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VIA EMAIL & FEDERAL EXPRESS

Susan A. Yocum
Assistant Chief Counsel
Pennsylvania Gaming Control Board
303 Walnut Street, Strawberry Square
P.O. Box 69060
Harrisburg, PA 17106-9060

RE: Public Comment on Proposed Rulemaking # 125-159

Dear Ms. Yocum:

Greenwood Gaming & Entertainment, Inc. ("GGE") is the holder of a table games operation certificate and a Category 1 slot machine license, which authorize GGE to operate Parx Casino in Bensalem, Pennsylvania. GGE respectfully submits the following comments to the Pennsylvania Gaming Control Board (the "Board") in connection with the Board's proposed rulemaking, as captioned above, which was published in the Pennsylvania Bulletin at 41 Pa.B. 5963, on November 5, 2011.

The rulemaking at issue proposes to replace the temporary regulations for Spanish 21, Poker, Mississippi Stud and Crazy 4 Poker. Specifically, the Board is replacing temporary regulation Chapter 551 with permanent regulation Chapter 635a, which would govern the rules of the game for Spanish 21. The Board is also replacing temporary regulation Chapter 553 with permanent regulation Chapter 637a, which would govern the rules of the game for Poker. The Board is replacing temporary regulation Chapter 571 with permanent regulation Chapter 655a, which would govern the rules of the game for Mississippi Stud. Finally, the Board is replacing temporary regulation Chapter 573 with permanent regulation Chapter 657a, which would govern the rules of the game for Crazy 4 Poker.

The following list of comments addresses various provisions of the Board's proposed rulemaking. The list also provides practical suggestions regarding operational flexibility. GGE offers these comments and considerations to increase the functionality and efficiency of table game operations in Pennsylvania as well as to coincide with industry practices in New Jersey.

1. **58 Pa. Code 637a.2(b) (Poker Table Physical Characteristics)** – As drafted, proposed regulation 637a.2(b)(2) requires "[a] holding area located to the right of the dealer designated for the collection of the poker rake prior to final placement of the rake

in the drop box.” GGE respectfully requests that this requirement be modified to allow for alternative holding areas. Currently, New Jersey requires a similar holding area on its layouts because New Jersey requires that the rake be placed in the table game float instead of a drop box. GGE currently utilizes a drop slide to drop the rake in a drop box. GGE believes that the top of the drop slide could be used as a holding area instead of a circle without any compromise to game or asset protection. As a result, GGE respectfully request that the Board modify section 637a.2(b)(2) to allow a drop slide to be used has a holding area for the rake.

2. **58 Pa. Code 637a.3(c) (Cards)** – As drafted, proposed regulation 637a.3(c) requires each deck of cards used in Poker to be changed at least every six (6) hours. GGE respectfully request that the Board modify subsection 637a.3(c) to allow a change of Poker cards at least every twenty-four (24) hours. There are several reasons supporting such a modification. First, a deck of Poker cards costs \$18.50 per deck compared to only \$0.91 per deck for banked table games. Due to its costs, Poker cards are also designed to endure a substantial amount of play. Next, GGE does not believe a change from six (6) hours to twenty-four (24) hours will affect game or asset protection. Specifically, GGE uses automated shufflers at each Poker table that count the deck of cards in between every hand. As a result, GGE respectfully request that the Board modify section 637a.3(c) to allow for a change of Poker cards at least every twenty-four (24) hours.
3. **58 Pa. Code 637a.8(b) (Placement of Bets)** – As drafted, proposed regulation 637a.8(b)(3) allows currency to be utilized to initiate, call or raise a bet if the currency is **expeditiously converted** into chips by the dealer. Because GGE utilizes an imprest bank of \$500.00, it cannot expeditiously convert all currency wagers to chips. Currently, GGE offers approximately ninety-five percent (95%) no-limit style games in its Poker Room. Due to the nature of no-limit play, patrons are buying additional chips nearly every hand. Because patrons must buy chips from a game attendant or the cashier cage, the additional buy-ins substantially slow down the timing of GGE’s no-limit Poker games. GGE believes these requirements significantly reduce potential revenue for it and the Commonwealth. As a result, GGE respectfully request that the Board modify section 637a.8(b)(3) to allow casino licensees to accept wagers—e.g., initial, call or raise bets—in \$100.00 bills without converting those \$100.00 bills into chips.
4. **58 Pa. Code 637a.12(j)(2)(ii) (Omaha Poker)** – As drafted, proposed regulation 637a.12(j)(2)(ii) requires that “[i]f a tie exists between two or more players for the highest ranking high hand, the high hand share of the pot shall be divided equally among the tied players.” The regulation goes on to note that “[i]f the high hand share of the pot cannot be divided equally among the tied players, the excess, which may not exceed \$1, shall be given to the player with the highest ranking high card by suit.” In reviewing various jurisdictions and discussions with patrons, GGE believes a more efficient alternative exists for handling such a situation. GGE respectfully requests that the Board modify section 637a.12(j)(2)(ii) to allow casino licenses to have the options (i) to split the

