent with the wager’s intent, but inconsistent with the language of the regulations. You assert that the language governing when a Two-Way Bad Beat Bonus Wager shall be considered a winning and losing wager [58 Pa. Code § 687a.11(f)(3)] reflects a single way bad beat style wager rather than the two-way bad beat wager intended.

Upon review, the language under § 687a.11(f)(3) reflects a single way bad beat wager rather than the two-way bad beat wager contemplated. PGCB appreciates you bringing this to our attention, and we will work to make corrections to the regulatory language. In the meantime, PID may offer the Two-Way Bad Beat Bonus Wager under the following provisions, in lieu of the terms published under 58 Pa. Code § 687a.11(f)(3):

(3) For the Two-Way Bad Beat Bonus Wager:

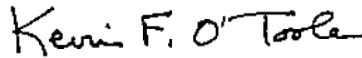
(i) If the player’s highest ranking DJ Wild Stud Poker hand and the dealers highest ranking DJ Wild Stud Poker hand are not both three-of-a-kind or better, or the player’s and dealer’s highest ranking hands tie being a three-of-a-kind or better as provided in § 687a.6(f), the dealer shall collect the losing Two-Way Bad Beat Bonus Wager.

(ii) If the player’s highest ranking DJ Wild Stud Poker hand is three-of-a-kind or better and loses to the dealer’s higher ranking hand, as provided in § 687a.6(f), the dealer shall pay the winning Two-Way Bad Beat Bonus Wager in accordance with § 687a.12(e).

(iii) If the dealer's highest ranking DJ Wild Stud Poker hand is three-of-a-kind or better and loses to the players highest ranking hand, as provided in § 687a.6(f), the dealer shall pay the winning Two-Way Bad Beat Bonus Wager in accordance with § 687a. 12(e).

Once regulatory language addressing Two-Way Bad Beat Bonus Wagers are adopted by the Board and published in the *Pennsylvania Bulletin*, this waiver will expire. If you have any questions, please contact 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
Gregg Hazzouri, Director, Bureau of Casino Compliance, PGCB
Heather Worner, Director, Office of Gaming Laboratory Operations, PGCB
Chad Zimmermann, Deputy Chief Counsel, PGCB
Robert Wood, Assistant Chief Counsel, PGCB