

ORDER 2011-206

AN ORDER REGARDING GAMING ENTERTAINMENT (INDIANA) LLC'S PROPOSAL FOR CONVERSION TO A PERMANENTLY MOORED VESSEL

On July 1, 2011, Senate Enrolled Act 47 went into effect. This law, among other things, contains a provision that allows riverboat licensees to submit to the Commission a plan to convert a "self-propelled" riverboat into a "permanently moored craft" and gives the Commission the authority to approve submitted plans.

Permanently moored vessels may disable propulsion and navigation equipment that is required to be maintained as a self-propelled riverboat. In addition, permanently moored vessels are not required to employ personnel that are necessary in order to operate as a self-propelled vessel.

On July 1, 2011, Gaming Entertainment (Indiana), LLC ("Rising Star") submitted its plan in accordance with the new law. Commission staff sent the plan to ABS Group, which is the Commission's marine structural and life safety contractor. ABS Group has recommended approval of Rising Star's plan based on its analysis of how the plan addresses structural and safety standards.

The proposal submitted on behalf of Rising Star will continue to utilize the seven wire ropes that presently fasten the vessel to the mooring barge. Winches, fasteners, etc. will also be used to ensure that the vessel cannot move. The propulsion and navigation systems will be kept but placed in lock out status, though the marine radio will continue to be monitored by trained security personnel. Rising Star will retain several existing marine positions but will re-title them. Security and maintenance personnel will assume much of the emergency responder and prevention duties, with support from the newly creature-titled marine positions.

The Commission has consulted with the United States Army Corps of Engineers as required under IC 4-33-4-13, notified both the United States Coast Guard and Indiana Department of Homeland Security of the plans, and provided an opportunity to comment.

COMMISSION ACTION

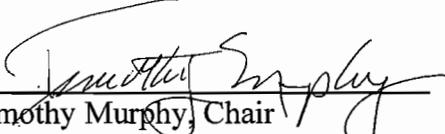
After reviewing the foregoing and in accordance with IC 4-33-4-13(b), and (1) conditioned upon the subsequent submission of an amended Emergency Response Plan reflecting necessary changes following the conversion to a permanently moored vessel; (2) conditioned upon successful completion of emergency drills as described under an amended Emergency Response Plan within thirty (30) days from this date, which may be extended by Commission staff with good cause shown, and (3) pending additional consultation with the United States Army Corps of Engineers and compliance with any subsequent requests, the Commission hereby:

APPROVES

the plan submitted by Gaming Entertainment (Indiana), LLC to convert its self-propelled riverboat into a permanently moored craft.

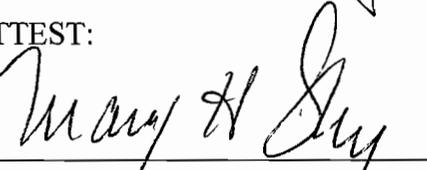
IT IS SO ORDERED THIS THE 15TH DAY OF SEPTEMBER, 2011.

THE INDIANA GAMING COMMISSION:



Timothy Murphy, Chair

ATTEST:



Secretary