



NOTICE OF MEETING AND AGENDA

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 public meeting of the **Massachusetts Gaming Commission**. The meeting will take place:

Thursday | August 4, 2022 | 9:00 a.m.
VIA REMOTE ACCESS: 1-646-741-5292
MEETING ID/ PARTICIPANT CODE: 111 573 0532

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.

PUBLIC MEETING - #386

The MGC is reviewing the sports wagering bill that was passed by the legislature on August 1, 2022. As all proposed legislation over the course of this session has designated the Commission as regulator of a potential emerging sports wagering industry, staff have been diligently preparing should such proposed legislation become law.

1. Call to Order
2. Administrative Update – Karen Wells, Executive Director
3. Preparations for Matters Related to Sports Wagering Legislation Pending Before the Governor - Karen Wells, Executive Director
 - a. Adoption of Revised Organizational Chart and Chief of Sports Wagering Position **VOTE**
 - b. Review of Draft Licensing Application Outline **VOTE**
 - c. Overview of Regulatory Process and Timeline – Todd Grossman, General Counsel
 - d. Overview of Plan for Investigatory Process – Loretta Lillios, Director of Investigations & Enforcement Bureau (IEB)



Massachusetts Gaming Commission

4. Commissioner Updates –
 - a. Plan for Roundtables with Licensees and Stakeholders

5. 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 Meeting” at www.massgaming.com and emailed to regs@sec.state.ma.us. Posted to Website: August 2, 2022 | 8:30 a.m.

August 1, 2022

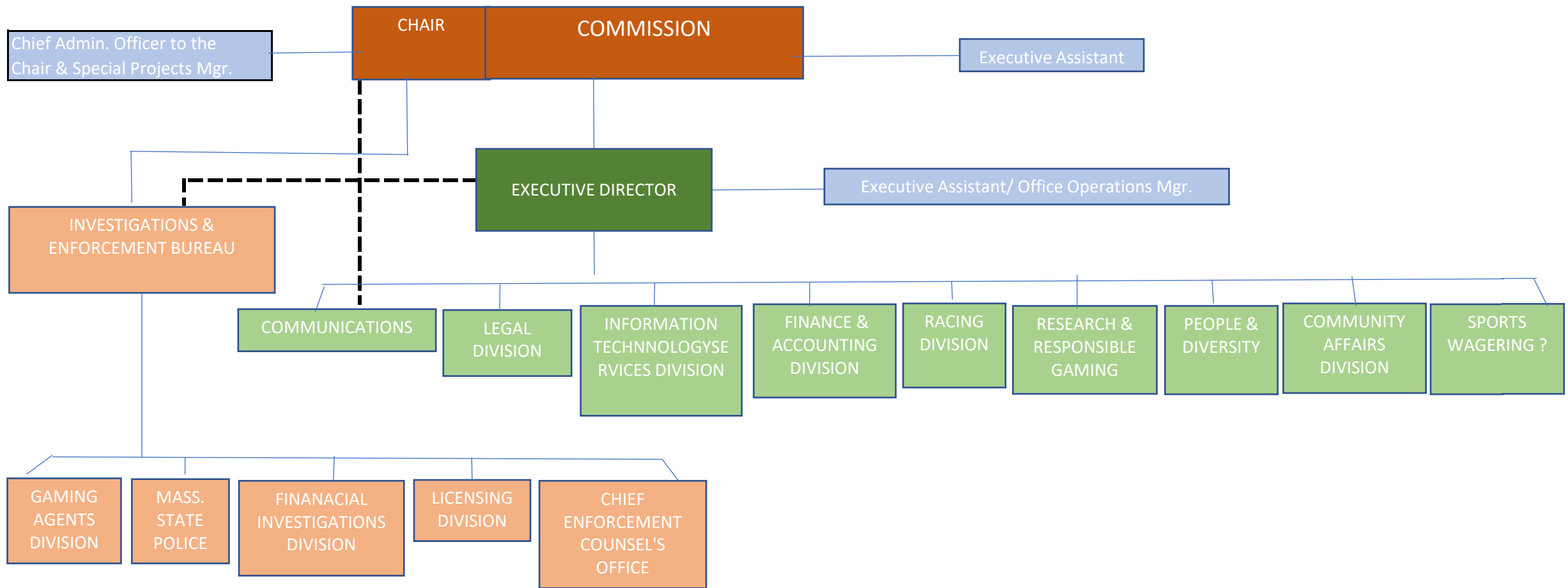
Cathy Judd-Stein

Cathy Judd-Stein, Chair

*This meeting is open to all interested individuals.
If there are any questions pertaining to accessibility and/or further assistance is needed, please email
crystal.beauchemin@massgaming.gov.*



