



GLENN HEGAR TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

P.O. Box 13528 • Austin, TX 78711-3528

February 5, 2016

Johnny Clawson
Superintendent
Brady Independent School District
1003 West 11th Street
Brady, Texas 76825

Dear Superintendent Clawson:

On November 17, 2015, the Comptroller issued written notice that Rattlesnake Power, LLC (the applicant) submitted a completed application (Application #1101) for a limitation on appraised value under the provisions of Tax Code Chapter 313¹. This application was originally submitted on August 27, 2015, to the Brady Independent School District (the school district) by the applicant.

This presents the results of the Comptroller's review of the application and determinations required:

- 1) under Section 313.025(h) to determine if the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C; and
- 2) under Section 313.025(d), to issue a certificate for a limitation on appraised value of the property and provide the certificate to the governing body of the school district or provide the governing body a written explanation of the comptroller's decision not to issue a certificate, using the criteria set out in Section 313.026.

Determination required by 313.025(h)

Sec. 313.024(a)	Applicant is subject to tax imposed by Chapter 171.
Sec. 313.024(b)	Applicant is proposing to use the property for an eligible project.
Sec. 313.024(d)	Applicant has requested a waiver to create the required number of new qualifying jobs and pay all jobs created that are not qualifying jobs a wage that exceeds the county average weekly wage for all jobs in the county where the jobs are located.
Sec. 313.024(d-2)	Not applicable to Application #1101.

Based on the information provided by the applicant, the Comptroller has determined that the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C.

¹ All statutory references are to the Texas Tax Code, unless otherwise noted.

Certificate decision required by 313.025(d)

Determination required by 313.026(c)(1)

The Comptroller has determined that the project proposed by the applicant is reasonably likely to generate tax revenue in an amount sufficient to offset the school district 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. See Attachment B.

Determination required by 313.026(c)(2)

The Comptroller has determined that the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in this state. See Attachment C.

Based on these determinations, the Comptroller issues a certificate for a limitation on appraised value. This certificate is contingent on the school district's receipt and acceptance of the Texas Education Agency's determination per 313.025(b-1).

The Comptroller's review of the application assumes the accuracy and completeness of the statements in the application. If the application is approved by the school district, the applicant shall perform according to the provisions of the Texas Economic Development Act Agreement (Form 50-826) executed with the school district. The school district shall comply with and enforce the stipulations, provisions, terms, and conditions of the agreement, applicable Texas Administrative Code and Chapter 313, per TAC 9.1054(i)(3).

This certificate is no longer valid if the application is modified, the information presented in the application changes, or the limitation agreement does not conform to the application. Additionally, this certificate is contingent on the school district approving and executing the agreement within a year from the date of this letter.

Note that any building or improvement existing as of the application review start date of November 17, 2015, or any tangible personal property placed in service prior to that date may not become "Qualified Property" as defined by 313.021(2) and the Texas Administrative Code.

Should you have any questions, please contact Korry Castillo, Director, Data Analysis & Transparency, by email at korry.castillo@cpa.texas.gov or by phone at 1-800-531-5441, ext. 3-3806, or direct in Austin at 512-463-3806.

Sincerely,



Mike Reissig
Deputy Comptroller

Enclosure

cc: Korry Castillo

Attachment A – Economic Impact Analysis

The following tables summarize the Comptroller’s economic impact analysis of Rattlesnake Power, LLC (the project) applying to Brady Independent School District (the district), as required by Tax Code, 313.026 and Texas Administrative Code 9.1055(d)(2).

Table 1 is a summary of investment, employment and tax impact of Rattlesnake Power, LLC.

