



The Commonwealth of Massachusetts Massachusetts Gaming Commission

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Instructions for Applicants for a Gaming License-RFA Phase 1 Application

An Applicant for a Category 1 or Category 2 gaming license is required to submit as part of the RFA Phase 1 application the following:

1. A non-refundable initial application fee of \$400,000, payable to the Massachusetts Gaming Commission. An Applicant may pay the nonrefundable application fee either by certified check or by secure electronic transfer made payable to the Massachusetts Gaming Commission. If the fee is submitted in advance of filing the application, the Applicant must sign a certification stating that it will be applying for a gaming license and that it understands that the application fee is nonrefundable.
2. A complete and accurate Massachusetts Business Entity Disclosure Form for the Applicant, including an executed and notarized Release Authorization; Consent to Inspections, Searches And Seizures; Statement Of Truth; and Waiver Of Liability, initialing at the bottom of each page of the application form as indicated.
3. A complete and accurate Massachusetts Business Entity Disclosure Form for each holding and parent company of the Applicant, and for any proposed operating company of the gaming establishment or other entity designated by the Commission to be an entity qualifier of the Applicant, including an executed and notarized Release Authorization; Consent To Inspections, Searches And Seizures; Statement Of Truth; and Waiver Of Liability, initialing at the bottom of each page of the application form as indicated. Please place the Release Authorization as the last page of the application form.
4. For each natural person qualifier of the Applicant or of a holding or parent company of the Applicant, or of a proposed operating company of the gaming establishment, as identified by the Commission:
 - a. A complete and accurate Multi-Jurisdictional Personal History Disclosure Form, including an executed and notarized Statement Of Truth; and

- b. A complete and accurate Massachusetts Supplemental Form to the Multi-Jurisdictional Personal History Disclosure Form, including an executed and notarized Release Authorization, Statement of Truth, Waiver of Liability and Consent to Inspections.

Copies of the above forms are available for downloading from the Commission's website. Please click the download icon at the bottom of the page. Application documents will be sent to your internet browser in either PDF or Word format. Complete instructions on how to prepare the application and where to send it are included in the document. Please comply fully with said instructions. We request that questions regarding completion of the application form, or with any of the instructions, be submitted via email to MGCapplications@state.ma.us . All questions will be answered promptly and both the questions and answers may be posted on our website.

The deadline for filing the RFA Phase 1 application is 5:00 pm on **January 15, 2013**. Please note that the initial application fee is due no later than when the application is submitted.

All applicants for a gaming license, and all of the qualifiers of the applicant, both natural person and entity qualifiers, shall be subject to a thorough background investigation by the Investigations and Enforcement Bureau of the Commission, or by its designated agents. The licensing fee shall be used to defray the costs of said investigations and any additional costs shall also be borne by the Applicant.

Applicants are obligated to establish their suitability for a gaming license and the suitability of all qualifiers by clear and convincing evidence.

The awarding of gaming licenses is a two phase process. In Phase 1, the Commission will evaluate the qualifications and suitability of a gaming license applicant and all of its natural person and entity qualifiers.

All applicants found suitable by the Commission, according to the standards set forth in the Massachusetts Gaming Act, M.G.L. c. 23K, will be eligible to proceed to Phase 2 of the process and submit RFA Phase 2 applications.

In Phase 2, the Commission will review an applicant's proposal, focusing on the merits of an applicant's proposed gaming establishment, compliance with all statutory and regulatory criteria, and other matters within the Commission's jurisdiction.

It is highly recommended that applicants review the details of the application process set forth in the Massachusetts Gaming Act, M.G.L. c. 23K, and its attendant regulations, 205 CMR 101.00 through 117.00. This information is available on the Commission's website. All requests for confidentiality will be processed in accordance with the provisions of 205 CMR §§ 103.09 through 103.13. All requests for waivers of any disclosure the forms require and all requests for deadline extensions will be processed in accordance with 205 CMR § 102.03 and/or § 116.03.

All application forms must be filed electronically, by the following method:

Document Shipments

1. Two copies of all documents must be submitted on CDs, DVDs or USB Drives. Multiple documents may be submitted on a single CD, DVD or USB Drive but the second copy of each document must be submitted on a separate medium. For example, if Documents 1 through 10 are submitted on CD 1, then copies of those ten documents should be submitted on CD 2. Please do not send any documents via email because this format does not lend itself well to our internal control processes. Furthermore, email is not very secure and, for this reason, it is a poor choice for confidential documents.
2. Both USB 2.0 and USB 3.0 drives are acceptable.
3. All CDs, DVDs and USBs should be labeled with the entity name and any other practical identifying information. Labeling should be applied to a CD, itself, rather than the dust jacket or plastic case. Labeling information can be hand written on a CD or USB using a permanent marker pen. Printed labels are appreciated but not required.
4. Each shipment of documents should be accompanied by a cover memo stating: who is sending the material, the number of CDs or USB drives and a brief description of the contents.
5. The mailing address for shipments of CDs and USBs is:

Lt. Brian Connors
Massachusetts Gaming Commission
Investigations and Enforcement Bureau
84 State Street, Suite 720
Boston, Massachusetts 02109
617.979.8424

A receipt for the application will be sent to the name and address listed on Page 2 of the Business Entity Disclosure Form.

Security

Documents submitted to the Commission may be encrypted if a high level of security is required. In order to simplify password management, once a password has been selected, please use that same password for any subsequent documents that are encrypted.

File Standards.

1. If a large number of files are being shipped they should be organized into folders. Most often, folders will be used to help separate the qualifiers, companies and holding companies.
2. Files names should not be longer than 35 characters and should not contain characters such as: \ ~! @\$ %^&*()+{}|<>"/=. If a date is used in a file name it can be written in the following format: Jan 25, 2012. Please do not use coded file names such as "003r334ff4/1/12."
3. File names should be descriptive and consist of two parts: (1) the document type and (2) the name of the applicant or the company name. For example, "Federal Tax 2001 Ruth Mendez" would be the file name of the federal tax return filed by an applicant named Ruth Mendez. For the most common types of documents please use the standard file names listed below. If a document does not correspond to one of these standard names then use a name that is descriptive of the document type.
 - a) MJPHD Adam Smith
 - b) SMJPHD Alex Twifford
 - c) Release Forms Jordan Quill
 - d) Birth certificate Adam Smith
 - e) Federal Tax 2001 Ruth Mendez
 - f) State Tax 2001 Ruth Mendez
 - g) Bank Statement Ruth Mendez
 - h) IRS Form 4506 Alex Twifford
 - i) SEC 10 2008 Jordan Quill
 - j) Driver's License Jordan Quill
 - k) Family Trust Adam Smith
 - l) Organizational Chart XYZ Corp
 - m) Operating Agreement XYX Corp
 - n) Articles of Organization XYZ Corp.