Massachusetts Gaming Commission



Division Chief, Sports Wagering

The Massachusetts Gaming Commission (MGC) is overseen by a 5-member full-time Commission. Under the direction of the Executive Director, the Chief of the Sports Wagering Division is responsible for oversight and management of all aspects of the regulation of Sports Wagering, including on-site and online wagering. The Division Chief will be charged with determining the appropriate structure and operational procedures for the Sports Wagering division. In addition, the Division Chief will maintain a thorough and current knowledge of trends and issues related to sports wagering and provide or identify training on relevant topics to staff in the division and throughout the agency.

Duties and responsibilities include, but are not limited to, the following:

- Responsible for implementing and regulating sports wagering in collaboration with other MGC divisions;
- Oversee all administrative and operational functions of the Sports Wagering Division, including supervision of division employees;
- Establish, implement, and monitor the divisional goals and objectives, including, but not limited to project timelines;
- Provide guidance and expert technical assistance on all matters related to sports wagering;
- Serve as primary point of contact for applicants and licensees on topics related to sports wagering;
- Oversee any and all audit requirements of sports wagering licensees in conjunction with other MGC divisions;
- Report regularly to the Commission on sports betting operations.

Skills and Qualifications:

- Strong leadership and organizational skills
- Excellent customer service skills, including the ability to partner with various stakeholders to identify and resolve problems
- Ability to develop and implement policies and procedures based on a sound understanding of complex regulations.

Experience, Education, and Training:

- Bachelor's degree and at least 5-10 years of experience in public administration, gaming or a related field, or an equivalent combination of education and experience
- At least 5 years of leadership or supervisory experience
- Sports Wagering, Gaming, IT and/or Legal experience a plus

Salary (range to be added).

The successful candidate will be required to pass an extensive background check that includes a full credit check, CORI, drug screen, and fingerprinting.

The Massachusetts Gaming Commission is responsible for the implementation of the expanded gaming law (Chapter 194 of the Acts of 2011). Under the law, the Commission is tasked with establishing a regulatory framework for the solicitation, licensing, taxation, and oversight of a maximum of three casino licenses and one slots parlor license in Massachusetts.

It is the policy of the Massachusetts Gaming Commission and the Commonwealth of Massachusetts to afford equal employment opportunities to all qualified individuals, without regard to their race, color, ancestry, religion, sex, sexual orientation, national origin, age, physical or mental disability, citizenship status, veteran status, gender identity or expression, or any other characteristic or status that is protected by federal, state, or local law.

DRAFT

MGC Mobile Sports Wagering Application Outline (DRAFT)

REQUIRED APPLICATION INFORMATION

Section 01: Applicant Information

1. Name of Applicant

- a. Full company/corporation name, as it appears on the applicant's certificate of incorporation, charter, or other official formation document (including any amendments), as well as any d/b/a, or trade names

2. Type of business entity

- a. Corporation, Limited Liability Company, Partnership, Sole Proprietorship, etc.

3. Principal Location of Applicant's Business

- a. Street address, city, state, zip code, and telephone number for the applicant's principal business location
- b. URL for any websites for the applicant

4. Information for Primary Contact

- a. Name, title, and contact information for individual to be primary contact, in reference to this application

Section 2: Executive Summary of Information included in Application

5. May be released to the public?

- a. Authorization for release this portion of the summary?
- b. Can be given a length requirement – i.e. "not to exceed 5 pages"

Section 3: Organizational & Financial Information

6. Type of business entity (corporation, limited liability company, partnership)

7. Incorporation Information

- a. Business Name
- b. Location of Incorporation
- c. Date of Incorporation

8. Federal Tax ID Number

9. Proof of the entity's current ability to conduct business (certificate of good standing) from the Commonwealth (Mass DOR), dated no earlier than 10 days prior to the submission of this application

10. Organizational Documents

Submit copies of the following documents that apply to the applicant or the applicant's owners:

