RENEWAL APPLICATION FORM
FOR CATEGORY 1 AND CATEGORY 3 SPORTS WAGERING OPERATOR LICENSEES

LICENSEE NAME: _____

GENERAL INFORMATION

This Renewal Application Form for Category 1 and 3 Sports Wagering Operator Licenses (the form itself, the "Renewal Application Form," and together with all attachments, the "application") is to be completed by current licensed Operators requesting renewal of a sports wagering license under 205 CMR 231.00.

Additionally, applicants will receive a Scope of Licensing letter from the Massachusetts Gaming Commission's ("MGC" or "Commission") Licensing Division identifying the applicant's entity and individual qualifiers and the suitability forms each must submit with this Renewal Application Form. A renewal application will not be deemed complete until all suitability forms are submitted.

In accordance with 205 CMR 231.01(8)(a), this Renewal Application Form and the corresponding entity and individual qualifier suitability forms will confirm the Operator's continued compliance with all the requirements of M.G.L. c. 23N and the rules and regulations of the Commission, report on its performance against the commitments made in its initial application and identify any material changes planned for the five-year renewal term.

If an Operator has violated any requirement of M.G.L c. 23N or the Commission's regulations, the Commission may, under 205 CMR 231.01(8)(b), consider the seriousness and duration of the violation, the Operator's mitigation or remediation efforts, and its overall compliance history when reviewing their renewal in addition to any other factor.

This renewal form may be submitted no earlier than twelve (12) months and no later than nine (9) months before the license expires (205 CMR 231.01(1)). A license does not expire while a timely renewal request is pending (205 CMR 231.01(4)).

An applicant who is unable to respond to any part of the application may request a waiver or variance under 205 CMR 202.03(2) before the filing deadline.

Please direct all questions to the Executive Director or Commission staff through the sports wagering application page, selecting "Inquiry Regarding Sports Wagering Application" from the drop-down menu. At no time may the applicant, its agents, qualifiers, or associated individuals contact a Commissioner directly.

The Commission will utilize its website, www.massgaming.com, to provide notices of hearings, a notice of amendment or clarification of the Renewal Application Form, general updates, and general information relative to the application process.

Please be advised that any portion of this Renewal Application Form and any associated requests for information or documents may be changed at any time.

NON-REFUNDABLE PROCESSING FEE

Pursuant to 205 CMR 231.01(11), a non-refundable $50,000 processing fee must be submitted with the Renewal Application Form to cover the costs associated with the processing of the renewal application and investigation of the applicant; provided, however, that if the costs of the investigation exceed the initial renewal fee, the applicant shall pay the additional amount to the Commission not more than 30 days after notification of insufficient fees or the application shall be rejected.

Pay by wire transfer, certified check, or cashier's check.

For wiring information, contact:

Douglas O'Donnell
Revenue Manager
(617) 979-8425

Make checks payable to the Massachusetts Gaming Commission and mail to:

Massachusetts Gaming Commission
c/o Revenue Division
101 Federal Street, 12th Floor
Boston, MA 02110

LICENSE FEE

If the renewal application is approved, the Operator must pay a non-refundable $5,000,000 license fee within 30 days, and the license term is extended five years (205 CMR 231.01(9)).

COMPLETING AND SUBMITTING THE APPLICATION

The application form has six sections, A through F. Answer every question; enter "N/A" where a question does not apply.

The form must be filled out in its entirety to be accepted by the Massachusetts Gaming Commission. The Commission has no obligation to review a late application.

Secure upload. Request a link to the MGC Secure File Transfer Site at least one week before the deadline through the sports wagering applications page, selecting "Request Secure Link to Submit Completed Sports Wagering Application."

Files to submit (all PDF unless noted):

1. This Renewal Application Form, filled in electronically and not scanned, so it can be searched.
2. Each response as its own attached file (PDF). No file may be password protected or separately encrypted.

