



Chapter 313 Annual Eligibility Report Form

Economic Development
and Analysis
Form 50-772-A

SECTION 1: Applicant and District Information

- Tax year covered by this report: 2015
NOTE: This report must be completed and submitted to the school district by May 15 of every year using information from the previous tax (calendar) year.
- Application number: 1059
NOTE: You can find your application number and all agreement documents and reports on the website www.texasahead.org/tax_programs/chapter313/applicants
- Name of school district: Iraan-Sheffield Independent School District
- Name of project on original application (or short description of facility): East Pecos Solar, LLC
- Name of applicant on original application: East Pecos Solar, LLC
- Name the company entering into original agreement with district: East Pecos Solar, LLC
- Amount of limitation at time of application approval: 30,000,000
- If you are one of two or more companies originally applying for a limitation, list all other applicants here and describe their relationships. (Use attachments if necessary.)

n/a

SECTION 2: Current Agreement Information

- Name of current agreement holder(s) East Pecos Solar, LLC
- Complete mailing address of current agreement holder 30 Ivan Allen Jr. Blvd, NW, BIN SC1105, Atlanta, GA 30308
- Company contact person for agreement holder:

<u>Suzanne Goodman</u>	<u>Accounting Team Leader</u>
Name	Title
<u>404-506-0221</u>	<u>sagoodma@southernco.com</u>
Phone	Email
- Texas franchise tax ID number of current agreement holder: 32055319258
- If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity:

<u>Nacogdoches Power, LLC</u>	<u>32018754666</u>
Name	Tax ID
- If the authorized company representative (same as signatory for this form) is different from the contact person listed above, complete the following:

<u>Kevin L. Martin</u>	<u>Property Accounting Manager</u>
Name	Title
<u>30 Ivan Allen Jr. Blvd, NW, BIN SC1105, Atlanta, GA 30308</u>	
Complete Mailing Address	
<u>404-506-1786</u>	<u>kimartin@southernco.com</u>
Phone	Email
- If you are a current agreement holder who was not an original applicant, please list all other current agreement holders. Please describe the chain of ownership from the original applicant to the new entities. (Use attachments if necessary.)

n/a

SECTION 3: Applicant Eligibility Information

1. Does the business entity have the right to transact business with respect to Tax Code, Chapter 171? (Attach printout from Comptroller Web site: <http://www.window.state.tx.us/taxinfo/coasintr.html>) Yes No
 2. Is the business entity current on all taxes due to the State of Texas? Yes No
 3. Is the business activity of the project an eligible business activity under Section 313.024(b)? Yes No
- 3a. Please identify business activity: Solar electric generation

SECTION 4: Qualified Property Information

1. Market value for reporting year: \$ 0.00
2. I&S taxable value for reporting year: \$ 0.00
3. M&O taxable value for reporting year: \$ 0.00

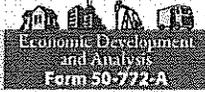
SECTION 5A: Wage and Employment Information for Applications Prior to Jan. 1, 2014 (#1 Through 999)

ONLY COMPLETE THE WAGE SECTION (5A or 5B) THAT APPLIES TO YOUR APPLICATION. You can find your application number on the website at www.texasahead.org/tax_programs/chapter313/applicants.

NOTE: All statutory references in Section 5A are for statute as it existed prior to Jan. 1, 2014. For job definitions see TAC §9.1051(14) and Tax Code, §313.021(3). If the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), then please provide the definition "new job" as used in the agreement. Notwithstanding any waiver by the district of the requirement for the creation of a minimum number of new jobs, or any other job commitment in the agreement, Tax Code §313.024(d) requires that 80 percent of all new jobs be qualifying jobs.

