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February 18, 2015

BY ELECTRONIC MAIL
robert.fontaine@maryland.gov

Kimberly Robertson Pannell, Chair
Maryland State Lottery and Gaming Control Commission
c/o Robert T. Fontaine, Esquire
Principal Counsel
Office of the Attorney General
Maryland State Lottery and
Gaming Control Agency
1800 Washington Boulevard, Suite 330
Baltimore, Maryland 21230

Re: MGM National Harbor, LLC

Dear Ms. Pannell:

I write, on behalf of MGM National Harbor, LLC ("MGM"), regarding the opening date of MGM's National Harbor Facility ("the Facility").

On December 30, 2014 the State of Maryland Video Lottery Facility Location Commission ("the Location Commission") issued an Addendum ("the Addendum") that amended the license award date to MGM. The amended license award date is August 14, 2014. As a result, the Facility's current "open-by" date is February 14, 2016.

As described in more detail below, a February 14, 2016 open-by date violates the Gaming Law's prohibition against the Facility opening before July 1, 2016 and contravenes the material terms of MGM's Proposal regarding the time needed for construction. These extenuating circumstances compel MGM to hereby request the Maryland State Lottery and Gaming Control Commission ("this Commission"), at its February 26, 2015 meeting, to consider and to grant MGM a six-month extension¹ as

¹ As this Commission has recognized, the extensions authorized by the Gaming Law must be made in six-month increments. See Maryland State Lottery Commission May 17, 2012 Minutes, comments of Chairman Fowler regarding PPE requested extension for Maryland Live! facility, at p. 10.

provided in the Gaming Law to establish August 14, 2016 as the "open-by" date for the Facility.²

The Location Commission's Addendum is the Legal and Factual Predicate for MGM's Request to this Commission.

Early last December, MGM requested the Location Commission to amend the December 23, 2013 Prince George's County Video Lottery Facility Operation License Decision Statement ("the Decision Statement") regarding the Facility's opening date.³ A copy of the Decision Statement is attached hereto as Exhibit A.

The Location Commission considered MGM's request at a December 22, 2014 hearing. It voted 6-0 that same day to amend the Decision Statement, making the license award to MGM effective as of August 14, 2014, the date the Facility's building permit was issued to MGM. On December 30, 2014, the Location Commission issued an Addendum setting forth the bases for its amendment of the Decision Statement. A copy of the Addendum is attached hereto as Exhibit B.

In its Decision section, the Addendum specifically declares that because of the circumstances set forth therein, the Facility's opening date "will therefore move...beyond July 2016." Exhibit B at 2. But as noted above, the Addendum set the Facility's current open-by date as February 14, 2016 – which is only 18 months from the amended award date, and well before the time period "beyond July 2016." The Location Commission expressly acknowledged "a need to clarify expectations of MGM's targeted opening date" but recognized that the Addendum afforded MGM only "some relief." That limited, incomplete relief arises from the Location Commission's stated view that it "lacks the authority to authorize an opening date more than 18 months from the date of the Award." *Id.*

Accordingly, in the last paragraph of the Addendum the Location Commission directed MGM to this Commission for the exercise of the authority that Md. Code Ann., State Gov't, Section 9-1A-11(b) vests in this Commission:

(b) Commencement of operations; extension of time; reversion of license.—

² This Commission's consideration of the extension requested herein at its meeting this month will be its first formal determination regarding the Facility's opening date. Accordingly, MGM deems this request to supersede any previous basis for relief in that regard.

³ When MGM submitted its Proposal on May 9, 2013 in response to the RFP, it targeted July 1, 2016 for the Facility's opening, expressly noting, however, that its ability to meet that target date would depend upon other contingencies. The Decision Statement, in its "Summary of Proposals" section, noted that "[c]onstruction of [MGM's] Facility would be completed for a Facility opening in July, 2016." See Ex. A at p. 2

(1) Except as provided in paragraphs (2) and (3) of this subsection, a licensee shall commence operation of video lottery terminals in a permanent Facility at the location for which the video lottery operation license has been awarded within 18 months after the license is awarded.