Applicant	Rattlesnake Power, LLC
Tax Code, 313.024 Eligibility Category	Renewable Energy – Wind
School District	Brady ISD
Estimated 2014-2015 Average Daily Attendance	1179
County	McCulloch
Proposed Total Investment in District	\$149,296,000
Proposed Qualified Investment	\$149,296,000
Limitation Amount	\$25,000,000
Number of new qualifying jobs committed to by applicant*	4
Number of new non-qualifying jobs estimated by applicant	0
Average weekly wage of qualifying jobs committed to by applicant	\$846
Minimum weekly wage required for each qualifying job by Tax Code, 313.021(5)	\$823
Minimum annual wage committed to by applicant for qualified jobs	\$44,000
Minimum weekly wage required for non-qualifying jobs	\$793
Minimum annual wage required for non-qualifying jobs	\$41,210
Investment per Qualifying Job	\$37,324,000
Estimated M&O levy without any limit (15 years)	\$17,774,815
Estimated M&O levy with Limitation (15 years)	\$7,364,637
Estimated gross M&O tax benefit (15 years)	\$10,410,178
* Applicant is requesting district to waive requirement to create minimum number of qualifying jobs pursuant to Tax Code, 313.025 (f-1).	

Table 2 is the estimated statewide economic impact of Rattlesnake Power, LLC (modeled).

Year	Employment			Personal Income		
	Direct	Indirect + Induced	Total	Direct	Indirect + Induced	Total
2016	160	157	317	\$6,005,440	\$13,853,705	\$19,859,145
2017	4	23	27	\$176,000	\$2,888,159	\$3,064,159
2018	4	17	21	\$176,000	\$2,373,031	\$2,549,031
2019	4	11	15	\$176,000	\$1,895,602	\$2,071,602
2020	4	9	13	\$176,000	\$1,581,094	\$1,757,094
2021	4	7	11	\$176,000	\$1,390,865	\$1,566,865
2022	4	7	11	\$176,000	\$1,291,221	\$1,467,221
2023	4	6	10	\$176,000	\$1,232,353	\$1,408,353
2024	4	7	11	\$176,000	\$1,212,456	\$1,388,456
2025	4	7	11	\$176,000	\$1,237,239	\$1,413,239
2026	4	7	11	\$176,000	\$1,277,339	\$1,453,339
2027	4	5	9	\$176,000	\$1,062,789	\$1,238,789
2028	4	5	9	\$176,000	\$975,015	\$1,151,015
2029	4	4	8	\$176,000	\$916,925	\$1,092,925
2030	4	4	8	\$176,000	\$882,790	\$1,058,790
2031	4	4	8	\$176,000	\$870,701	\$1,046,701

Source: CPA, REMI, Rattlesnake Power, LLC

Table 3 examines the estimated direct impact on ad valorem taxes to the region if all taxes are assessed.

Table 3 Estimated Direct Ad Valorem Taxes without property tax incentives										
Year	Estimated Taxable Value for I&S	Estimated Taxable Value for M&O	Tax Rate ¹	Brady ISD I&S Tax Levy	Brady ISD M&O Tax Levy	Brady ISD M&O and I&S Tax Levies	McCulloch County Tax Levy	Heart of Texas Memorial Hospital District	Hickory Underground Water Conservation District #1	Estimated Total Property Taxes
			0.3234	0.3234	1.04		0.4831	0.1223	0.035	
2017	\$149,296,000	\$149,296,000		\$482,764	\$1,552,678	\$2,035,442	\$721,292	\$182,520	\$52,254	\$2,991,508
2018	\$143,324,160	\$143,324,160		\$463,453	\$1,490,571	\$1,954,024	\$692,441	\$175,220	\$50,163	\$2,871,848
2019	\$137,591,194	\$137,591,194		\$444,915	\$1,430,948	\$1,875,863	\$664,743	\$168,211	\$48,157	\$2,756,974
2020	\$132,087,546	\$132,087,546		\$427,118	\$1,373,710	\$1,800,829	\$638,153	\$161,482	\$46,231	\$2,646,695
2021	\$126,804,044	\$126,804,044		\$410,034	\$1,318,762	\$1,728,796	\$612,627	\$155,023	\$44,381	\$2,540,827
2022	\$121,731,882	\$121,731,882		\$393,632	\$1,266,012	\$1,659,644	\$588,122	\$148,822	\$42,606	\$2,439,194
2023	\$116,862,607	\$116,862,607		\$377,887	\$1,215,371	\$1,593,258	\$564,597	\$142,869	\$40,902	\$2,341,626
2024	\$112,188,103	\$112,188,103		\$362,771	\$1,166,756	\$1,529,528	\$542,013	\$137,154	\$39,266	\$2,247,961
2025	\$107,700,579	\$107,700,579		\$348,261	\$1,120,086	\$1,468,347	\$520,333	\$131,668	\$37,695	\$2,158,043
2026	\$103,392,555	\$103,392,555		\$334,330	\$1,075,283	\$1,409,613	\$499,519	\$126,402	\$36,187	\$2,071,721
2027	\$99,256,853	\$99,256,853		\$320,957	\$1,032,271	\$1,353,228	\$479,539	\$121,345	\$34,740	\$1,988,852
2028	\$95,286,579	\$95,286,579		\$308,119	\$990,980	\$1,299,099	\$460,357	\$116,492	\$33,350	\$1,909,298
2029	\$91,475,116	\$91,475,116		\$295,794	\$951,341	\$1,247,135	\$441,943	\$111,832	\$32,016	\$1,832,926
2030	\$87,816,111	\$87,816,111		\$283,962	\$913,288	\$1,197,250	\$424,265	\$107,359	\$30,736	\$1,759,609
2031	\$84,303,467	\$84,303,467		\$272,604	\$876,756	\$1,149,360	\$407,294	\$103,064	\$29,506	\$1,689,225
			Total	\$5,526,600	\$17,774,815	\$23,301,415	\$8,257,239	\$2,089,464	\$598,191	\$34,246,308