1. How many new jobs were based on the qualified property in the year covered by this report? (See note above)
2. What is the number of new jobs required for a project in this school district according to §313.021(2)(A)(iv)(b), §313.051(b), as appropriate?
3. Did the applicant request that the governing body waive the minimum job requirement, as provided under Tax Code §313.025(f-1)? Yes No
 - 3a. If yes, how many new jobs must the approved applicant create under the waiver?
4. Calculate 80 percent of new jobs (0.80 x number of new jobs based on the qualified property in the year covered by this report.)
5. What is the minimum required annual wage for each qualifying job in the year covered by the report? \$
6. Identify which of the four Tax Code sections is used to determine the wage standard required by the agreement:

 §313.021(5)(A) or §313.021(5)(B) or §313.021(3)(E)(ii) or §313.051(b)
- 6a. Attach calculations and cite exact Texas Workforce Commission data source as defined in TAC §9.1051.
7. Does the agreement require the applicant to provide a specified number of jobs at a specified wage? Yes No
 - 7a. If yes, how many qualifying jobs did the approved applicant commit to create in the year covered by the report?
 - 7b. If yes, what annual wage did the approved applicant commit to pay in the year covered by the report? \$
 - 7c. If yes, how many qualifying jobs were created at the specified wage in the year covered by the report?
8. How many qualifying jobs (employees of this entity and employees of a contractor with this entity) were based on the qualified property in the year covered by the report?
- 8a. Of the qualifying job-holders last year, how many were employees of the approved applicant?
- 8b. Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant?
- 8c. If any qualifying job-holders were employees of an entity contracting with the applicant, does the approved applicant or assignee have documentation from the contractor supporting the conclusion that those jobs are qualifying jobs? Yes No N/A



SECTION 5B: Wage and Employment Information for Applications After Jan. 1, 2014 (#1000 and Above)

ONLY COMPLETE THE WAGE SECTION (5A or 5B) THAT APPLIES TO YOUR APPLICATION. You can find your application number on the website at www.texasahead.org/tax_programs/chapter313/applicants.

NOTE: For job definitions see TAC §9.1051(14) and Tax Code, §313.021(3).

QUALIFYING JOBS

1. What is the number of new qualifying jobs the applicant committed to create in the year covered by this report? 2
2. Did the applicant request that the governing body waive the minimum qualifying job requirement, as provided under Tax Code §313.025(f-1)? Yes No
 - 2a. If yes, how many new qualifying jobs must the approved applicant create under the waiver? 2
3. Which Tax Code section are you using to determine the wage standard required for this project? §313.021(5)(A) or §313.021(5)(B)
 - 3a. Attach calculations and cite exact Texas Workforce Commission data sources as defined in TAC §9.1051.
4. What is the minimum required annual wage for each qualifying job in the year covered by this report? \$ 37,079.90
5. What is the annual wage the applicant committed to pay for each of the qualifying jobs in the year covered by this report? \$ 38,000.00
6. Do the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? Yes No

NON-QUALIFYING JOBS

7. What is the number of non-qualifying jobs the applicant had on Dec. 31 of the year covered by this report? 0
8. What was the average wage you were paying for non-qualifying jobs on Dec. 31 of the year covered by this report? .. \$ 0.00
9. What is the county average weekly wage for non-qualifying jobs, as defined in TAC §9.1051? \$ 0.00

MISCELLANEOUS

10. Did the applicant rely on a determination by the Texas Workforce Commission under the provisions §313.024(3)(F) in meeting the minimum qualifying job requirements? Yes No
 - 10a. If yes, attach supporting documentation to evidence that the requirements of §313.021(3)(F) were met.
11. Are you part of a Single Unified Project (SUP) and relying on the provisions in Tax Code §313.024(d-2) to meet the qualifying job requirements? Yes No
 - 11a. If yes, attach supporting documentation from the Texas Economic Development and Tourism Office including a list of the other school district(s) and the qualifying jobs located in each.

SECTION 6: Qualified Investment During Qualified Time Period

ENTITIES ARE NOT REQUIRED TO COMPLETE THIS SECTION IF THE YEAR COVERED BY THE REPORT IS AFTER THE QUALIFYING TIME PERIOD OF THEIR AGREEMENT.