(2) (i) On a determination by the [State Lottery and Gaming Control] Commission that extenuating circumstances exist that are beyond the control of an awardee and have prevented the awardee from complying with the requirements of paragraph (1) of this subsection, the Commission may allow the awardee an extension of 6 months to comply with the requirements.

(ii) The Commission may not grant more than two extensions to an awardee under this paragraph.

(3) Notwithstanding paragraphs (1) and (2) of this subsection, the Commission may allow an awardee of a video lottery operation license in Prince George's County to commence operation in a permanent facility more than 18 months, but not more than 30 months, after the license is awarded.

The Addendum provides the factual findings for the extension MGM requests from this Commission. As additional grounds for the requested extension, MGM provides the following for consideration:

The statutory "conundrum" that prompted MGM to seek relief from the Location Commission still exists.

The February 14, 2016 open-by date contravenes the Gaming Law's prohibition against a gaming facility opening in Prince George's County before July 1, 2016. As this Commission is aware, Md. Code Ann., State Gov't, Section 9-1A-04(h) provides that "[t]he [State Lottery and Gaming Control] Commission may not permit the operation of video lottery terminals in Prince George's County *before the earlier of July 1, 2016, or 30 months after the video lottery facility in Baltimore City is open to the public.*" *Id.* (emphasis added).⁴ MGM advised the Location Commission, as the Addendum points out, "that it is on target for opening the facility during the second half of calendar year 2016." Exhibit B at 2. But absent a grant of the relief requested herein, MGM is faced with building a gaming facility with an open-by date that, by law, cannot be the Facility's opening date.

⁴ Under section 04(h), the July 1, 2016 date is the earlier, and therefore applicable, date because the Horseshoe Casino opened in Baltimore on August 26, 2014.

As MGM made clear in its presentation to the Location Commission last December, MGM: (a) is not changing its Proposal; and (b) still plans to open in the second half of 2016. MGM, as do all of the stakeholders here, wants to open the Facility as soon as is legally permissible and logistically practicable. But allowing a February 14, 2016 open-by date to stand is squarely at odds with the Gaming Law (which prohibits an opening before July 1, 2016), the material terms of MGM's Proposal (which the Location Commission accepted without exception), and the magnitude of the Facility (for which the expected cost to develop and construct is now anticipated to be approximately \$1.2 billion, excluding capitalized interest and land-related costs).

MGM stands ready to provide any additional information or documentation the Commission may require in its consideration of this request. We appreciate the Commission's attention to this matter.

Sincerely,



Philip M. Andrews

PMA/ch

- cc: Stephen L. Martino (by electronic mail [Stephen.Martino@maryland.gov], with exhibits)
Holly Citko, Deputy Counsel (by electronic mail [Holly.Citko@maryland.gov], with exhibits)
Nicholas Casiello, Jr., Esquire (by electronic mail [NCasiello@foxrothschild.com], with exhibits)
Patrick Madamba, Jr., Esquire (by electronic mail [PMadamba@foxrothschild.com], with exhibits)

EXHIBIT A

CHAIR
DONALD C. FRY



MEMBERS
JAMES J. KING
RONA E. KRAMER
MICHAEL G. MILLER
ELLA H. PIERCE
D. BRUCE POOLE
LINDA S. READ

STATE OF MARYLAND
VIDEO LOTTERY FACILITY LOCATION COMMISSION

1800 Washington Boulevard • Suite 330 • Baltimore, Maryland 21230
410-230-8790 • Fax 410-230-8727 • TTY Users Call Maryland Relay

**Award of the Prince George's County Video Lottery Facility Operation License
Decision Statement**

Summary of Proposals

The Video Lottery Facility Location Commission (Commission) has reviewed and evaluated the proposals for a Video Lottery Operation License submitted in response to its Request For Proposals #2013-0101 – *Request for Proposals for a Video Lottery Operation License in Prince George's County* (the RFP). A video lottery facility (facility) in Prince George's County must be located within a four-mile radius of the intersection of Bock and St. Barnabas Roads. State Gov't (SG) § 9-1A-36(h)(1)(vi). Proposals were submitted on May 10, 2013 by: Prince George's Racing Ventures, LLC, Hollywood Casino Resort at Rosecroft Raceway (Rosecroft); Maryland Casino, LLC, Parx Casino Hotel & Spa (Parx); and MGM National Harbor, LLC (MGM).

