

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	2/2/2011
File #	

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

IN RE:

PETITION FOR VARIANCE FROM  
RULE 61D-14.073, F.A.C.

**VW 2011-038**

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**PETITION FOR VARIANCE**

COMES NOW Petitioner, PPI, Inc., d/b/a The Isle Casino and Racing at Pompano Park, by and through its undersigned counsel, and files this Petition for Variance from Rule 61D-14.073, F.A.C., and as grounds therefore would show:

1. Petitioner is The Isle Casino and Racing at Pompano Park, 1800 SW 3rd Street, Pompano Beach, FL 33069, (954) 972-2000 (office), and (954) 972-9970 (facsimile).
2. Counsel for the Petitioner is Jack M. Skelding, Jr. of Jack M. Skelding, Jr., P.L., P.O. Box 669, Tallahassee, FL 32302, 850-222-7718 (Office), and (850) 222-8222 (facsimile).
3. The applicable rule is Rule 61D-14.073, F.A.C.
4. The statute the rule is implementing is Section 551.103(1)(d), Florida Statutes.
5. The type of action requested is a variance from the current version of Rule 61D-14.073, F.A.C., with authorization to follow proposed Rule 61D-14.073, F.A.C.
6. The purpose of Rule 61D-14.073, F.A.C., is to have all slot machine meters read and reconciled with the facility based monitoring system. The current version of the rule requires the Petitioner to manually read and record all meters referenced in subsections 61D-14.042(2), F.A.C., and reconcile those readings with the information on the facility based monitoring system monthly. Proposed Rule 61D-14.073, F.A.C., would

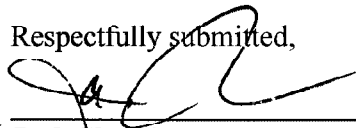
require the Petitioner to manually read and record at least 25 percent of all facility slot machine electronic meters each quarter until all facility slot machine meters are read by the end of each calendar year; and to reconcile the readings with the facility based monitoring system. Petitioner has 1,452 slot machines and each machine has four (4) meters for a total of 5,808 readings. It is a substantial hardship to manually read, record and reconcile all meters monthly.

7. The public purpose behind Section 551.103(1)(d), Florida Statutes, can be accomplished by following proposed Rule 61D-14.073, F.A.C. which requires that 25% of all meters be read and reconciled each quarter until all meters have been read and reconciled in a calendar year. Quarterly meter readings instead of monthly readings would alleviate the substantial hardship of monthly meter readings on Petitioner.

8. A variance would be temporary until proposed Rule 61D14-.073, F.A.C. becomes a final rule.

Wherefore Petitioner requests that it be granted a variance to Rule 61D14.073, F.A.C., and be authorized to follow proposed Rule 61D14.073, F.A.C.

Respectfully submitted,

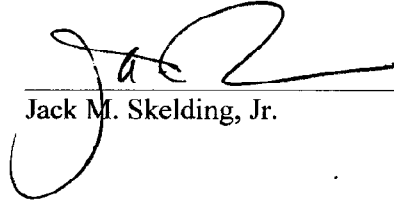


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**Jack Skelding Jr.**  
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**Certificate of Service**

I HEREBY CERTIFY that a true and correct copy of the foregoing Petition for Variance was sent via U. S. Mail to Mary Polombo, Clerk, Department of Business and Professional Regulation, Division of Pari-mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32302-0551 this 1st day of February, 2011.

  
\_\_\_\_\_  
Jack M. Skelding, Jr.

Copies to:

**Via U.S. Mail**

Joint Administrative Procedures Committee  
Room 120  
The Holland Building  
Tallahassee, Florida 32399-1300

**Via E-Mail**

Milton Champion, Director  
Division of Pari-mutuel Wagering

Joe Helton, General Counsel  
Division of Pari-mutuel Wagering

# BREWTON PLANTE, P.A.

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February 1, 2011

Ms. Mary Polombo, Clerk  
Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
1940 North Monroe Street  
Tallahassee, 1035FL 32399-

RE: The Isle Casino and Racing at Pompano Park - Petition for Variance from  
Rule 61D-14.073, F.A.C.

Dear Ms. Polombo:

Enclosed please find the Petition for Variance for filing in the above reference matter.

Sincerely,

  
Jack M. Skelding, Jr.

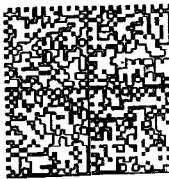
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PARI-MUTUEL WAGERING

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Division Pari-mutuel Wagering  
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