Attachment names follow [Section Letter & Number] – [Subsection Description].[ext], with a description of 20 characters or fewer. If the Applicant believes the attachment to be confidential, in whole or in part (i.e.- exempt from disclosure under the Public Records Law), then the filename must have the word "CONFIDENTIAL" in all capital letters placed directly before the file extension. Failure to include this label may result in the public release of the document. If one attachment answers several questions, attach a copy to each. Example:

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B2 Litigation Overview.pdf

F1-a Responsible Gaming Plan CONFIDENTIAL.pdf

Application.pdf

Signed Application.pdf
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PUBLIC RECORDS

Under Massachusetts Public Records Law, the Commission "shall at reasonable times and without unreasonable delay permit inspection or furnish a copy of any public record as defined in clause twenty-sixth of section 7 of chapter 4, or any segregable portion of a public record." G.L. c. 66, § 10(a). The statutory definition of a "public record" contains exemptions which permit the withholding of records in whole or in part. Such exemptions include, but are not limited to, the Privacy Exemption, G.L. c. 4, § 7(26)(c), and the exemption related to public safety or cyber security, G.L. c. 4, § 7(26)(n). The most commonly asserted exemption associated with the Application will be the Statutory Exemption, G.L. c. 4, § 7(26)(a), which relates to the exemption included in G.L. c. 23N, § 6(i). Pursuant to G.L. c. 23N, §6(i), "[a]pplications for operator licenses shall be public records under section 10 of chapter 66". Applicants should be mindful of this prior to submission of an Application. However, the law also provides "…that trade secrets, competitively-sensitive information or other proprietary information provided by an applicant for an operator license or an operator licensee to the commission under this chapter, the disclosure of which would place the applicant or licensee at a competitive disadvantage or would be detrimental to the applicant or licensee if it were made public, may be withheld from disclosure under section 10 of chapter 66 at the commission's discretion."

The Commission will exempt any information from disclosure under the Public Records Law as appropriate and will review any information believed by the applicant to be confidential, and labeled as such, for application of any applicable exemptions, including the provision contained in G.L. c. 23N, § 6(i). However, please note that final appeals are adjudicated by the Secretary of the Commonwealth in accordance with G.L. c.66, § 10.

CHECKLIST

- ☐ All required questions answered
- ☐ Every response requested on the form, provided as individual PDF attachments, properly named, and organized
- ☐ No files password protected
- ☐ All required pages signed
- ☐ $50,000 processing fee paid
- ☐ All suitability forms identified in the Scope of Licensing letter submitted

The applicant will update the Commission of any change to the information in the application or its attachments.

SECTION A: APPLICANT INFORMATION

A.1 Licensee name and license category *(check one)*

Licensee name: _____

☐ Category 1 (In-Person Wagering at a Gaming Establishment)

☐ Category 3 (Mobile Sports Wagering), untethered

☐ Category 3 (Mobile Sports Wagering), tethered to: _____

A.2 Changes since initial licensure

Please check the below box to confirm that the following information on file with the Commission is unchanged since initial licensure:

☐ State or country in which the business entity is incorporated, organized, formed or registered.

☐ Business entity type

☐ Federal tax ID number

☐ Applicant address and principal place of business

If any box remains unchecked, please provide updated information.

A.3 Primary contact for this application:

Name: Title:

Email Address: Phone Number:

SECTION B: SPORTS WAGERING ACTIVITY, OPERATION AND COMMUNITY ENGAGEMENT

B.1 Wagering Activity

Please describe the licensee's current sports wagering activity in the Commonwealth including the following information:

a. Estimated volume of wagering activity (annually) for the renewal term.
b. For Category 3 applicants:
    1. Approximate number of user accounts currently maintained in the Commonwealth.
    2. Anticipated number of user accounts over the renewal term.

B.2 Compliance with Internal Controls

Please provide a statement attested to by an officer of the licensee, or other individual with equivalent knowledge, acknowledging the licensee's compliance with its approved internal controls.

B.3 Sports Wagering operation proposed changes

Please describe any planned material changes to the current sports wagering operation in the Commonwealth over the renewal term.

B.4 Community engagement

Please describe the community benefits realized by the Commonwealth due to the operation of a Category 1 or Category 3 license over the previous license term. And please describe plans and/or goals for continued community benefits to the Commonwealth during the renewal term.