Rosecroft. Rosecroft proposed a facility for 3,000 video lottery terminals (VLTs) and 140 table games to be located at Rosecroft Raceway. Rosecroft paid the required initial license fee of \$18,000,000¹ for 3,000 VLTs. Rosecroft proposed to construct a facility on the property of the existing Rosecroft Raceway. The facility's amenities would include a hotel, restaurants, retail, and a 2,500-seat entertainment venue. Construction on the facility would be completed for a facility opening in July 2016.

Rosecroft subsequently amended its proposal to remit 100% of the facility's profits, after applicable taxes, management/operational fees, debt service, and expenses, to assist in underwriting the operating expenses of the new Prince George's Hospital System and its planned community healthcare satellite system. In addition to the hospital, it offered to create a supplemental pension/retirement, defined contribution plan for Prince George's County Teachers. The profits would be split 50/50 between the two programs. It also proposed to provide \$200,000 annually to local Prince George's County charities.

¹ Revised October 24, 2013 based on additional \$15,000,000 deposit received.

Parx. Parx proposed a facility for 4,750 VLTs and 170 table games to be located at 7707 Kaydot Road in Fort Washington, at the intersection of Indian Head Highway and Old Fort Road. Parx paid the required initial license fee of \$28,500,000 for 4,750 VLTs and proposed an operator retention-rate of 33%, rather than the statute's allowance of 38%. Parx proposed to construct a new facility, and the amenities would include a hotel, retail, restaurants, and an entertainment venue. Construction on the facility would be phased in, with the facility opening its first phase with approximately 3,000 VLTs in July 2016. The second phase of construction would include the hotel and the additional VLTs to reach the total 4,750 VLTs, for completion by 2019. Parx twice amended its proposal to commit to front the project costs already identified by the State and County for two intersection improvements to Indian Head Highway and adjacent roads (estimated at \$200 million). Parx requested that it be able to recoup any costs in excess of \$100 million from the local impact grant funding in the statute dedicated to improvements on MD Route 210.

MGM. MGM proposed a facility for 3,600 VLTs and 140 table games. MGM paid the required initial license fee of \$21,600,000 for 3,600 VLTs. MGM proposed to construct a new facility at National Harbor that would have amenities including a hotel, restaurants, retail, and entertainment venues. Construction on the facility would be completed for a facility opening in July 2016.

Applicants' qualifications and other restrictions

The Commission cannot award a license until the Maryland Lottery and Gaming Control Commission has found the applicant and the applicant's principals qualified to hold a video lottery operation license, and notified the Commission of the applicant's qualifications. SG § 9-1A-36(m), (n). The qualifying criteria include the applicant's financial stability, integrity, and responsibility; good character, business ability and experience; and execution of labor peace agreement(s). SG §§ 9-1A-07 and -08.

On October 10, 2013, the Maryland Lottery and Gaming Control Commission conducted qualification hearings for all three applicants, and found each applicant and its principals qualified. This Commission was notified of the qualification decisions.

The holder of an operation license may apply to the Commission for an additional license if its application includes a plan of divesting from the currently-held video lottery operation license. SG § 9-1A-05(d)(4)(ii). Rosecroft is the only applicant to which the divestiture requirement arguably applies because Penn National Gaming, Rosecroft's parent company, has held the Cecil County operation license at Hollywood Casino Perryville. If Rosecroft were awarded the license, it would be required to clearly demonstrate that there has been an adequate divestiture from Hollywood Casino Perryville. The Commission decided not to address this issue unless and until the Commission determined that Rosecroft's proposal was the preferred applicant. As a consequence of the evaluation, the Commission did not evaluate, and has not evaluated, whether Rosecroft fulfilled this requirement.