1. What is the qualified investment expended by this entity from the beginning of the qualifying time period through the end of the year covered by this report? \$ 0.00
2. Was any of the land classified as qualified investment? Yes No
3. Was any of the qualified investment leased under a capitalized lease? Yes No
4. Was any of the qualified investment leased under an operating lease? Yes No
5. Was any property not owned by the applicant part of the qualified investment? Yes No

SECTION 7: Partial Interest

THE FOLLOWING QUESTIONS MUST BE ANSWERED BY ENTITIES HAVING A PARTIAL INTEREST IN AN AGREEMENT. For limitation agreements where there are multiple company entities that receive a part of the limitation provided by the agreement: 1) each business entity not having a full interest in the agreement should complete a separate form for their proportionate share of required employment and investment information; and, 2) separately, the school district is required to complete an Annual Eligibility Report that provides for each question in this form a sum of the individual answers from reports submitted by each entity so that there is a cumulative Annual Eligibility Report reflecting the entire agreement.

1. What was your limitation amount (or portion of original limitation amount) during the year covered by this report? . . . n/a
2. Please describe your interest in the agreement and identify all the documents creating that interest.

n/a

SECTION 8: Approval

"I am the authorized representative for the Company submitting this Annual Eligibility Report. I understand that this Report is a government record as defined in Chapter 37 of the Texas Penal Code. The information I am providing on this Report is true and correct to the best of my knowledge and belief."

print here ▶	Kevin L. Martin <small>Print Name (Authorized Company Representative)</small>	Property Accounting Manager <small>Title</small>
sign here ▶	<i>Kevin L. Martin</i> <small>Signature (Authorized Company Representative)</small>	<i>May 12, 2016</i> <small>Date</small>
print here ▶	Suzanne Goodman <small>Print Name of Preparer (Person Who Completed the Form)</small>	404-506-0221 <small>Phone</small>



Franchise Tax Account Status

As of: 05/25/2016 10:04:02 AM

This Page is Not Sufficient for Filings with the Secretary of State

EAST PECOS SOLAR, LLC	
Texas Taxpayer Number	32055319258
Mailing Address	350 W WASHINGTON ST STE 600 TEMPE, AZ 85281-1496
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	10/02/2014
Texas SOS File Number	0802075716
Registered Agent Name	CORPORATION SERVICE COMPANY D/B/A CSC- LAWYERS INCO
Registered Office Street Address	211 E. 7TH STREET SUITE 620 AUSTIN, TX 78701



Franchise Tax Account Status

As of: 05/25/2016 10:05:35 AM

This Page is Not Sufficient for Filings with the Secretary of State

NACOGDOCHES POWER, LLC	
Texas Taxpayer Number	32018754666
Mailing Address	241 RALPH MCGILL BLVD NE # 10139 ATLANTA, GA 30308-3374
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	12/19/2005
Texas SOS File Number	0800586784
Registered Agent Name	CORPORATION SERVICE COMPANY DBA CSC - LAWYERS INCO
Registered Office Street Address	211 E. 7TH STREET SUITE 620 AUSTIN, TX 78701

**AGREEMENT FOR LIMITATION ON APPRAISED VALUE
OF PROPERTY FOR SCHOOL DISTRICT
MAINTENANCE AND OPERATIONS TAXES**

by and between

IRAAN SHEFFIELD INDEPENDENT SCHOOL DISTRICT

and

EAST PECOS SOLAR, LLC

(Texas Taxpayer ID # 32055319258)

TEXAS COMPTROLLER APPLICATION NUMBER 1059

Dated

November 9, 2015

WHEREAS, the Board of Trustees has reviewed and carefully considered the economic impact evaluation and certificate for limitation on appraised value submitted by the Texas Comptroller's Office pursuant to Section 313.026 of the TEXAS TAX CODE;

