



NOTICE OF MEETING AND AGENDA: Sports Wagering Application Evaluation Discussions

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:

Wednesday | January 4, 2023 | 10:00 a.m.
VIA REMOTE ACCESS: 1-646-741-5292
MEETING ID/ PARTICIPANT CODE: 112 343 4030
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.

PUBLIC MEETING - #419

1. Call to Order
2. Legal Framework relative to the award of a Category 3 sports wagering operator license – Todd Grossman, General Counsel
3. Continuation of review of Category 3 sports wagering application submitted by **Penn Sports Interactive, LLC**.
4. Presentations and Analysis Relevant to review and evaluation of Application for Category 3 sports wagering operator license submitted by Penn Sports Interactive, LLC:
 - a. Technical Components- Katrina Jagroop-Gomes, Chief Information Officer; Gaming Laboratories International ("GLI")
 - b. Report on suitability of the Applicant –Heather Hall, Chief Enforcement Counsel, IEB
 - c. Financial and Economic Impact Analysis – RSM US LLP: Greg Naviloff, Theresa Merlino, Jeff Katz, Connor Loughlin, Casey Moran



Massachusetts Gaming Commission

5. Review and evaluation of Application for Category 3 sports wagering operator license submitted by Penn Sports Interactive, LLC in accordance with 205 CMR 218.00 including, but not limited to consideration of the following criteria:
 - a. Experience and Expertise related to Sports Wagering (205 CMR 218.06(5)(a))
 - b. Economic impact and other benefits to the Commonwealth if applicant is awarded a license (205 CMR 218.06(5)(b))
 - c. Proposed measures related to responsible gaming (205 CMR 218.06(5)(c))
 - d. Applicant's willingness to foster racial, ethnic, and gender diversity, equity, and inclusion (205 CMR 218.06(5)(d))
 - e. Technology that the applicant intends to use (205 CMR 218.06(5)(e))
 - f. Suitability of the applicant and its qualifiers (205 CMR 218.06(5)(f))
 - g. Other appropriate factors (205 CMR 218.06(5)(g))

6. Executive Session

The Commission anticipates that it may meet in executive session in conjunction with its review of the Penn Sports Interactive, LLC application 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 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

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

7. Penn Sports Interactive, LLC license application determination by the Commission in accordance with 205 CMR 218.07 **VOTE**
8. Presentation of Application for Category 3 sports wagering operator license submitted by **FBG Enterprises Opco, LLC** including demonstration of technology and user experience in accordance with 205 CMR 218.06(3)



Massachusetts Gaming Commission

9. Presentations and Analysis Relevant to review and evaluation of Application for Category 3 sports wagering operator license submitted by FBG Enterprises Opco, LLC:
 - a. Technical Components- Katrina Jagroop-Gomes, Chief Information Officer; Gaming Laboratories International ("GLI")
 - b. Report on suitability of the Applicant –Heather Hall, Chief Enforcement Counsel, IEB
 - c. Financial and Economic Impact Analysis – RSM US LLP: Greg Naviloff, Theresa Merlino, Jeff Katz, Connor Loughlin, Casey Moran
10. Review and evaluation of Application for Category 3 sports wagering operator license submitted by FBG Enterprises Opco, LLC in accordance with 205 CMR 218.00 including, but not limited to consideration of the following criteria:
 - h. Experience and Expertise related to Sports Wagering (205 CMR 218.06(5)(a))
 - i. Economic impact and other benefits to the Commonwealth if applicant is awarded a license (205 CMR 218.06(5)(b))
 - j. Proposed measures related to responsible gaming (205 CMR 218.06(5)(c))
 - k. Applicant’s willingness to foster racial, ethnic, and gender diversity, equity, and inclusion (205 CMR 218.06(5)(d))
 - l. Technology that the applicant intends to use (205 CMR 218.06(5)(e))
 - m. Suitability of the applicant and its qualifiers (205 CMR 218.06(5)(f))
 - n. Other appropriate factors (205 CMR 218.06(5)(g))

11. Executive Session

The Commission anticipates that it may meet in executive session in conjunction with its review of the FGB Enterprises Opco, LLC application 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 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

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

12. FGB Enterprises Opco, LLC license application determination by the Commission in accordance with 205 CMR 218.07

VOTE



Massachusetts Gaming Commission

13. 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 Evaluation Discussions ” at www.massgaming.com and emailed to regs@sec.state.ma.us. Posted to Website: December 28, 2022 | 5:00 p.m. EST

December 28, 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.



Massachusetts Gaming Commission