Evaluation of proposals

In evaluating the proposals, the Commission was guided by the statutory criteria and the best interests of the State. Under SG § 9-1A-36(k), the Commission must evaluate the following factors in awarding a license: business and market factors (70% weight); economic development factors (15% weight); and location siting factors (15% weight).

The Commission conducted a site visit, heard the applicants' presentations, and took public comment for each of the sites. These public site visits and meetings were conducted on October 21, 23, and 25, 2013.

The Commission's review of the proposals also included analyses conducted by six different consultants, each of whom have special training or experience in evaluating different aspects or impacts of gaming proposals. The consultants evaluated the applicants' proposals and conducted analyses of each proposal's: (1) gaming revenue projections; (2) impacts on existing Maryland casino licensees; (3) ancillary and non-gaming development; (4) impact to State and local government units; (5) economic impact in Prince George's County and the State; and (6) traffic flow studies.

The consultants were not asked to, and did not review, the proposals' specific compliance with each of the statutory criteria in SG § 9-1A-36(k). The consultants' reports were intended to assist and inform the Commissioners in their evaluation of the proposals. The Chairman reminded the Commissioners that they could give the consultants' reports the weight and value they believed appropriate, and that they were not obligated to give them any weight at all.

On or about November 27, 2013, the consultants distributed their draft reports to Commission staff, who distributed them to the Commission and the applicants. On December 6, 2013, the consultants presented their reports at a public meeting of the Commission, where Commissioners had the opportunity to question the consultants and the applicants were permitted to make a brief statement addressing the consultants' evaluations. The applicants were invited to submit additional information to the Commission based on the consultants' reports, and on December 12, 2013, during a public teleconference meeting of the Commission, the consultants responded to the applicants' additional information. The applicants had the opportunity to further respond in writing to the consultants' evaluations. The consultants submitted their final reports to the Commission on December 18, 2013.

The Commissioners evaluated the applicants' proposals against the weighted criteria in SG § 9-1A-36(k).

There were no closed session meetings of the Commission during which an evaluation of any of the applicants' proposals was conducted. All Commission meetings were recorded.

Public meeting December 20, 2013

On December 20, 2013, the Commission held its final meeting, during which it publicly considered the applicants' proposals. All seven Commissioners were present. Each Commissioner discussed his or her views – favorable or unfavorable – of the proposals.

At the meeting, the Commissioners acknowledged generally that all three proposals were attractive in certain regards, and that each would likely be a great asset to the State. A number of Commissioners stated that while there was wide support for one of the applicants, Rosecroft, in consideration of the horse racing industry, the Commissioners, although sympathetic to the plight of horse racing, indicated that it was not expressly stated as a factor to consider in the statutory license award criteria. Notwithstanding concerns about the horseracing industry, however, the Commissioners made clear that their analysis of the proposals focused on the criteria that the statute (SG § 9-1A-36(k)) requires them to apply to the proposals.

Regarding Rosecroft, Commissioners pointed out that, although the community was apparently quite supportive of the proposal – and that it would of course benefit Maryland's horseracing industry – it was not as well capitalized as the other facilities. Further, Rosecroft's marketing process left something to be desired regarding its ability to draw casino patrons rather than only horseracing customers.

Concern was expressed that the location of the facility was too insulated for it to actually become a tourist destination.