high hand share of the pot based on the lowest denomination in play (e.g., a \$15-\$30 game would use a \$5 value chip as the lowest denomination) and (ii) to award the extra chip(s) to the player closest to the small blind, including the small blind.

5. **58 Pa. Code 637a.18(r) (Conduct of Players)** – As drafted, proposed regulation 637a.18(r) provides that an automated card shuffling device (“shufflers”) must be covered or have an out of order sign placed on the shuffler if that shuffler malfunctions and cannot be used. Currently, GGE has spare shufflers to switch out if a shuffler malfunctions and cannot be used. GGE would like to continue with its current process, but it is uncertain how section 637a.18(r) would affect that process. If GGE were not allowed to switch out malfunctioning shufflers, its table game operation would suffer a substantial and unnecessary hindrance. As a result, GGE respectfully requests that the Board revise section 637a.18(r) to explicitly allow casino licensees to switch out a malfunctioning shuffler for a working shuffler.

6. **Additional Poker Games** – GGE is grateful that the Board included the Seven-Card Stud Poker game “RAZZ” to its permanent regulations. As a result of recent events in New Jersey, GGE respectfully requests that the Board modify Chapter 637a to include additional Poker games in this proposed rulemaking. See Temporary Rule N.J.A.C. 19:47-14.12C (Div. Gaming Enforcement, September 13, 2011). GGE believes that it needs to be competitive with its local competition in New Jersey, Connecticut and possibly New York. As a result, GGE has attached Exhibit A to these public comments and request that the Board add these Poker games to Chapter 637a.

Thank you for considering the comments of GGE in connection with the proposed regulation. GGE will be happy to answer any questions that the Board may have on these comments.

Respectfully submitted,



Bryan P. Schroeder
Assistant General Counsel
Greenwood Gaming & Entertainment, Inc.

bps

cc: Silvan B. Lutkewitte, III, Chairman, Independent Regulatory Review Commission
Thomas C. Bonner, Esq.

I. Triple Draw

A Five-Card Draw Poker table shall be restricted to a maximum of eight players. The order in which the cards shall be dealt and the order in which players shall be required or have the option to bet shall be determined as follows:

1. A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall be required or have the option to bet.
2. At the commencement of play, the button shall be placed in front of the first player to the right of the dealer.
3. Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

Starting with the player to the immediate left of the button and continuing in a clockwise rotation around the Poker table, the dealer shall deal five (5) rounds of cards face down to each player with the player with the button being the last player to receive a card each time.

After each player has been dealt five (5) cards face down, the player to the immediate left of the button shall be required to initiate the first betting round by placing a Small Blind Bet. The player to the immediate left of the Small Blind will place a Big Blind Bet.

Following the placement of the required Blind Bets, each player, starting with the player to the left of the player or players who were required to place a Blind Bet shall in turn, in a clockwise rotation around the Poker table, either fold, call or raise the bet. The option to raise shall also apply to a player who made a Big Blind Bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

After completion of the initial betting round, each player remaining in the round of play, starting with the player to the immediate left of the button and continuing in a clockwise rotation around the Poker table, shall have an opportunity to draw new cards. This process shall be accomplished one player at a time. Each player may keep his original hand or discard as many cards as he chooses. Each discarded card shall be replaced by the dealer with a new card dealt from the deck as follows:

1. Prior to the first player receiving any new cards, the dealer shall burn the top card of the deck.
2. If insufficient cards remain in the deck for each player remaining in the round of play to draw new cards, the discard pile shall be reshuffled and used for this purpose; provided, however, that the cards to be discarded by a player who has not yet requested new cards shall not be included as part of the reshuffled cards.

