



**Fox Rothschild LLP**  
ATTORNEYS AT LAW

Midtown Building, Suite 400  
1301 Atlantic Avenue  
Atlantic City, NJ 08401-7212  
Tel 609.348.4515 Fax 609.348.6834  
www.foxrothschild.com

Marie Jacopello Jones, Esquire  
Direct Dial: (609) 572-2259  
Email Address: [mjones@foxrothschild.com](mailto:mjones@foxrothschild.com)  
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INDEPENDENT REGULATORY  
COMMISSION

**EMBARGOED MATERIAL**

September 30, 2009

Via Email & Facsimile

The Honorable Arthur Coccodrilli, Chairman  
Independent Regulatory Review Commission  
333 Market Street, 14<sup>th</sup> Floor  
Harrisburg, PA 17101

Re: IRRC Regulation #2757  
Comments to Final-Form Rulemaking #125-102 (Key Employees)

Dear Chairman Coccodrilli:

Please be advised that we represent Washington Trotting Association, Inc. ("WTA"), a Category 1 slot operator licensee. On behalf of WTA, we are respectfully submitting the following comments to Final-Form Rulemaking #125-102 regarding the licensure of certain key employees. WTA opposes the final adoption of this regulation until further discussion with the Pennsylvania Control Board staff regarding the implications of this amendment.

Proposed Final-Form Rulemaking #125-102 would expand the definition of key employee and require additional individuals to hold key employee licenses. At the current time, WTA would be in compliance with this regulation if adopted. However, if WTA was to change certain internal policy for its hosts (which is likely), it would require as many as thirty additional individuals obtain key employee licenses at an application cost of \$2,500, plus investigation cost of at least same, for a total of approximately \$150,000. As these individuals report directly to individuals who hold key employee licenses and these individuals have no control or authority over gaming aspects, licensure as key employees is unnecessary and does not correct any regulatory deficiency.

Accordingly, WTA requests that IRRC reject this final-form regulation on the basis of inadequate justification for the revision and to permit the Board and the industry to review further the implications of this regulation.

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Thank you for your consideration of this submission.

Respectfully submitted,

Marie Jiacopello Jones

MJJ:db

cc: Kim Kaufman, Executive Director, IRRC (via email & regular mail)  
Richard Sandusky, Director of Regulatory Review (via email & regular mail)  
Guy Hillyer, Executive Vice President (via email & regular mail)