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File No.: 07599-00006

February 15, 2010

**VIA EMAIL AND FEDERAL EXPRESS**

Richard M. Sandusky  
Director of Regulatory Review  
Pennsylvania Gaming Control Board  
303 Walnut Street  
P.O. Box 69060  
5th Floor, Strawberry Square  
Harrisburg, PA 17101

**Re: Washington Trotting Association, Inc., License No.: F-1316  
Comments to Proposed Rulemaking 125-108**

Dear Mr. Sandusky:

As you know, we represent Washington Trotting Association, Inc. ("WTA"), a Category 1 slot operator licensee. On behalf of WTA, we are submitting the following comments to the Proposed Rulemaking No. 125-108, proposed amendments to regulations 58 Pa. Code § 433a regarding Principal Licenses.

Specifically, the Pennsylvania Gaming Control Board (the "Board") proposed amendments to 58 Pa. Code § 433a.6, which will allow a lender not be licensed as a principal only if it meets the certain criteria. The Board states that the amendments contained in Proposed Rulemaking No. 125-108 are intended to eliminate or reduce the requirements to obtain a principal license. However, WTA submits that the amendments to 58 Pa. Code § 433a.6 are contrary to the Board's stated intention as it actually will increase the requirements to obtain a principal license.

As currently written, 58 Pa. Code § 433a.6 follows the intention of the Pennsylvania Race Horse and Development Act (the "Act"), which provides greater flexibility regarding entities that are required to file for licensure as a principal. Specifically,



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current regulation 58 Pa. Code § 433a.6 and 4 Pa.C.S. § 1311(c)(2), give the Board the ability to determine when a lender may be required to file for qualification if the Board determines that the suitability of the lender is at issue. WTA suggests that by detailing rigid, inflexible criteria for when lenders are not required to file for a principal license, the flexibility and discretion currently afforded to the Board to determine if a lender is required to file for qualification are removed and, therefore, will require that more entities and/or lenders file for licensure as a principal.

Accordingly, WTA submits that the proposed amendments to 58 Pa. Code § 433a.6 are contrary to the Board's intention of reducing or eliminating the filing requirements and the current regulation should not be amended. Alternatively, WTA requests that the proposed regulation be revised to include a more general provision giving the Board the discretion to determine that a lender not be required to file for qualification.

Thank you for your time and consideration of this matter.

Very truly yours,

  
Marie J. Jones

MJJ:bb

cc: Arthur Coccodrilli, Independent Regulatory Review Commission  
Guy Hillyer, Executive Vice President  
Michael S. Keelon, Manager of Compliance