A betting round shall then commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player may, in clockwise rotation, fold, call, raise the bet or, if preceding players have not made a bet, make an opening bet or check. There will then be two additional drawing rounds, each followed by a betting round.

The final betting round shall be considered complete when the last player has responded to the most recent bet.

If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. The winner of the pot shall be the player with the highest ranking five card low hand.

A. 2-7 Low Ball Poker

- i. Hands are counted from the highest card in the hand down.
- ii. The best possible 2-7 Lowball hand is 7-5-4-3-2 (with all five cards **NOT** of the same suit).
- iii. Straights, flushes and pairs count against you.
- iv. Having a straight does not kill your hand, but lessens the value. For example, any hand without a flush, straight or pair will beat any hand with a pair, regardless of how low the cards are.
- v. The ace is used only as a high card.
- vi. Because the ace is a high card, 5-4-3-2-A is not considered to be a straight but an A-5 high.
- vii. Any two players holding the same hand split the pot.

B. A-5 Low Ball Poker

- i. Hands are counted from the highest card in the hand down.
- ii. The best possible A-5 Lowball hand is 5-4-3-2-1 (regardless of suits).
- iii. Straights and flushes do not count against you.
- iv. The ace is used only as a low card.
- v. Any two players holding the same hand split the pot.

II. Badugi

Badugi is a Four-Card Triple Draw Poker game. A Badugi table shall be restricted to a maximum of eight players. The order in which the cards shall be dealt and the order in which players shall be required or have the option to bet shall be determined as follows:

1. A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall be required or have the option to bet.
2. At the commencement of play, the button shall be placed in front of the first player to the right of the dealer.
3. Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

Starting with the player to the immediate left of the button and continuing in a clockwise rotation around the Poker table, the dealer shall deal four (4) rounds of cards face down to each player with the player with the button being the last player to receive a card each time. After each player has been dealt four (4) cards face down, the player to the immediate left of the button shall be required to initiate the first betting round by placing a Small Blind Bet. The player to the immediate left of the Small Blind will place a Big Blind Bet.

Following the placement of the required Blind Bets, each player, starting with the player to the left of the player or players who were required to place a Blind Bet shall in turn, in a clockwise rotation around the Poker table, either fold, call or raise the bet. The option to raise shall also apply to a player who made a Big Blind Bet. After the last player has responded to the most recent bet, the betting round shall be considered complete.

After completion of the initial betting round, each player remaining in the round of play, starting with the player to the immediate left of the button and continuing in a clockwise rotation around the Poker table, shall have an opportunity to draw new cards. This process shall be accomplished one player at a time. Each player may keep his original hand or discard as many cards as he chooses. Each discarded card shall be replaced by the dealer with a new card dealt from the deck as follows:

1. Prior to the first player receiving any new cards, the dealer shall burn the top card of the deck.
2. If insufficient cards remain in the deck for each player remaining in the round of play to draw new cards, the discard pile shall be reshuffled and used for this purpose; provided, however, that the cards to be discarded by a player who has not yet requested new cards shall not be included as part of the reshuffled cards.

A betting round shall then commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player may, in clockwise rotation, fold, call, raise the bet or, if preceding players have not made a bet, make an opening bet or check. There will then be two additional drawing rounds, each followed by a betting round. The

final betting round shall be considered complete when the last player has responded to the most recent bet.

If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. The winner of the pot shall be the player with the highest ranking four card low hand given the following criteria:

1. A Badugi hand consists of the maximum number of cards that can be played such **that there is no duplication of rank or suit.**
2. Any duplication of rank and/or suit will result in the disqualification of the duplicated card, resulting in the player using only 3, 2 or 1 active cards, depending of the degree to which the cards are duplicated.
3. Between hands of the same number of cards, the one with the lowest hand (aces count as low) shall be the best hand. For example, A234 of four different suits is the best possible hand, while a KQJ10 of four different suits beats any three card hand. A three card hand of 742 beats 75A.
4. A hand which has 4 non-disqualified cards beats any hand with 1 or more disqualified cards. A hand with 1 disqualified card beats any hand with 2 or more disqualified cards, and so on.