- a. Certified copy of each relevant certificate of incorporation, articles of incorporation, or corporate charter
- b. Certified copy of its certificate of formation or articles of organization of a limited liability company
- c. Name, contact information, and description of all businesses owned and operated – *if parent company*
- d. Name, contact information, and description of all holding, intermediary, subsidiary, and/or other similar businesses – *if parent company*
- e. *If applicable:* statement and documents showing company/corporation has been reorganized or reincorporated in the last five years
- f. *If applicable:* statement and documents showing company/corporation has filed restated articles of incorporation
- g. *If applicable:* if the applicant is a subsidiary of another entity, statement from parent organization – guaranteeing full and absolute support & performance for (at least) the first year of operation – is required
- h. By-laws, as amended through the date of the application
- i. Limited liability company agreement or operating agreement as amended through the date of the application
- j. Certified copy of each relevant certificate of partnership
- k. Partnership agreement as amended through the date of this application
- l. Certified copy of each relevant certificate of limited partnership
- m. Limited partnership agreement as amended through the date of application
- n. Joint venture agreement
- o. Trust agreement or instrument, each as amended through the date of the application
- p. Voting trust or similar agreement; and

- q. Stockholder, member, or similar agreement
- r. Annual & bi-annual reports for the past three years and meeting minutes from the past 12 months
- s. Current Uniform Commercial Code Report for all states where known to be filed
- t. *Any additional legal documentation applicant believes pertains to this application*

11. Ownership Chart & Contact Information

- a. Name, title, and contact information for each person (or entity) that has a direct or indirect ownership
- b. Others with proprietary interest (financial, voting, or other) should also be listed
- c. *Provide the same information for former directors, partners, officers, and trustees that are no longer involved -?*
- d. *For a publicly held company – may be limited to owners owning a certain percentage of company*
- e. *If publicly traded company, recent shareholders list from transfer agent for all shares of common/preferred stock*
- f. *MD Stock Description section – apply here?*

12. Interest of Current & Former Partners

- a. List of all current and former partners
- b. Type of partnership, percentage of ownership, the dates entered partnership, description of partnership, and (for former partners) circumstances for leaving the partnership (*only for partners who have left in the last 10 years*)

13. Organizational Chart

- a. Including all key employees anticipated to be licensed as such
- b. *Add in mention of location in legislation or MGC regulation (when adopted)*

14. Names, Contact Information, & Resumes of Directors & Officers

- a. Name, title, and contact information for each Director or Partner, as well as officers and proposed key employees
- b. Resume of all principals and known individuals who will perform executive management duties or oversight
- c. *Can be noted to include explanation in application & instruction packet*

15. Compensation Structure of Organization

- a. Total compensation package for current year and previous year of all Directors, Partners, Officers, and Trustees – *to include salary, wages, commissions, fees, stock options, bonuses, or other benefits*
- b. List of all employees who earn over \$100,000 in annual compensation - *to include salary, wages, commissions, fees, stock options, bonuses, or other benefits*
- c. Also include a description of all bonus, profit sharing, pension, retirement, deferred compensation, and/or other similar plans for employee benefits

16. Holders & Extent of Long-Term Debt

- List the holder and describe the nature, type, terms, conditions, and priorities of all outstanding bonds, loans, mortgages, trusts, deeds, notes, debentures – issued or executed, to be issued or executed, by or for the applicant or business entity relating to the applicant, which mature more than one year from the date of issuance or are renewable for a period of more than one year from the date of issuance

17. Holders & Types of Other Indebtedness

- List the holder and describe the nature, type, terms, conditions, and priorities of all outstanding loans, mortgages, trusts, deeds, pledges, lines of credit, or other indebtedness utilized by the applicant other than those described in #12

18. Financial Institutions

- List of all banks, savings and loan associations, or other financial institutions, whether foreign or domestic, that the applicant has had an account over the last ten years

19. Financial Statements

- Submit the two most recent years financial statements, specifically balance sheet and profit and loss statements

20. Request for Federal Tax Transcripts

- How many years?