WHEREAS, on November 9, 2015, the Board of Trustees conducted a public hearing on the Application at which it solicited input into its deliberations on the Application from all interested parties within the District;

WHEREAS, on November 9, 2015, the Board of Trustees made factual findings pursuant to Section 313.025(f) of the TEXAS TAX CODE, including, but not limited to findings that: (i) the information in the Application is true and correct; (ii) Applicant is eligible for the Limitation on Appraised Value of Applicant's Qualified Property; (iii) the project proposed by Applicant is reasonably likely to generate tax revenue in an amount sufficient to offset District's maintenance and operations ad valorem tax revenue lost as a result of the agreement before the 25th anniversary of the beginning of the limitation period; (iv) the limitation on appraised value is a determining factor in Applicant's decision to invest capital and construct the project in this state; and (v) this Agreement is in the best interest of District and the State of Texas;

WHEREAS, on November 9, 2015, pursuant to the provisions of 313.025(f-1) of the TEXAS TAX CODE, the Board of Trustees waived the job creation requirement set forth in Section 313.051(b) of the TEXAS TAX CODE;

WHEREAS, on November 9, 2015, the Texas Comptroller's Office approved the form of this Agreement for a Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes; and,

WHEREAS, on November 9, 2015, the Board of Trustees approved the form of this Agreement for a Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes, and authorized the Board President and Secretary to execute and deliver such Agreement to the Applicant; and

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants and agreements herein contained, the Parties agree as follows:

ARTICLE I **DEFINITIONS**

Section 1.1 DEFINITIONS.

Wherever used herein, the following terms shall have the following meanings, unless the context in which used clearly indicates another meaning. Words or terms defined in 34 TEX. ADMIN. CODE §9.1051 and not defined in this Agreement shall have the meanings provided by 34 TEX. ADMIN. CODE §9.1051.

IN WITNESS WHEREOF, this Agreement has been executed by the Parties in multiple originals on this 8th day of December, 2015.

EAST PECOS SOLAR, LLC

By: Oscar Dalton *MD*
Authorized Representative

Name: Oscar Dalton

Title: Regional Director, US Project Development

IRAN SHEFFIELD INDEPENDENT SCHOOL DISTRICT

By: Margaret G. Holmes
MARGARET G. HOLMES
President
Board of Trustees

Attest:

By: Basilio Ramirez
BASILIO RAMIREZ
Secretary
Board of Trustees

TAB 13

Calculation of three possible wage requirements with supporting documentation

AVERAGE WEEKLY WAGES FOR ALL JOBS, ALL INDUSTRIES IN PECOS COUNTY
FOUR MOST RECENT QUARTERS

COUNTY	YEAR	QUARTER	Avg. Weekly Wage
Pecos	2014	Q3	\$909
Pecos	2014	Q2	\$851
Pecos	2014	Q1	\$957
Pecos	2013	Q4	\$855
SUM:			\$3,572
CALCULATION:			$\$3,572/4 = \893.00

AVERAGE WEEKLY WAGES FOR MANUFACTURING JOBS IN PECOS COUNTY
FOUR MOST RECENT QUARTERS

COUNTY	YEAR	QUARTER	Avg. Weekly Wage
Pecos	2014	Q3	\$716
Pecos	2014	Q2	\$655
Pecos	2014	Q1	\$661
Pecos	2013	Q4	\$561
SUM:			\$2,593
CALCULATION:			$\$2,565/4 = \$648.25 * 1.1 = \$713.08$

AVERAGE WEEKLY WAGES FOR MANUFACTURING JOBS IN THE PERMIAN BASIN REGION (WDA)
FOUR MOST RECENT QUARTERS

REGION / WDA	YEAR	Hourly/Annual	Avg. Weekly Wage
Permian Basin	2013	\$22.89/\$47,604	\$915.46
CALCULATION:			$\$915.46 * 1.1 = \$1,007.01$

Please refer to the attached TWC & Council of Governments documentation below.