III. Big O (Five-Card Omaha Poker)

A Five-Card Omaha Poker table shall be restricted to a maximum of eight players. The order in which the cards shall be dealt and the order in which players shall be required or have the option to bet shall be determined as follows:

1. A button shall be used to indicate the order in which the cards shall be dealt and the order in which players shall be required or have the option to bet.
2. At the commencement of play, the button shall be placed in front the first player to the right of the dealer.
3. Thereafter, the button shall rotate around the table in a clockwise manner after each round of play.

The player to the immediate left of the button shall be required to initiate the first betting round before any cards are dealt by placing a Blind Bet. A casino licensee may require additional Blind Bets to be made immediately subsequent to the initial Blind Bet. Starting with the player to the immediate left of the button and continuing in a clockwise rotation around the Poker table, the dealer shall deal five (5) rounds of cards face down to each player with the player with the button being the last player to receive a card each time.

Following the dealing of the five (5) cards, each player, starting with the player to the left of the player or players who were required to place a Blind Bet shall in turn, in a clockwise rotation around the Poker table, either fold, call or raise the bet. The option to raise shall also apply to a player who made a Blind Bet. After the last player has responded to the most recent bet, the initial betting round shall be considered complete.

Upon completion of the initial betting round, the dealer shall then burn the top card of the deck and proceed to deal three community cards face up in the center of the table. The next betting round shall commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player may, in clockwise rotation, fold, call, raise the bet or, if preceding players have not made a bet, make an opening bet or check. The second betting round shall be considered complete when each player has either folded or called in response to the most recent bet.

Upon completion of the second betting round, the dealer shall again burn the top card of the deck and then deal a fourth community card face up in the center of the table. The next betting round shall be commenced and completed in accordance with the preceding paragraph. Upon completion of the third betting round, the dealer shall again burn the top card of the deck and then deal a fifth and final community card face up in the center of the table. The final betting round shall be commenced and completed in accordance with the preceding paragraph.

If more than one player remains in the round of play after the final betting round has been completed, a showdown shall be used to determine the winner of the pot. Each player remaining in the game shall form a five-card Poker hand by using two of the five cards dealt to the player and three of the five community cards. This five-card hand shall constitute the Poker hand of the player at the showdown. The winner of the pot shall be as follows:

1. In Omaha High Poker, the player with the highest ranking five-card high Poker hand.
2. In Omaha High-Low-Hand Split Eight or Better Poker, the player with the highest ranking five-card high Poker hand and the player with the highest ranking five-card low-hand Poker hand shall divide the pot equally.
3. If a tie exists between two or more players for the highest ranking high hand, the high hand share of the pot shall be divided equally among the tied players.
4. If a tie exists between two or more players for the highest ranking low-hand, the low-hand share of the pot shall be divided equally among the tied players.
5. For purposes of this subsection, the cards shall be ranked by suit with the highest to lowest rank suit in order as follows: spades, hearts, diamonds and clubs.

IV. Badeucey/Badacey

Badeucey and Badacey are dealt using the same procedures as Triple Draw Low Ball Poker. These are both split pot games. The difference is in the awarding of the pot. The pot is awarded as follows:

1. Badeucey – Pot is split as evenly as possible. If the pot cannot be divided equally, the excess shall be awarded to the player with the best 2-7 Lowball hand. Half of the pot is awarded to the highest ranking 2-7 Low Ball Poker hand. The other half of the pot is awarded to the best Badugi hand.
2. Badacey – Pot is split as evenly as possible. If the pot cannot be divided equally, the excess shall be awarded to the player with the best A-5 Lowball hand. Half of the pot is awarded to the highest ranking A-5 Low Ball Poker hand. The other half of the pot is awarded to the best Badugi hand.

V. RAZZdugi

RAZZdugi is dealt using the same procedures as RAZZ. However, RAZZdugi is a split pot game. In RAZZdugi, the pot is split as evenly as possible. If the pot cannot be divided equally, the excess shall be awarded to the player with the best RAZZ hand. Half of the pot is awarded to the highest ranking RAZZ hand. The other half of the pot is awarded to the best Badugi hand.