Source: CPA, Rattlesnake Power, LLC

¹Tax Rate per \$100 Valuation

Table 4 examines the estimated direct impact on ad valorem taxes to the school district and McCulloch County, with all property tax incentives sought being granted using estimated market value from the application. The project has applied for a value limitation under Chapter 313, Tax Code and tax abatement with the county and the hospital district.

The difference noted in the last line is the difference between the totals in Table 3 and Table 4.

Table 4 Estimated Direct Ad Valorem Taxes with all property tax incentives sought										
Year	Estimated Taxable Value for I&S	Estimated Taxable Value for M&O	Tax Rate ¹	Brady ISD I&S Tax Levy	Brady ISD M&O Tax Levy	Brady ISD M&O and I&S Tax Levies	McCulloch County Tax Levy	Heart of Texas Memorial Hospital District	Hickory Underground Water Conservation District #1	Estimated Total Property Taxes
				0.3234	1.04		0.4831	0.1223	0.035	
2017	\$149,296,000	\$25,000,000		\$482,764	\$260,000	\$742,764	\$272,000	\$36,000	\$52,254	\$1,103,017
2018	\$143,324,160	\$25,000,000		\$463,453	\$260,000	\$723,453	\$272,000	\$36,000	\$50,163	\$1,081,616
2019	\$137,591,194	\$25,000,000		\$444,915	\$260,000	\$704,915	\$272,000	\$36,000	\$48,157	\$1,061,072
2020	\$132,087,546	\$25,000,000		\$427,118	\$260,000	\$687,118	\$272,000	\$36,000	\$46,231	\$1,041,349
2021	\$126,804,044	\$25,000,000		\$410,034	\$260,000	\$670,034	\$272,000	\$36,000	\$44,381	\$1,022,415
2022	\$121,731,882	\$25,000,000		\$393,632	\$260,000	\$653,632	\$272,000	\$36,000	\$42,606	\$1,004,238
2023	\$116,862,607	\$25,000,000		\$377,887	\$260,000	\$637,887	\$272,000	\$36,000	\$40,902	\$986,789
2024	\$112,188,103	\$25,000,000		\$362,771	\$260,000	\$622,771	\$272,000	\$36,000	\$39,266	\$970,037
2025	\$107,700,579	\$25,000,000		\$348,261	\$260,000	\$608,261	\$272,000	\$36,000	\$37,695	\$953,956
2026	\$103,392,555	\$25,000,000		\$334,330	\$260,000	\$594,330	\$272,000	\$36,000	\$36,187	\$938,518
2027	\$99,256,853	\$99,256,853		\$320,957	\$1,032,271	\$1,353,228	\$479,539	\$121,345	\$34,740	\$1,988,852
2028	\$95,286,579	\$95,286,579		\$308,119	\$990,980	\$1,299,099	\$460,357	\$116,492	\$33,350	\$1,909,298
2029	\$91,475,116	\$91,475,116		\$295,794	\$951,341	\$1,247,135	\$441,943	\$111,832	\$32,016	\$1,832,926
2030	\$87,816,111	\$87,816,111		\$283,962	\$913,288	\$1,197,250	\$424,265	\$107,359	\$30,736	\$1,759,609
2031	\$84,303,467	\$84,303,467		\$272,604	\$876,756	\$1,149,360	\$407,294	\$103,064	\$29,506	\$1,689,225
			Total	\$5,526,600	\$7,364,637	\$12,891,237	\$4,933,398	\$920,092	\$598,191	\$19,342,918
			Diff	\$0	\$10,410,178	\$10,410,178	\$3,323,841	\$1,169,371	\$0	\$14,903,390