21. Contracts

- Provide information on all contracts and agreements, written or oral, of \$100,000 or more in value, in the last six months – *contracts related to this application do not need to be included*

22. Applicant's Stock Holdings

- Provide information for each entity in which the applicant holds stock

23. Criminal History of Directors, Partners, Officers, Trustees, & Owners – *May not be needed, as is part of background investigation?*

- Have any of the Principal Employees (listed in the heading) ever been indicted, arrested, charged with, or convicted of a criminal offense, sports wagering offense, gambling offense, gaming offense, or been party to or named as an unindicted conspirator in any criminal proceeding in the Commonwealth or any other jurisdiction?
- If Yes, please provide information pertaining to the concerning criminal history

24. Investigations, Testimony, or Polygraphs – *May not be needed, as is part of background investigation?*

- Has the applicant or any of its principals, directors, partners, trustees, or officers even been called to testify, been the subject of an investigation conducted by any governmental agency, court, committee, grand jury, commission, or investigatory bod, in any jurisdiction – *other than in response to a minor traffic related offense?*

25. Litigation

- Describe all existing civil litigation or any settles or closed litigation from the past three years to which the applicant, its parent, affiliate, holding, or other subsidiary is or was party – whether in the Commonwealth or other jurisdiction.
- Include the entire case caption, title, docket number, name and location of the court and identify all parties of the matter – also include a description of the general nature of all claims being made and the resolution information

26. Antitrust, Trade Regulation, & Security Matters

- Been subject to a subpoena, judgement, order, consent decree, or consent order pertaining to a violation of the federal antitrust, trade regulation or securities laws, or similar laws of any jurisdiction? (Y/N)
- In the past ten years, been subject to a judgement, order, consent decree, or consent order pertaining to any federal antitrust, trade regulation, securities law, similar laws or other code of any jurisdiction that resulted in a fine or penalty of \$10,000 or more entered against it? (Y/N)
- If Yes to either question – require follow-up information

27. Bankruptcy or Insolvency Proceedings

- In the last 10 years:
 - Any petition under the provision of the Federal Bankruptcy Code or under any state insolvency law filed by or against it? (Y/N)
 - Sought relief under any provision of the Federal Bankruptcy Code or any state insolvency law? (Y/N)
 - Been appointed by a court for the business or property of the applicant, or any applicant, or any affiliate, intermediary, subsidiary, or holding company
 - If Yes to any questions – require follow-up information

28. Licenses (Sports Wagering, Casino, Gaming, Bingo, and Non-Gaming)

- Applied in any jurisdiction for a license, permit, or other authorization to conduct or offer sports wagering operations?
- Applied in any jurisdiction for a license, permit, or other authorization to conduct or offer gambling? (Y/N)
- Ever had any license application, license, permit, or other authorization offered or issued by any jurisdiction be denied, suspended, or revoked in the last ten-year period? (Y/N)
 - If Yes to any questions – require follow-up information

29. Conflicts of Interest

- Description of any relationship or affiliation of the applicant or any of the applicant's affiliates that currently exists, or existed in the past 5 years, with any member, employee, consultant, or agent of the Commission that is a conflict of interest or may be perceived as a conflict of interest
- *Other Jurisdictions:*
- *If any such conflict should arise during the term of the application process, the applicant shall notify the Commission immediately, in writing*
- *The Commission shall make the final determination as to whether any activity constitutes a conflict of interest, pursuant to this provision.*
- *The Commission will not make any such decision without providing the applicant an opportunity to present comments*
- *The Commission's decision shall be final*
- If the applicant does not identify any direct or indirect conflict(s) of interest, or perceived conflict(s) of interest, at the time of application submission, the applicant shall state that no conflict or perceived conflict exists with respect to such application

- If the applicant identifies a conflict or perceived conflict of interest, the applicant shall disclose the conflict and the steps that will be taken to resolve such conflict.

30. Lobbyist Registration Requirement

- *Note location in legislation or MGC regulation – making this a requirement (if necessary)*
- *Other jurisdictions require a lobbyist seeking to engage with the Commission on behalf of a client or in a client's interest, before the Commission, to register with the Secretary of the Commission*
- *Identification of lobbyists, known at time of application, would be required to be included with application*