Some Commissioners found Rosecroft's economic projections confusing as compared to the consultants' projections. Its own revenue projections placed it below the consultants' estimates, and lower than Parx and MGM. Concern was also raised regarding how a for-profit entity such as Rosecroft would give away its net profits to the community raising the issue of how much motivation there would be to maximize the amount of revenue return for the State of Maryland if the profit factor was negated from this business model. Additionally, it was pointed out that if Rosecroft were not selected it would benefit from the highest producing gaming facility given that the State's gaming revenues actually benefit the horseracing industry due to the required allocations of gaming revenue (see SG §§ 9-1A-28 (purse dedication account) and -29 (racetrack facility renewal account)).

Regarding Parx, the Commissioners found Parx's presentation impressive, and acknowledged its financial stability, its proven success at the Pennsylvania facility, and the higher tax rate it proposed for this facility. Commissioners acknowledged that should the Parx proposal be constructed it would ultimately benefit the County and the local infrastructure. The overwhelming concern with Parx's proposal was its location related to Indian Head Highway and the documented traffic and infrastructure problems that were already there and that the additional casino traffic would likely exacerbate.

A component of the consultants' analyses was the conclusion that driving to the Parx casino would require three to four more minutes of drive time than reaching the MGM casino, and that this fact rendered the Parx proposal less desirable. Several Commissioners specifically

rejected this conclusion, noting that if Parx were “the only game in town”, customers would still make the trip to the casino.

Commissioners were impressed by Parx’s offer to finance the costs of roadway improvements set forth in the State’s plans. But Commissioners were wary about the real possibility that, because the current County government could not bind the County to reimburse Parx in the future for its expenditures as a local impact grant (see SG § 9-1A-36(c)), and because this Commission cannot force the County to do so, the funding may not materialize.

Commissioners were also concerned that Parx’s phasing (hotel construction and the additional complement of VLTs to reach the total 4,750 VLTs) may not materialize in the future. It was noted that a failure to complete the proposal may not be attributable to Parx, but to problems or delays with necessary sign-offs, including State or federal permitting and eminent domain concerns. Although an applicant is bound to perform the terms of its proposal, as a practical matter if Parx were not able or willing to complete its second phase, this Commission and the Maryland Lottery and Gaming Control Commission would be confronted with how best to enforce this aspect of Parx’s performance.

Two Commissioners made clear that they favored the Parx proposal above the other two applicants. Locating the casino off Indian Head Highway and implementing the State’s recommended infrastructure improvements would be a tremendous advantage to the County, as the improvements would spur small business development along the Indian Head Highway corridor. MGM would not spur small business in this regard, as visitors would exit the highway, go to the casino, utilize the amenities there, and return to the highway.

Commissioners commented that MGM’s proposal and existing infrastructure was substantively excellent and would entice in-state gamblers as well as the Washington, DC market, which may include high-rollers visiting the DC area. It was noted that MGM would bring the highest income to the State. MGM’s location would not need extensive infrastructure improvement and would not further develop the County’s infrastructure. The ease with which gamblers could reach the MGM Casino National Harbor – as opposed to the traffic snarls affecting ease of accessing the Parx casino – was a positive factor.

Commissioners commented positively on MGM’s experience as a casino operator, its strong marketing approach, and its access to the other large number of casinos’ player databases in the MGM network. Commissioners also commented on the attractiveness of the proposed MGM casino as a tourist destination, noting that its aesthetics would be visible from the highway.

The Commissioners agreed that all three proposals were adequate in terms of the statute’s Minority Business Enterprise requirements. See SG § 9-1A-36(l).

Motions

1. Allocation of VLTs

The Gaming Law provides that the Commission generally may not allocate more than 3,000 VLTs for a location in Prince George's County. SG § 9-1A-36(i)(1)(iv). However, the statute specifically provides that the Commission may allocate VLTs in a different manner on a determination that the market factors and other factors evaluated under SG § 9-1A-36(k) warrant the different allocation, and provided that no one location may be allocated more than 4,750 video lottery terminals. SG § 9-1A-36(i)(2).

