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## **Massachusetts Gaming Commission Adopts a Plan to Open Southeastern Mass to Commercial Applications While Providing Tribe Additional Time To Pursue Federal Approvals**

Today the Massachusetts Gaming Commission (MGC) voted unanimously in a 5-0 vote to adopt a plan which opens Region C or southeastern Mass to commercial developers while also providing the Mashpee Wampanoag Tribe additional time to pursue the Federal approvals required for their project to proceed. The Commission voted to pursue this option to protect the best interests of southeastern Mass by developing an alternative that assures timely economic development and job creation, whether or not the Tribe successfully meets its promised deadlines. Under this plan, the Commission will open Region C to commercial applications; the final determination to issue a commercial license will take into account the totality of economic circumstances, including Tribal status, as they exist at the time of the licensing decision, which is anticipated to be in late 2014.

MGC Chairman Steve Crosby stated, “There is no easy solution to the complexities involved in the successful implementation of the Gaming Act in southeastern Massachusetts. The Commission has the difficult responsibility of achieving the appropriate balance between trying to avoid the possibility of 2 casinos in SE Mass on the one hand, and assuring that SE Mass does not fall behind the rest of the state in its economic development opportunities on the other.”

Today’s vote to open Region C to commercial applications is defined as follows:

- The Commission will issue a commercial Phase 1 (suitability application) Request for Proposal (RFP) – The Tribal-State and Federal Trust Land process will be unaffected and will continue as before
- When the Commission issues the Phase 1 RFP, it will simultaneously set a deadline for commercial responses - The Tribal-State and Federal Trust Land process will be unaffected and will continue as before
- After receiving Phase 1 applications, the Commission will make Region C commercial applicant suitability determinations - The Tribal-State and Federal Trust Land process will be unaffected and will continue as before



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- After the suitability determinations are made, the Commission will issue a Phase 2 (site specific) RFP and a deadline for responses – The Tribal-State and Federal Trust Land process will be unaffected and will continue as before
- After the Phase 2 RFP deadline, the Commission, using the same evaluation criteria it will use in Regions A and B, will make a decision about award of a commercial license after taking into account the economic consequences of the then current status of the Tribal-State and Federal Trust Land process, the contents of the commercial Phase 2 RFP responses, the regional and statewide gaming and other economic conditions then existing and forecast, and all other relevant information as it then exists
- Based on the schedule for Regions A and B, it is likely that the Commission will be in a position to make its Region C licensing decision toward the end of 2014

The Commission is faced with two irreconcilable assertions about the Tribe's ability to attain a land in trust designation: the tribe's assertion of award in a year or less, and the Tribe's potential competitors' assertion of several years or more. The plan adopted today allows each assertion to be tested by time, respects the Tribe's freedom to continue its quest, and protects the interests of the people of southeastern Mass, no matter the outcome of this complicated proceeding.

### **About MGC**

The mission of the Massachusetts Gaming Commission is to create a fair, transparent, and participatory process for implementing the expanded gaming law passed by the Legislature and signed by the Governor in November, 2011. In creating that process, the Commission will strive to ensure that its decision-making and regulatory systems engender the confidence of the public and participants, and that they provide the greatest possible economic development benefits and revenues to the people of the Commonwealth, reduce to the maximum extent possible the potentially negative or unintended consequences of the new legislation, and allow an appropriate return on investment for gaming providers that assures the operation of casino-resorts of the highest quality. For more information on MGC, please visit [MassGaming.com](http://MassGaming.com) or connect and share on Twitter (@MassGamingComm) or Facebook ([www.facebook.com/MAGamingComm](http://www.facebook.com/MAGamingComm)).



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