Source: CPA, Rattlesnake Power, LLC

¹Tax Rate per \$100 Valuation

Disclaimer: This examination is based on information from the application submitted to the school district and forwarded to the comptroller. It is intended to meet the statutory requirement of Chapter 313 of the Tax Code and is not intended for any other purpose.

Attachment B – Tax Revenue over 25 Years

This represents the Comptroller’s determination that Rattlesnake Power, LLC (project) is reasonably likely to generate, before the 25th anniversary of the beginning of the limitation period, tax revenue in an amount sufficient to offset the school district maintenance and operations ad valorem tax revenue lost as a result of the agreement. This evaluation is based on an analysis of the estimated M&O portion of the school district property tax levy directly related to this project, using estimated taxable values provided in the application.

	Tax Year	Estimated ISD M&O Tax Levy Generated (Annual)	Estimated ISD M&O Tax Levy Generated (Cumulative)	Estimated ISD M&O Tax Levy Loss as Result of Agreement (Annual)	Estimated ISD M&O Tax Levy Loss as Result of Agreement (Cumulative)
Limitation Pre-Years	2014	\$0	\$0	\$0	\$0
	2015	\$0	\$0	\$0	\$0
	2016	\$0	\$0	\$0	\$0
Limitation Period (10 Years)	2017	\$260,000	\$260,000	\$1,292,678	\$1,292,678
	2018	\$260,000	\$520,000	\$1,230,571	\$2,523,250
	2019	\$260,000	\$780,000	\$1,170,948	\$3,694,198
	2020	\$260,000	\$1,040,000	\$1,113,710	\$4,807,909
	2021	\$260,000	\$1,300,000	\$1,058,762	\$5,866,671
	2022	\$260,000	\$1,560,000	\$1,006,012	\$6,872,682
	2023	\$260,000	\$1,820,000	\$955,371	\$7,828,053
	2024	\$260,000	\$2,080,000	\$906,756	\$8,734,810
	2025	\$260,000	\$2,340,000	\$860,086	\$9,594,896
	2026	\$260,000	\$2,600,000	\$815,283	\$10,410,178
Maintain Viable Presence (5 Years)	2027	\$1,032,271	\$3,632,271	\$0	\$10,410,178
	2028	\$990,980	\$4,623,252	\$0	\$10,410,178
	2029	\$951,341	\$5,574,593	\$0	\$10,410,178
	2030	\$913,288	\$6,487,880	\$0	\$10,410,178
	2031	\$876,756	\$7,364,637	\$0	\$10,410,178
Additional Years as Required by 313.026(c)(1) (10 Years)	2032	\$841,686	\$8,206,322	\$0	\$10,410,178
	2033	\$808,018	\$9,014,341	\$0	\$10,410,178
	2034	\$775,698	\$9,790,038	\$0	\$10,410,178
	2035	\$744,670	\$10,534,708	\$0	\$10,410,178
	2036	\$714,883	\$11,249,591	\$0	\$10,410,178
	2037	\$686,288	\$11,935,879	\$0	\$10,410,178
	2038	\$658,836	\$12,594,715	\$0	\$10,410,178
	2039	\$632,483	\$13,227,197	\$0	\$10,410,178
	2040	\$607,183	\$13,834,381	\$0	\$10,410,178
	2041	\$582,896	\$14,417,277	\$0	\$10,410,178

	\$14,417,277	is greater than	\$10,410,178
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Analysis Summary	
Is the project reasonably likely to generate tax revenue in an amount sufficient to offset the M&O levy loss as a result of the limitation agreement?	Yes

NOTE: The analysis above only takes into account this project’s estimated impact on the M&O portion of the school district property tax levy directly related to this project.