Quarterly Employment and Wages (QCEW)

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D.PERIODYEAR

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Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2014	1st Qtr	Pecos County	Private	00	0	10	Total, All Industries	\$857
2014	2nd Qtr	Pecos County	Private	00	0	10	Total, All Industries	\$851
2014	3rd Qtr	Pecos County	Private	00	0	10	Total, All Industries	\$909
2013	1st Qtr	Pecos County	Private	00	0	10	Total, All Industries	\$873
2013	2nd Qtr	Pecos County	Private	00	0	10	Total, All Industries	\$844
2013	3rd Qtr	Pecos County	Private	00	0	10	Total, All Industries	\$799
2013	4th Qtr	Pecos County	Private	00	0	10	Total, All Industries	\$855

Quarterly Employment and Wages (QCEW)

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D.PERIODYEAR

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Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2014	1st Qtr	Pecos County	Private	31	2	31-33	Manufacturing	\$661
2014	2nd Qtr	Pecos County	Private	31	2	31-33	Manufacturing	\$655
2014	3rd Qtr	Pecos County	Private	31	2	31-33	Manufacturing	\$716
2013	1st Qtr	Pecos County	Private	31	2	31-33	Manufacturing	\$692
2013	2nd Qtr	Pecos County	Private	31	2	31-33	Manufacturing	\$571
2013	3rd Qtr	Pecos County	Private	31	2	31-33	Manufacturing	\$708
2013	4th Qtr	Pecos County	Private	31	2	31-33	Manufacturing	\$561

**2013 Manufacturing Wages by Council of Government Region
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
Texas	\$23.73	\$49,363
<u>1. Panhandle Regional Planning Commission</u>	\$20.43	\$42,499
<u>2. South Plains Association of Governments</u>	\$16.53	\$34,380
<u>3. NORTEX Regional Planning Commission</u>	\$19.15	\$39,838
<u>4. North Central Texas Council of Governments</u>	\$25.00	\$51,997
<u>5. Ark-Tex Council of Governments</u>	\$17.45	\$36,298
<u>6. East Texas Council of Governments</u>	\$19.50	\$40,565
<u>7. West Central Texas Council of Governments</u>	\$18.64	\$38,779
<u>8. Rio Grande Council of Governments</u>	\$16.27	\$33,848
<u>9. Permian Basin Regional Planning Commission</u>	\$22.89	\$47,604
<u>10. Concho Valley Council of Governments</u>	\$17.20	\$35,777
<u>11. Heart of Texas Council of Governments</u>	\$19.44	\$40,444
<u>12. Capital Area Council of Governments</u>	\$27.31	\$56,805
<u>13. Brazos Valley Council of Governments</u>	\$17.20	\$35,770
<u>14. Deep East Texas Council of Governments</u>	\$16.48	\$34,287
<u>15. South East Texas Regional Planning Commission</u>	\$29.09	\$60,501
<u>16. Houston-Galveston Area Council</u>	\$26.13	\$54,350
<u>17. Golden Crescent Regional Planning Commission</u>	\$22.23	\$46,242
<u>18. Alamo Area Council of Governments</u>	\$18.91	\$39,329
<u>19. South Texas Development Council</u>	\$13.94	\$28,990
<u>20. Coastal Bend Council of Governments</u>	\$23.78	\$49,454
<u>21. Lower Rio Grande Valley Development Council</u>	\$15.82	\$32,907
<u>22. Texoma Council of Governments</u>	\$20.93	\$43,529
<u>23. Central Texas Council of Governments</u>	\$17.33	\$36,042
<u>24. Middle Rio Grande Development Council</u>	\$19.07	\$39,666

Source: Texas Occupational Employment and Wages

Data published: July 2014

Data published annually, next update will be July 31, 2015

Note: Data is not supported by the Bureau of Labor Statistics (BLS).

Wage data is produced from Texas OES data, and is not to be compared to BLS estimates.

Data intended for TAC 313 purposes only.