31. Public Officials

- Submit a list of names, titles, addresses, and telephone numbers of any public official(s), officer(s), or employee(s) of any government entity, and/or immediately family members of any such public officials, officers, or employees, to the extent known, who, directly or indirectly:
 - own any financial interest in, have any beneficial interest in, are the creditors of, hold any debt instrument issued by, or hold or have an interest – direct or indirect – in any contractual or service relationship with the applicant or their affiliates.
- Submit a statement listing all persons and entities not listed in the immediately preceding sentence who or that have any arrangement, written or oral, to receive any compensation from anyone in connection with the application, application process, or the licensing process.
- Describe the nature of the arrangement, the service to be provided, and the amount of such compensation, whether actual or contingent

32. Contracts with the Commonwealth

- Submit a list of any current or previous contracts that the applicant or its affiliates has had with, and any current or previous licenses that the applicant has been issued by or under, any department or agency within the Commonwealth
- Include the contract or license name and number, as well as a concise explanation of the nature of the contract or license

Section 4: Operator Information (depends on number of operators/skins permitted to each operator by legislation – in-person (retail) & mobile)

33. Operator

- *Responsibilities, duties, and requirements of an operator to be defined and determined by legislation and/or Commission regulations*

34. Number of Operators to be Hosted

- *To be identified by applicant based on parameters set forth in legislation & Commission regulations*

35. Operator Organization

- Full name – as it appears on certificate of incorporation, charter, or other official formulation document – along with any D/B/A or trade names
- *All of the information required for the “Applicant” in the Section 2, will also be required for all “Operator” included with this application*

36. Applicant as an Operator

- If the applicant intends to be the operator, they must identify themselves as such

37. Licensure

- Each operator must be licensed as a Mobile Sports Wagering Licensee, which is separate from the Mobile Sports Wagering License issued to the Platform Provider.
- *The standard for licensing shall be noted by the legislation or at the discretion of the Commission*
- *This section to be expanded*

Section 05: Sports Wagering Platform, Internal Controls, & Revenue Information

38. Summary Description of the Applicant's Ability to Offer Mobile Sports Betting in the Commonwealth – to include:

- a. Background in sports wagering
- b. Experience in other jurisdictions with sports wagering – including history and track record of compliance

- c. Proposed internal control plan – including VSE protocols
- d. History of compulsive gambling prevention and training programs for employees
- e. Procedures to identify and report suspicious gambling activity
- f. Intention of limiting participation in any allowable sports events – *definition/list of “allowable sports events”*
- g. Plans for agreements to offer platform in coordination with other applicants or persons
 - *Can be given a length requirement – i.e. “not to exceed 5 pages”*

39. Experience

- *Applicant as Operator*
 - The applicant should provide a description of comparable mobile sports wagering platforms, developed, and operated by the applicant.
 - Submit comparable platform operations, and for those operations include: - *number limit?*
 - Overview of the wagering activity
 - Jurisdictions where currently operating
 - Current integration in use with other wagering operators
 - Number of accounts maintained
 - Wagering volume processed (annually)
 - Any additional information the applicant believes relevant to demonstrate their experience in field of sports wagering
 - *Any additional information as required by legislation or the Commission*
- *Applicant Hosting Operator(s)*
 - For each Operator the Applicant proposes to host on the platform, the applicant should provide a description of comparable mobile sports wagering platforms, developed, and operated by the applicant.
 - Submit comparable platform operations, and for those operations include: - *number limit?*
 - Jurisdictions where currently operating
 - Volume of wagering activity
 - Estimated market share within each jurisdiction
 - Platforms currently using to accept wagers
 - Any additional information the host believes relevant to demonstrate their experience in field of sports wagering
 - *Any additional information as required by legislation or the Commission*

40. Expertise

- *Applicant as Operator*
 - Provide a summary narrative, highlighting their expertise in mobile sports wagering and how their expertise is applicable, to include:
 - Overview of technical features and operation of the platform
 - Overview of how the applicant will provide continuous support and maintenance of the platform
 - Outline of the features of the platform designed to support the operators
 - Outline of any technology to be used or features offered that the applicant believes sets their platform apart from those of (potential) other applicants
 - *Any additional information as required by legislation or the Commission*
- *Applicant Hosting Operator(s)*
 - Provide a summary narrative, per proposed Operator, highlighting their expertise in mobile sports wagering and how their expertise is applicable, to include:
 - Overview of integration between Applicant’s platform and Operator’s wagering system
 - Outline of features offered or used by the Operator, that the Applicant believes sets this application apart from others
 - Sample wagering menu the Operator intends to offer if such wagers are approved by the Commission
 - Illustration of Operator’s proposed ability to rapidly effectuate the commencement of mobile sports wagering on the Applicant’s Platform
 - Any additional relevant information the Operator believes will be relevant to the Applicant’s proposal