In light of the fact that two of the applicants proposed greater than 3,000 VLTs, Commissioner Kramer moved to make a specific determination that the market and other factors listed in the statute warrant an allocation above 3,000 VLTs and that such an allocation is in the public interest and consistent with the purposes of the Gaming Law. Based on the information presented to the Commission, Commissioner Kramer stated her belief that there was sufficient evidence to support a determination to warrant an allocation above 3,000 VLTs. Commissioner Kramer's motion was seconded by Commissioner King. There was no discussion, and the motion carried unanimously.

2. License award

Commissioner Poole made a motion to award the Prince George's County license to MGM, and Commissioner Miller seconded the motion. There was a brief discussion, during which Commissioner Poole commented that, while this was not clear cut, it was his view that MGM was the best applicant. Commissioners Miller, Pierce, Poole, Read and Chairman Fry voted in favor, and Commissioners King and Kramer voted against the motion. The motion carried.

3. Delegation

Commissioner Kramer made a motion to delegate to Chairman Fry the authority to draft the Decision Statement and transmit it to Rosecroft, Parx and MGM. The motion was seconded by Commissioner King. The motion carried unanimously.

Refund of initial license fee

As provided in Section 2.9.1.2 of the RFP, an unsuccessful applicant that has properly fulfilled all requirements of the RFP process will be refunded its initial license fee within 45 days after the award of the license by the Video Facility Location Commission, unless the unsuccessful applicant challenges the award. The amount of the unsuccessful applicant's refund will be the applicant's initial license fee minus any unpaid costs for application and background investigation costs incurred by the State.

Appeal rights

An unsuccessful applicant for the Prince George's license may seek, under Title 15 of the State Finance and Procurement Article, review by the State Board of Contract Appeals (Board) of the awarding of the operation license. SG § 9-1A-36(q). An action for review by the Board must be filed no later than ten days after the unsuccessful applicant's receipt of this Decision.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. Fry". The signature is written in a cursive style with a large initial "D" and a stylized "Fry".

Donald C. Fry, Chairman
December 23, 2013

EXHIBIT B

CHAIR
DONALD C. FRY



MEMBERS
JAMES J. KING
RONA E. KRAMER
MICHAEL G. MILLER
ELLA H. PIERCE
D. BRUCE POOLE
LINDA S. READ

STATE OF MARYLAND
VIDEO LOTTERY FACILITY LOCATION COMMISSION

MGM National Harbor, LLC
Award of a Video Lottery Operation License

Addendum to the December 23, 2013 Decision Statement

December 30, 2014

Background

On December 20, 2014, the Video Lottery Facility Location Commission voted to award a License to MGM National Harbor, LLC ("MGM") to own and operate a video lottery facility in Prince George's County, located at National Harbor. The effective date of the License Award ("Award") was December 23, 2013, which is the date the Commission issued the written Decision Statement for the Award. The Decision Statement provided that MGM's "[c]onstruction on the facility would be completed for a facility opening in July 2016." The Award contained no contingency. The Decision Statement is incorporated into this Addendum.

MGM's Request

By letter dated December 5, 2014, MGM requested that the Commission amend the Decision Statement to make September 2, 2014 the effective date of the Award for purposes of the statutory requirement that the facility open 30 months after the award (State Gov't Art. ("SG") § 9-1A-11(b)(3)), which would make March 2, 2017 the target opening date of the facility. By operation of law, the Commission terminates on January 1, 2015. SG § 9-1A-36(t). The Commission convened a public meeting on December 22, 2014 at which it considered MGM's request. MGM clarified that it was not asking to change its proposal or delay opening and that it wants to open as soon as legally permissible and logically possible. MGM presented two reasons to the Commission in support of its request.

First, the two statutes that establish the date by which MGM would be required to commence operations create a conundrum that requires clarification. SG § 9-1A-04(h) provides that the facility may not open before July 1, 2016, but SG § 9-1A-11(b)(3) provides that the facility must open no more than 30 months after the Award, which would be June 23, 2016. Taken together, SG §§ 9-1A-04(h) and 9-1A-11(b)(3) require the impossible: that MGM commence operations *no later* than June 23, 2016, but *no earlier* than July 1, 2016.

