

ORDER 2013-117

AN ORDER OF THE INDIANA GAMING COMMISSION RENEWING THE RIVERBOAT OWNER'S LICENSE AND THE WRITTEN POWERS OF ATTORNEY FOR AMERISTAR EAST CHICAGO, LLC

In accordance with and subject to Indiana Code 4-33 and Title 68 of the Indiana Administrative Code, the Indiana Gaming Commission ("Commission") issued a riverboat owner's license to Showboat Marina Casino Partnership effective April 15, 1997. By Resolution 1999-8, the Commission granted Harrah's Operating Company, Inc.'s application to acquire the Showboat Marina Casino Partnership. By action of the Commission on April 21, 2005 in Resolution 2005-25, the Commission approved the request of RIH Acquisitions IN, LLC to acquire the interests in the Showboat Marina Casino Partnership held by Harrah's Operating Company, Inc. By Order 2007-90, the Commission on September 13, 2007 approved the request of Ameristar East Chicago, LLC ("Ameristar") to acquire the interests of RIH Acquisitions IN, LLC, including the riverboat that is the subject of this license. Pursuant to Indiana Code section 4-33-6-12, the license has been renewed annually since inception. The most recent renewal, granted on August 2, 2012, renewed the riverboat owner's license through April 14, 2013.

On February 26, 2013, the Commission received Ameristar's requested renewal and submitted payment of its annual renewal fee. On April 9, 2013, and under the delegation of authority granted by the Commission on April 7, 2003 in Resolution 2003-13, the Executive Director extended Ameristar's licenses until such time as the Commission is able to consider the request at a regularly scheduled business meeting.

On June 2, 2011, by Order 2011-124, the Commission approved a written power of attorney identifying Angela Frost as trustee-in-waiting for Ameristar. Order 2011-124 stated that it would expire "upon the effectiveness of a subsequent Commission order that either: (1) addresses the renewal of Ameristar's Casino Owner's License; or (2) modifies or withdraws the approval" of Ms. Frost. On February 26, 2013, Ameristar indicated in writing that it desires to continue to have Ms. Frost as trustee-in-waiting.

COMMISSION ACTION

Pursuant to Indiana Code section 4-33-6-12, the Commission has found that Ameristar has substantially complied with the directives of Indiana Code 4-33 and Title 68 of the Indiana Administrative Code and is suitable to hold a riverboat owner's license. The Commission **GRANTS** renewal of Ameristar's riverboat owner's license for a period of one year subject to Ameristar maintaining its riverboat gambling operation, riverboat, hotel, and pavilion in substantial compliance with all properly applicable state and local laws, including but not limited to, Commission regulations, resolutions, orders and/or other directives relating to the riverboat owner's license, or to the lawful operation or conduct of gaming in Indiana. The renewal of the riverboat owner's license is valid for a period of one year from April 15, 2013 through April 14, 2014.

Furthermore, the Commission **GRANTS** renewal of its approval of the written power of attorney identifying Angela Frost as trustee-in-waiting for Ameristar. The renewal of the Commission's approval expires upon the effectiveness of a subsequent Commission order that

either: (1) addresses the renewal of the licenses; or (2) modifies or withdraws the renewal of its approval as granted herein.

According to IC 4-21.5-3, this order is effective fifteen (15) days after the order is served.

IT IS SO ORDERED THIS THE 27th DAY OF JUNE, 2013.

THE INDIANA GAMING COMMISSION:



Matt Bell, Chair

ATTEST:



Marc Fine, Vice-Chair