- *Can be given a length requirement – i.e. “not to exceed 5 pages”*

41. Security & Sustainability

- Provide detailed information on how the Applicant, or Applicant’s proposed Operator(s), will ensure the responsibilities, duties, and requirements, as listed in (*legislation or MGC regulation location*) regarding:
 - Wager acceptance
 - Verification of information provided by bettors opening a new account
 - Systems used for monitoring structured wagers and any unusual/suspicious wagering activity
 - Systems used to ensure that bettors are physically located in the Commonwealth of Massachusetts, while placing a wager
 - *Technology to ensure that any wager is accepted via equipment physically located at a licensed gaming facility in the Commonwealth*
 - Description and location of any redundant servers (if any)
 - Security of servers, applications, and communications networks
 - Security of patron personal and wagering information
 - Integrity monitoring and reporting, including any current affiliations related to integrity monitoring

42. Internal Controls

- Provide a draft of proposed internal controls, regarding the operation of sports wagering in the Commonwealth
- Provide a draft of proposed internal controls for each of the proposed Operators for the Applicant’s Platform in the Commonwealth

43. Bringing Bettors to Platform

- Demonstrate the Applicant’s ability to effectuate rapidly commencing mobile sports wagering on the Platform and ability to bring bettors onto the Platform
 - Provide a timeline from license approval to the date on which the Applicant/Operator will be prepared to begin accepting sports wagers via the Platform

44. Other Factors Impacting Revenue

- Applicant should provide a summary and analysis of any other factors or aspects of the application that the Commission should take into consideration, when evaluating factors that could impact the revenue to the Commonwealth
 - Summary and analysis should be limited to no more than five pages

45. Revenue Sharing

- Applicant shall provide an executed copy of any agreement that provides sharing of mobile sports wagering revenue with a Native American tribe or nation, that is party to a compact with the Commonwealth

46. Pricing Matrix & Analysis – not sure if this would apply to the Commonwealth?

- *Applicant must complete and submit a pricing matrix that sets forth the tax rate that an Applicant will accept under varying competitive scenarios – of total Platform Providers & Operators*
- *Tax rate must be fifty percent (50%) or greater for its preferred scenarios*
 - *If less than the statutory minimum for two Providers and four Operators, the Applicant must provide a tax rate that is fifty percent (50%) or greater for such statutory minimum scenario*
 - *If Applicant does not wish to participate in mobile sports wagering with particular levels of Providers & Operators, they should enter a tax rate of zero (0).*
- *Applicant must submit an analysis using the Preferred Scenario of Platform Providers & Operators, containing the following:*
 - *Estimate of mobile sports wagering gross gaming revenue to be generated annually from all Platform Providers and Operators*
 - *Estimated share of mobile sports wagering gross gaming revenue to be generated annually from all Platform Providers and Operators*
 - *Basis and methodology for all estimates*
 - *Any other pertinent information that the Applicants believes relevant for maximizing sustainable, long-term revenue for the Commonwealth*
- *Applicant must submit an analysis for each competitive scenarios for responses on the matrix, banding/grouping of various scenarios is permitted for purposes of such analysis*

Section 6: Responsible Gaming & Diversity Information

47. Workforce Diversity

- Applicant and Operators must provide information demonstrating how the Applicant fosters racial, ethnic, and gender diversity, within the organization's workforce.
 - Information must include:
 - Organization's workforce diversity policy
 - Demographics showing the organization's current workforce diversity
 - Efforts the Applicant and Operators will undertake to foster workforce diversity

48. Responsible Gaming

- Provide a draft of proposed responsible gaming trainings, programs, and protocols for the operation of sports wagering in the Commonwealth
- Provide a draft of proposed trainings, programs, and protocols for each of the proposed Operators for the Applicant's Platform in the Commonwealth

49. Advertising & Promotional Plans

- Applicant shall provide detailed information demonstrating the marketing and promotional efforts proposed by its Operator(s), including:
 - a. Estimated marketing budget
 - b. Promotion and player loyalty programs
 - c. Advertising plans
 - d. Player acquisition models; and
 - e. Efforts to be undertaken to convert customers from wagering through unlicensed channels to wagering legally in the Commonwealth
- Applicant shall provide examples and samples of marketing, advertising, and promotional materials & activities recently undertaken in other jurisdictions by each of the proposed Operators in this application

