

ORDER 2012-206

**AN ORDER REGARDING AZTAR INDIANA GAMING COMPANY, LLC'S
PROPOSAL FOR CONVERSION TO A PERMANENTLY MOORED CRAFT**

On July 1, 2011, Senate Enrolled Act 47 went into effect. This law contains, among other things, 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 crafts may disable propulsion and navigation equipment that is required to be maintained as a self-propelled riverboat. In addition, permanently moored crafts are not required to employ personnel that are necessary in order to operate as a self-propelled craft.

On October 19, 2012, Aztar Indiana Gaming Company, LLC ("Aztar") submitted its plan to convert its riverboat to a permanently moored craft. 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 Aztar's plan.

The plan will not remove the propulsion or navigation systems, but they will be disabled. Aztar's radar will remain operational. The marine department will be reorganized into a Department of Facility Operations. Aztar will eliminate approximately 11 positions. Aztar will continue to keep appropriately trained staff in charge of marine and life safety operations. Maintenance of the equipment on the craft will remain as it is with the self-propelled vessel. Ballasting and mooring will remain the same.

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

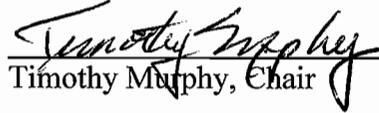
After reviewing the foregoing, in accordance with IC 4-33-4-13(b), and conditioned upon (1) successful completion of emergency drills as described under an amended Emergency Response Plan within 30 days from this date, which Commission staff may extend with good cause shown, (2) Aztar constructing a second means of egress from the craft no later than the Commission's calendar year 2013 annual inspection, and (3) compliance with subsequent requests from the United States Army Corps of Engineers, the Commission hereby:

APPROVES

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

IT IS SO ORDERED THIS THE 15TH DAY OF NOVEMBER, 2012.

THE INDIANA GAMING COMMISSION:



Timothy Murphy, Chair

ATTEST:



Marc Fine, Vice-Chair