Source: CPA, Rattlesnake Power, LLC

Disclaimer: This examination is based on information from the application submitted to the school district and forwarded to the comptroller. It is intended to meet the statutory requirement of Chapter 313 of the Tax Code and is not intended for any other purpose.

Attachment C – Limitation as a Determining Factor

Tax Code 313.026 states that the Comptroller may not issue a certificate for a limitation on appraised value under this chapter for property described in an application unless the comptroller determines that “the limitation on appraised value is a determining factor in the applicant’s decision to invest capital and construct the project in this state.” This represents the basis for the Comptroller’s determination.

Methodology

Texas Administrative Code 9.1055(d) states the Comptroller shall review any information available to the Comptroller including:

- the application, including the responses to the questions in Section 8 (Limitation as a Determining Factor);
- public documents or statements by the applicant concerning business operations or site location issues or in which the applicant is a subject;
- statements by officials of the applicant, public documents or statements by governmental or industry officials concerning business operations or site location issues;
- existing investment and operations at or near the site or in the state that may impact the proposed project;
- announced real estate transactions, utility records, permit requests, industry publications or other sources that may provide information helpful in making the determination; and
- market information, raw materials or other production inputs, availability, existing facility locations, committed incentives, infrastructure issues, utility issues, location of buyers, nature of market, supply chains, other known sites under consideration.

Determination

The Comptroller has determined that the limitation on appraised value is a determining factor in the Rattlesnake Power, LLC’s decision to invest capital and construct the project in this state. This is based on information available, including information provided by the applicant. Specifically, the comptroller notes the following:

- Per the applicant, its parent company is an international solar and wind developer and can locate this type of projects in other states.
- Per the applicant, it is actively developing other projects throughout the US.
- Per the applicant, wholesale electricity price in Texas is below international average.
- Per the applicant, California has subsidies and higher power prices, making it an attractive alternative to Texas.
- Per the applicant, without Chapter 313 incentives, the lower return makes this project not financeable.
- In September, 2015, the McCulloch County Commissioners voted to approve a tax abatement agreement for this project. The County Judge stated the project would help diversify the County’s industrial base and improve the economic vitality of the County.
- Per the applicant, it has entered into certain leases and obtained certain permits, but none would obligate the company to construct the project.

Supporting Information

- a) Section 8 of the Application for a Limitation on Appraised Value
- b) Attachments provided in Tab 5 of the Application for a Limitation on Appraised Value

c) Additional information provided by the Applicant or located by the Comptroller

Disclaimer: This examination is based on information from the application submitted to the school district and forwarded to the comptroller. It is intended to meet the statutory requirement of Chapter 313 of the Tax Code and is not intended for any other purpose.

Supporting Information

**Section 8 of the Application for
a Limitation on Appraised Value**

SECTION 6: Eligibility Under Tax Code Chapter 313.024

1. Are you an entity subject to the tax under Tax Code, Chapter 171? Yes No
2. The property will be used for one of the following activities:
 - (1) manufacturing Yes No
 - (2) research and development Yes No
 - (3) a clean coal project, as defined by Section 5.001, Water Code Yes No
 - (4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code Yes No
 - (5) renewable energy electric generation Yes No
 - (6) electric power generation using integrated gasification combined cycle technology Yes No
 - (7) nuclear electric power generation Yes No
 - (8) a computer center that is used as an integral part or as a necessary auxiliary part for the activity conducted by applicant in one or more activities described by Subdivisions (1) through (7) Yes No
 - (9) a Texas Priority Project, as defined by 313.024(e)(7) and TAC 9.1051 Yes No
3. Are you requesting that any of the land be classified as qualified investment? Yes No
4. Will any of the proposed qualified investment be leased under a capitalized lease? Yes No
5. Will any of the proposed qualified investment be leased under an operating lease? Yes No
6. Are you including property that is owned by a person other than the applicant? Yes No
7. Will any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment? Yes No