MASSACHUSETTS GAMING COMMISSION



MOBILE SPORTS WAGERING LICENSE APPLICATION

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SECTION 5.	APPLICATION INSTRUCTIONS
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SECTION 7.	APPENDIX A (SAMPLE SUBMISSION FORMATS)
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SECTION 1: INTRODUCTION

The Massachusetts Gaming Commission (MGC) (“Commission”), on behalf of the Commonwealth of Massachusetts (“Commonwealth”), invites applications from entities interested in obtaining a license to operate a Mobile Sports Wagering Platform.

{insert additional information about sports wagering legislation and MGC general information}

SECTION 2: MOBILE SPORTS WAGERING LICENSES AWARDED BY THE COMMISSION

This application only relates to a Mobile Sports Wagering License. There is a separate application (and application fee) for Category 1 & 2 sports wagering facilities. Only the holder of a Mobile Sports Wagering License, awarded and issued by the Commission, is authorized to offer, conduct, and operate an online sports wagering platform.

SECTION 3: ELIGIBILITY

{Information about the Commonwealth’s Sports Wagering Law – if listed in legislation}

If skins/operators are allowed:

The Sports Wagering Platform Provider will be the primary applicant for all applications. The primary applicant is responsible for identifying any/all Platform Operators that will be hosted by/on the platform. They are also responsible to submit all of the required documentation for each Operator, as part of their application.

If the Applicant (Provider) is awarded a Mobile Sports Wagering License, the Provider will be responsible for the operation, maintenance, and compliance of the Platform, in order for the Operator to accept and process Mobile Sports Wagers.

SECTION 4: APPLICATION PROCESS & TIMELINE

Under **{insert MGL information}**, The Commission will review an Applicant’s Mobile Sports Wagering License Application for completeness, on-time submission, and receipt of the non-refundable application fee. The Commission will review and evaluate each application based on the criteria set forth in the Evaluation Criteria section of this application.

Prospective applicants are encouraged to review the Mobile Sports Wagering License Application. After an Applicant submits an application and pays the Commission's background investigation fees, the Commission will conduct a full criminal and financial background investigation to determine an Applicant's eligibility for licensure.

The Commission will not begin a background investigation unless and until the required investigation fees have been paid.

MATERIALS & FORMAT FOR APPLICATION SUBMISSION

1. One (1) *official* complete Mobile Sports Wagering Application, containing all original (wet) signatures. Must be/have:
 - a. Printed on 8.5" x 11" paper
 - b. Assembled in a three-ring binder, which can be opened for removal of pages (if necessary), and clearly labeled as the *Official Application* on the cover
 - c. Pages numbered and clearly labeled with the Applicant's name and date of submission
2. Five (5) matching hard copies of the completed application. Must be/have:
 - a. Printed on 8.5" x 11" paper
 - b. Assembled in a three-ring binder, which can be opened for removal of pages (if necessary), and clearly labeled as the *Application Copy #(1-5)* on the cover
 - c. Pages numbered and clearly labeled with the Applicant's name and date of submission
3. Two (2) electronic copies of the completed application, submitted via separate USB flash drives. Must be/have:
 - a. Clearly labeled as *Electronic Copy #(1-2)*
 - b. Documents saved in PDF format – *excluding financial materials (excel documents) and any multimedia files*
4. Two (2) matching hard copies of the completed application with all information the Applicant views as *being exempt from disclosure under Massachusetts' Laws for Redacted Information*. Must be/have:
 - a. A letter itemizing the specific grounds under the MA Law for each exemption
 - b. Printed on 8.5" x 11" paper
 - c. Assembled in a three-ring binder, which can be opened for removal of pages (if necessary), and clearly labeled as the *Redacted Copy #(1-2)* on the cover
 - d. Pages numbered and clearly labeled with the Applicant's name and date of submission
5. One (1) electronic copy of the *Redacted Application* submitted via separate USB flash drive. Must be/have:
 - a. Clearly labeled as *Electronic Redacted Copy*

HOW TO SUBMIT AN MGC MOBILE SPORTS WAGERING LICENSE APPLICATION

1. Complete the Mobile Sports Wagering License Application
2. Sign and notarize the completed application form
3. Submit the completed application form, as well as all of the required copies, to the Commission *on or before 5:00pm (ET) on {insert due date here}*. Completed applications may be delivered to the Commission via mail, courier, or hand delivery to:

**Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110**

All applications and fees must be received by the Commission on or before the application deadline. No late applications will be accepted.

