

ORDER 2011-204

AN ORDER REGARDING INDIANA GAMING COMPANY, LP'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 June 9, 2011, Indiana Gaming Company, LP ("Hollywood") 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 Hollywood's plan based on its analysis of how the plan addresses structural and safety standards.

The proposal submitted on behalf of Hollywood will cease to use their navigation and propulsion systems. Hollywood will disband the Marine Department, and establish a new Facilities Department, which will consist of 33 individuals retained from the old Marine Department. Seven currently licensed marine crew members will also be retained under the Facilities Department. The vessel will remain moored by 40 hydraulic cylinders that are welded in place currently, and mooring will be monitored by computers.

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 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 pending additional consultation with the United States Army Corps of Engineers and compliance with any subsequent requests, the Commission hereby:

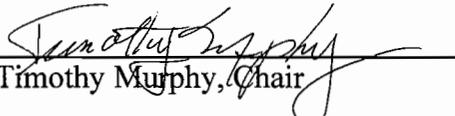
APPROVES

the plan submitted by Indiana Gaming Company, LP to convert its self-propelled

riverboat into a permanently moored craft.

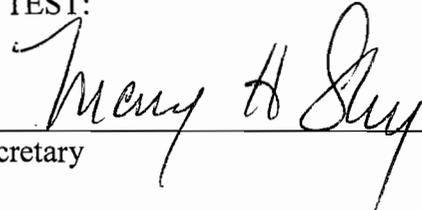
IT IS SO ORDERED THIS THE 15TH DAY OF SEPTEMBER, 2011.

THE INDIANA GAMING COMMISSION:



Timothy Murphy, Chair

ATTEST:



Secretary