



**REQUEST FOR APPLICATIONS
TO DEVELOP AND OPERATE
A GAMING FACILITY IN NEW YORK STATE**

REVISED GUIDANCE

Refunding of Application Fee

April 30, 2014

Pursuant to the N.Y. Racing, Pari-Mutuel Wagering and Breeding Law § 1316.8 and the Request For Applications to Develop and Operate a Gaming Facility in New York State, all Applicants have been required to remit a fee of one million dollars to defray the costs associated with the processing of the Application and investigation of the Applicant. Accordingly, the Commission has received fees from 22 entities.

Such fees may be refunded under the following circumstances:

1. Full refund. The Fee will be fully refunded if an Applicant chooses to withdraw from consideration within five (5) business days subsequent to the Gaming Facility Location Board's release of capital investment guidance. This capital investment guidance will be released no later than ten (10) days following the Applicant Conference.
2. Partial refund. An Applicant may receive a partial refund of its Application Fee if it chooses not to submit an Application subsequent to the aforementioned deadline for the full refund. Under such circumstances, an Applicant will be entitled to a refund of its Fee, minus any charges for costs associated with the processing of the Application and the investigation of the Applicant. Should the costs of the processing and investigation not exceed the Fee remitted, any unexpended portion will be returned to the Applicant.

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