HOW TO SUBMIT THE COMMISSION'S NON-REFUNDABLE APPLICATION FEE

1. On or before **{insert due date/time}** submit the Commission's Non-Refundable Application Fee of **{insert amount here}** via Wire Transfer to:

Bank Name:
Bank Address:
Account Name:
ABA Routing Number:
Account Number:
Passcode:

All applications and fees must be received by the Commission on or before the application deadline. No late applications will be accepted.

2. Send an email to the MGC Licensing Division, with "Application Payment Information" in the subject line.
- a. The email should include the following information:
- Applicant Name – *including Operator Name, if necessary*
 - Type of Application submitted – *for example "Mobile Sports Wagering License Application"*
 - The certified check, bank check, money order or wire transfer identification number

APPLICATION PROCESS TIMELINE

The following dates are for informational and planning purposes only. The Commission reserves the right to adjust this schedule.

Sample Timeline

		Example
Application Posted	Insert Date Here	9-Jul
Submittal of Applicant Questions (due by 3:00pm)	Insert Date One Week Later	16-Jul
Applications Due (by 5:00pm)	Insert Date One Month from Posting	6-Aug
Oral Presentations of Applications - ?	Insert Date 3 Weeks from Due Date	27-Aug
Selection of Applicants Considered for License	Insert Date 3 Months from Oral Pres.	30-Nov
Amended/Final Applications (due by 5:00pm)	One Week after Notification of Need	9-Dec
Award of Licenses	Next Commission Meeting	

(before)

APPLICATION EVALUATION CRITERIA

The Commission will review all applications that are complete and have been submitted on-time. The Commission will consider all information pertaining to the Applicant, as well as its: officers, principals, affiliates, operators, partners, and other representatives. Each application will be scored on the following criteria, in no particular order:

#	Description	Points
1	Experience and track record of the Applicant's, or the Applicant's mobile sports wagering operator, ability to establish and operate a successful sports wagering operation	10

2	Ability to comply with applicable sports wagering laws and regulations, including regulatory compliance in other jurisdictions and evidenced cooperation with regulatory authorities	10
3	Investment in responsible gaming training and programs, as well as an effective governance and compliance program	10
4	Demonstrated financial stability, integrity, resources, and ability to compete in the Massachusetts sports wagering market	10
5	Internal Control Plan	10
6	Demonstrated a good-faith efforts to interview a reasonable number of minority and women investors	10
7	Maximization of sports wagering revenues, including projected revenue for the Commonwealth	10
8	Ability to commence sports wagering operations within a reasonable period of time (<i>to be identified</i>) after the award of license	5
9	Extent to which the proposed sports wagering operation will preserve current and create new jobs in Massachusetts	5
10	Willingness and commitment to making investments in Massachusetts	5
11	Does the Applicant's proposed sports wagering business appeal to a unique market	5
12	Responsiveness of the Applicant to requests by the Commission	5
13	Is the award of this sports wagering license in the public interest and consistent with the purposes of the Sports Wagering Law?	5

Total Possible Points = 100

PUBLIC DISCLOSURE OF APPLICATION INFORMATION

The Commission intends to manage applications as public records and will make them available to the public, with applicable exemptions pursuant to MA FOIA laws.

Explain FOIA exemptions.

If an application submitted contains Confidential Information, it must be clearly marked. Confidential information should be watermarked or labeled as such, including any and all pages deemed confidential. Identifying the entire application may be grounds for disqualification. If an Applicant designates portions of the application as confidential, they must submit copies of the application with the information redacted or deleted. These copies are referred to as the *Redacted Copy* and must still allow the public to understand the general nature of the application.

INCURRED PREPARATION EXPENSES

Neither the Commission nor the Commonwealth is responsible for any expenses incurred by an Applicant while:

- Preparing or submitting their application
- Responding to clarification requests
- Making an oral presentation or demonstration
- Completing the Commission's background investigation

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