Second, although Prince George's County has been very cooperative with MGM, the County's routine local community approval, agreement and permit processes have affected MGM's target

date for opening the facility after the Commission's Award in December 2013. The County Council enacted two bills in April and May 2014 which imposed additional requirements on MGM by including requirements of percentage levels and monitoring of local and minority participating during construction, and required the County Council's approval of a Community Benefits Agreement ("CBA") before construction could begin. The practical effect of these new requirements was that, until the County Council approved the CBA on July 23, 2014, final construction hiring, planning and ramp-up could not be completed, and that this impacted the phasing, logistics and pace of MGM's construction schedule. The facility's Detailed Site Plan ("DSP") was approved on August 12, 2014, the building permit was issued on August 14, 2014, and the period for appealing the DSP expired on September 2, 2014.

MGM takes the view that the effective date of the Decision Statement should be September 2, 2014, and that such an amendment to the Award would be consistent with the Commission's imposition of contingencies on the awards of the Allegany and Anne Arundel Counties, and Baltimore City, licenses. MGM advised the Commission that it is on target for opening the facility during the second half of calendar year 2016.

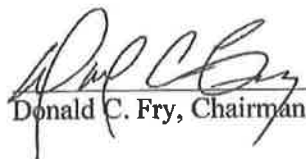
Decision

The Commission's obligation to the public is to commence operation of the Prince George's County facility as soon as possible to begin generating revenue for the State. However, the Commission recognizes that although the County was cooperative with MGM, there were necessary local post-Award permitting processes that impacted MGM's construction timeline and will therefore move the facility opening date beyond July 2016.

Amending the effective date of the Prince George's County Award to acknowledge post-Award events is not inconsistent with the contingencies imposed on the license awards for Allegany and Anne Arundel Counties and Baltimore City. In those cases, the Commission was aware at the time of license award that certain events could delay the onset of construction. For those awards, the time within which the facilities were required to open started to run when the contingency was satisfied. This is consistent with the contingent awards made to earlier licensees.

There is a need to clarify expectations of MGM's target opening date. Amending the December 23, 2013 Award to August 14, 2014 – the date the building permit was issued – affords MGM some relief and ties the Award date to the date that facility construction could commence.

This Commission lacks the authority to authorize an opening date more than 18 months from the date of the Award. If necessary, MGM would be required to request the relief of delaying commencement of operations for up to two additional six-month periods from the Maryland Lottery and Gaming Control Commission.


Donald C. Fry, Chairman

12/30/14
(date)

Maryland Video Lottery Facility Location Commission

MOTIONS

To amend the December 23, 2013 Decision Statement awarding the Prince George's County Video Lottery Operation License to MGM National Harbor, LLC effective upon the County's issuance of the building permit to MGM on August 14, 2014.

Motion By: Kramer

Seconded By: Miller

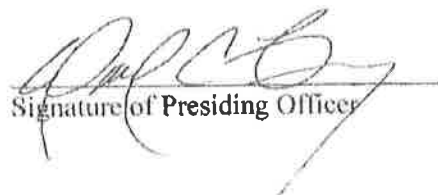
	AYE	NAY	ABSTAIN	ABSENT
Chairman Donald C. Fry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner James J. King	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Commissioner Rona E. Kramer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Michael G. Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Ella H. Pierce	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner D. Bruce Poole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Linda S. Read	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

To delegate to the Chairman the authority to draft an appropriate Addendum to the December 23, 2013 Decision Statement and to transmit the Addendum to MGM National Harbor, LLC.

Motion By: Kramer

Seconded By: Pierce

	AYE	NAY	ABSTAIN	ABSENT
Chairman Donald C. Fry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner James J. King	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Commissioner Rona E. Kramer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Michael G. Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Ella H. Pierce	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner D. Bruce Poole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Linda S. Read	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>


 Signature of Presiding Officer