



April 17, 2018

**VIA E-MAIL AND HAND DELIVERY**

Pennsylvania Gaming Control Board  
c/o R. Douglas Sherman, Chief Legal Counsel  
P.O. Box 69060  
Harrisburg, PA 17106-9060

Re: Public Comment on Regulation #125-211

Dear Mr. Sherman:

J&J Ventures Gaming of Pennsylvania, LLC (“JJVG of PA”) intends to apply for a Terminal Operator license in the Commonwealth of Pennsylvania under Act 42 of 2017 (“Act 42”). JJVG of PA is an affiliate of J&J Ventures Gaming, LLC, which holds a Terminal Operator license in Illinois in connection with the Illinois Video Gaming Act. We are the second largest Terminal Operator in Illinois, with over 4,000 video gaming terminals in operation.

We appreciate the Pennsylvania Gaming Control Board’s (the “PGCB”) work in releasing Temporary Rulemaking #125-211 (the “Temporary Regulations”). We respectfully submit our comments to the Temporary Regulations herein. We fully support a strict regulatory environment and understand the value of clear requirements that are not subject to various interpretations in the marketplace. Please consider the following suggestions.

**Parking Space Requirement**

Section 1103 of the Temporary Regulations requires the parking spaces for commercial motor vehicles at Establishments to be “of sufficient size to accommodate vehicles which are eight (8) feet in width and fifty-three (53) feet in length or otherwise....” This language differs from the requirements for a “commercial motor vehicle” that already exists in the Motor Vehicle Code. We respectfully request that this specific size requirement be removed. We understand the PGCB likely inserted this additional language to establish that the parking spaces at Establishments need to accommodate larger vehicles. However, we believe that goal can be achieved without the specific size being referenced in the Temporary Regulations. The language in the Motor Vehicle Code could be sufficient.

**JJVentures.com**

**Renovation Costs**

Act 42 exempts from the definition of inducement “costs paid by a terminal operator applicant or terminal operator licensee related to making video gaming terminals operate at the premises of an establishment licensee.” The Temporary Regulations exempt the “actual costs of renovating an existing area of the footprint of the truck stop establishment for the purpose of making the video gaming area and associated areas available for the conduct of video gaming.” We concur that terminal operator applicants and terminal operator licensees should be able to participate in the cost of such renovations. We respectfully request that the limitation that such renovations be limited to “an existing footprint” be removed from the Temporary Regulations. Notably, structural changes or significant renovations to the video gaming area must be disclosed to the PGCB and prior approval of such changes or renovations is required. Accordingly, there is a safeguard in place to require transparency in this process and the PGCB can further require the parties to disclose information regarding the cost of such renovations.

**Marketing and Advertising**

Consistent with the Act, both licensed establishments and terminal operator licensees should be able to advertise. JJVG of PA respectfully requests that the Temporary Regulations specifically address the types of marketing and advertising expenses that terminal operators may bear or otherwise share with establishments. For example, terminal operator licensees should have the opportunity to advertise on their own behalf and that their video gaming terminals are available at their partner establishments. Terminal operator licensees should be able to pay for these advertisements. Most importantly, it is essential that the industry understands what can and cannot be done. As long as the participants operate on equal footing, the industry will be successful.

**Player Tracking System**

JJVG of PA respectfully submits that the Temporary Regulations be revised to provide for permissible use of player tracking and reward systems. Customer loyalty/rewards programs are prolific and have become commonplace in many industries, including gaming. They play a prominent role in the marketing strategies of companies throughout the world. Such programs will help maximize revenue and bolster the success of the video gaming industry in the Commonwealth. Customer loyalty/rewards programs can also improve the overall experience for the player and can be implemented in a responsible manner.

Regards,



Robert G. Willenborg