SECTION C: FINANCIAL COMPLIANCE AND FEE READINESS

C.1 Taxes and Assessments

Please provide a statement attested to by the chief financial officer of the licensee, or other individual with equivalent knowledge, acknowledging that the licensee has timely filed all required tax returns and timely paid all taxes, fees, and assessments owed to the Commonwealth of Massachusetts, the Commission, and any other jurisdiction in which it holds a gaming or sports wagering license, during the license term. If unable to do so, please identify each late or unpaid item, its current status and reason for the delay.

C.2 Fee Readiness

Please provide proof of available funds that equal or exceed the $5,000,000 renewal fee.

SECTION D: DIVERSITY, EQUITY AND INCLUSION

D.1 Progress on initial goals

Please describe how the licensee has met the workforce, supplier spend, and leadership diversity goals set out in the initial application for licensure, including current spend with minority-, women-, and veteran-owned business enterprises. If those goals have not been met, please explain plans to do so.

D.2 Continued commitment

Please reaffirm the licensee's commitment to diversity, equity, and inclusion in the Commonwealth and within the licensee's organization, and outline any new initiatives planned for the renewal term.

SECTION E: RESPONSIBLE GAMING AND ADVERSITING

E.1 Responsible gaming

a. Please attach the licensee's current responsible gaming plan. In addition, please describe any changes to the plan, including measures to promote positive play and to prevent wagering by underage, self-excluded, and other prohibited persons, planned for the renewal term.
b. Please provide the results of the licensee's third-party audit and describe how you have integrated those results into your responsible gaming plan. In instances where a recommendation was not implemented, please explain the reasoning.

E.2 Advertising and marketing

Please describe any material changes since initial licensure to the licensee's advertising, marketing, promotional, and player loyalty practices in the Commonwealth, including third-party marketing partners, and how the licensee ensures that marketing does not reach underage or vulnerable populations. Please also outline any changes planned for the renewal term.

SECTION F: TECHNOLOGY AND SECURITY

F.1 Material changes and incidents

a. Please describe any material changes since initial licensure to geolocation, know-your-customer, wager acceptance, integrity monitoring, data security, hosting, or disaster recovery systems, or to the third-party providers supporting them. In addition, please provide any proposed changes to the above during the renewal term.
b. Please identify any security incidents, data breaches, geolocation failures, or outages affecting Massachusetts patrons since initial licensure and how each was resolved.

VERIFICATION AND AUTHENTICATION

The applicant, _____, hereby authorizes the Commission, the Executive Director of the Commission, the Investigations and Enforcement Bureau, and/or their respective designees to take all necessary and reasonable steps to verify and authenticate any information or materials submitted in conjunction with this application and agrees to fully cooperate in such an inquiry. Further, the applicant is aware that if any of the responses to any question in this application are determined to be false, or if they are misleading, the application may be denied. The applicant acknowledges its continuing duty to provide updated information and/or promptly notify the Commission of any changes to the information or materials, of which it becomes aware or should be aware, that were provided in response to any question in this application.

Name of Authorized Individual

Signature of Authorized Individual

Position with Applicant

Date

ATTESTATION

I,_____, on behalf of _____ hereby swear or affirm under the pains and penalties of perjury that the information contained in this Application form and all materials accompanying said form are true and accurate to the best of my knowledge and understanding; that I have reviewed the information contained in the Application form for accuracy; that I read and understand the questions and responses on the Application form; that any document accompanying this Application that is not an original document is a true copy of the original document; that I have read and understood all applicable provisions of 205 CMR and G.L. c.23N; that the applicant agrees to all terms, conditions, and obligations made applicable to all applicants for a sports wagering operator license or for renewal of a sports wagering license; that in the event that the applicant is awarded an operator license or a renewed operator license it agrees to all obligations, terms, and conditions imposed upon a successful applicant; and that I am authorized to submit this application on behalf of the applicant.

Name of Authorized Individual

Signature of Authorized Individual

Position with Applicant

Date

WAIVER OF LIABILITY

_____ *hereby holds the Commonwealth of Massachusetts and its instrumentalities and agents, including but not limited to the Massachusetts Gaming Commission and its agents, representatives and employees harmless, both individually and collectively, from any and all claims of liability for damages of whatever kind, resulting at any time from any disclosure or publication of information acquired during the application process or the use of any information provided in furtherance of this application.*

Name of Authorized Individual

Signature of Authorized Individual

Position with Applicant

Date