



NOTICE OF MEETING AND AGENDA: Sports Wagering Application Evaluations

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, and Chapter 107 of the Session Acts of 2022, notice is hereby given of a series of public meetings of the Massachusetts Gaming Commission **between January 6th and 20th, 2023**. The meetings will take place according to the schedule below:

January 6, 2023 | 10:00 a.m.
January 9, 2023 | 10:00 a.m.
January 10, 2023 | 10:00 a.m.
January 11, 2023 | 10:00 a.m.
January 13, 2023 | 10:00 a.m.
January 17, 2023 | 10:00 a.m.
January 18, 2023 | 11:30 a.m.
January 19, 2023 | 10:00 a.m.
January 20, 2023 | 11:00 a.m.

VIA REMOTE ACCESS: 1-646-741-5292
MEETING ID/ PARTICIPANT CODE: 111 1431 1966
All sessions are streamed live at www.massgaming.com.

Please note that the Commission will conduct this public meeting remotely utilizing collaboration technology. Use of this technology is intended to ensure an adequate, alternative means of public access to the Commission's deliberations for any interested member of the public. If there is any technical problem with the Commission's remote connection, an alternative conference line will be noticed immediately on www.massgaming.com.

All documents and presentations related to this agenda will be available for your review on the morning of the meeting date by visiting our website and clicking on the News header, under the Meeting Archives drop-down.

AGENDA

1. Call to Order
2. Opening Remarks – Cathy Judd-Stein, Chair
3. Legal Framework relative to the award of an untethered Category 3 operator license – Todd Grossman, General Counsel
4. Evaluation Process – Commissioners
Over the course of the stated timeline, the Commission will individually evaluate the applications of Bally's Interactive, LLC, Betfair Interactive US, LLC (d/b/a FanDuel), Betr



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Holdings, Inc., Crown MA Gaming, LLC (DraftKings), Digital Gaming Corporation USA, and PointsBet Massachusetts, LLC in alphabetical order, respectively.

The review process for each individual applicant will include:

- a. Presentation of application and demonstration of technology and user experience by each applicant for a Category 3 untethered sports wagering operator license in accordance with 205 CMR 218.06(3)
- b. Presentations and Analysis Relevant to review and evaluation of Application for each Category 3 untethered sports wagering operator license:
 - i. Technical Components- Katrina Jagroop-Gomes, Chief Information Officer; Gaming Laboratories International ("GLI")
 - ii. Report on suitability of the Applicant –Heather Hall, Chief Enforcement Counsel, IEB
 - iii. Financial and Economic Impact Analysis – RSM US LLP: Greg Naviloff, Theresa Merlino, Jeff Katz, Connor Loughlin, Casey Moran
- c. Review and evaluation of each Application for a Category 3 untethered sports wagering operator license as submitted by Bally’s Interactive, LLC, Betfair Interactive US, LLC (d/b/a FanDuel), Betr Holdings, Inc., Crown MA Gaming, LLC (d/b/a DraftKings), Digital Gaming Corporation USA, and PointsBet Massachusetts, LLC in accordance with 205 CMR 218.00 including, but not limited to consideration of the following criteria:
 - i. Experience and Expertise related to Sports Wagering (205 CMR 218.06(5)(a))
 - ii. Economic impact and other benefits to the Commonwealth if applicant is awarded a license (205 CMR 218.06(5)(b))
 - iii. Proposed measures related to responsible gaming (205 CMR 218.06(5)(c))
 - iv. Applicant’s willingness to foster racial, ethnic, and gender diversity, equity, and inclusion (205 CMR 218.06(5)(d))
 - v. Technology that the applicant intends to use (205 CMR 218.06(5)(e))
 - vi. Suitability of the applicant and its qualifiers (205 CMR 218.06(5)(f))
 - vii. Other appropriate factors (205 CMR 218.06(5)(g))
 - viii. The variations between the Applicants as they relate to any other Sports Wagering License Applicants or licensees, and how granting any particular Application, or combination of Applications, would maximize overall benefits and minimize overall harms or the risk of harms to the Commonwealth. (205 CMR 218.06(6)(a))



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d. Executive Sessions

i. The Commission anticipates that it may meet in executive session in conjunction with its review of the each of the category 3 untethered applications in accordance with G.L. c. 30A, § 21(a)(7) and G.L. c. 23N, § 6(i) to consider information submitted by the applicants in the course of the respective applications for an operator license, as examined by RSM US LLP in the context of any discussed financial metrics, ratios, or associated financial measures, that are a trade secret, competitively-sensitive or proprietary and which if disclosed publicly would place the applicant at a competitive disadvantage and/or G. L. c. 4, § 7(26)(c) (the privacy exemption) to consider information submitted in the application materials related to named individuals, the disclosure of which may constitute an unwarranted invasion of personal privacy, and/or G. L. c. 4, § 7(26)(n) (certain records for which the public disclosure is likely to jeopardize public safety or cyber security) to consider information submitted in the application materials related to the security or safety of persons or buildings, structures, facilities, utilities, transportation, cyber security or other infrastructure located within the commonwealth, the disclosure of which is likely to jeopardize public safety or cyber security.

VOTE

ii. The Commission anticipates that it may meet in executive session in conjunction with its review of the Bally's Interactive, LLC, Betfair Interactive US, LLC (d/b/a FanDuel), Betr Holdings, Inc., Crown MA Gaming, LLC (DraftKings), Digital Gaming Corporation USA, or PointsBet Massachusetts, LLC applications in accordance with G.L. c. 30A, § 21(a)(7) and G.L. c. 23N, § 6(i) to consider information submitted by the applicant in the course of its application for an operator license that is a trade secret, competitively-sensitive or proprietary and which if disclosed publicly would place the applicant at a competitive disadvantage and/or G. L. c. 4, § 7(26)(c) (the privacy exemption) to consider information submitted in an application, materials related to named individuals, the disclosure of which may constitute an unwarranted invasion of personal privacy, and/or G. L. c. 4, § 7(26)(n) (certain records for which the public disclosure is likely to jeopardize public safety or cyber security) to consider information submitted in the application materials related to the security or safety of persons or buildings, structures, facilities, utilities, transportation, cyber security or other infrastructure located within the commonwealth, the disclosure of which is likely to jeopardize public safety or cyber security.

VOTE



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The public session of the Commission meeting will reconvene at the conclusion of the executive session.

5. License application determinations by the Commission in accordance with 205 CMR 218.07 relative to the applications submitted by Bally’s Interactive, LLC, Betfair Interactive US, LLC (d/b/a FanDuel), Betr Holdings, Inc., Crown MA Gaming, LLC (DraftKings), Digital Gaming Corporation USA, and PointsBet Massachusetts, LLC. **VOTE**
6. Other Business - Reserved for matters the Chair did not reasonably anticipate at the time of posting.

I certify that this Notice was posted as “Massachusetts Gaming Commission Meetings - Sports Wagering Application Evaluations ” at www.massgaming.com and emailed to regs@sec.state.ma.us.
Posted to Website: January 4, 2022 | 9:30 a.m. EST

January 3, 2022



Cathy Judd-Stein, Chair

If there are any questions pertaining to accessibility and/or further assistance is needed, please email crystal.beauchemin@massgaming.gov.



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