SECTION 7: Project Description

1. In **Tab 4**, attach a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information.
2. Check the project characteristics that apply to the proposed project:

<input type="checkbox"/> Land has no existing improvements	<input checked="" type="checkbox"/> Land has existing improvements (<i>complete Section 13</i>)
<input type="checkbox"/> Expansion of existing operation on the land (<i>complete Section 13</i>)	<input type="checkbox"/> Relocation within Texas

SECTION 8: Limitation as Determining Factor

1. Does the applicant currently own the land on which the proposed project will occur? Yes No
2. Has the applicant entered into any agreements, contracts or letters of intent related to the proposed project? Yes No
3. Does the applicant have current business activities at the location where the proposed project will occur? Yes No
4. Has the applicant made public statements in SEC filings or other documents regarding its intentions regarding the proposed project location? Yes No
5. Has the applicant received any local or state permits for activities on the proposed project site? Yes No
6. Has the applicant received commitments for state or local incentives for activities at the proposed project site? Yes No
7. Is the applicant evaluating other locations not in Texas for the proposed project? Yes No
8. Has the applicant provided capital investment or return on investment information for the proposed project in comparison with other alternative investment opportunities? Yes No
9. Has the applicant provided information related to the applicant's inputs, transportation and markets for the proposed project? Yes No
10. Are you submitting information to assist in the determination as to whether the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in Texas? Yes No

Chapter 313.026(e) states "the applicant may submit information to the Comptroller that would provide a basis for an affirmative determination under Subsection (c)(2)." If you answered "yes" to any of the questions in Section 8, attach supporting information in Tab 5.

Supporting Information

**Attachments provided in Tab 5
of the Application for a
Limitation on Appraised Value**

TAB 5

Documentation to assist in determining if limitation is a determining factor

The applicant's parent company for this project is an international solar and wind developer with the ability to locate projects of this type in other counties and states in the US with strong wind characteristics. The applicant is actively developing other projects throughout the US. The applicant requires this appraised value limitation in order to move forward with constructing this project in Texas. Specifically, without the available tax incentives, the economics of the project become unappealing to investors and the likelihood of constructing the project in Texas becomes unlikely. Other places where Applicant is considering investing and developing projects include states that offer market incentives for generation resources like property tax incentives, including Tennessee, Colorado, North Carolina, Mississippi, Utah, New Mexico, California and Arizona.

Property taxes can be the highest operating expense for a wind generation facility as wind plants do not have any associated fuel costs for the production of electricity, and with Texas wholesale electricity prices already below the international average in Texas, it is necessary to limit the property tax liabilities for a wind project in order to be able to offer electricity at prices that are marketable to Texas customers at competitive rates, including power sales under a bi-lateral contract. Markets such as California that have state wide available subsidies for renewable energy projects, and which have higher average contracted power rates, offer an attractive incentive for developers to build projects in those markets over Texas.

The property tax liabilities of a project without tax incentives in Texas lowers the return to investors and financiers to an unacceptable level at today's contracted power rates under a power purchase agreement. As such, the applicant is not able to finance and build its project in Texas even with a signed power purchase agreement because of the low price in the power purchase agreement. Without the tax incentive, the applicant would be forced to abandon the project and spend its development capital and prospective investment funds in other states where the rate of return is higher on a project basis.

This is true even if the entity is able to contract with an off-taker under a power purchase agreement because the low rate contracted for is not financeable without the tax incentives. More specifically, a signed power purchase agreement in the Texas market is at a much lower rate than other states because of competitively low electricity prices. Other states have high electricity prices where a developer can obtain a PPA with a much higher contracted rate, combined with state subsidies, the other states offer a much higher rate of return for the project financiers. Without the tax incentives in Texas, a project with a power purchase agreement becomes non financeable.

COMPTROLLER QUERY RELATED TO TAX CODE CHAPTER 313.026(c)(2)
– Brady ISD – Rattlesnake Power, LLC App. #1101

Comptroller Question (via email on January 27, 2016):

On page 4, section 8, questions 2, 5 and 6 were marked as yes. Could you provide more details about these answers?

Applicant Response (via email on January 28, 2016):

Rattlesnake Power, LLC is in the feasibility period on deciding if/when it can develop its project at the McCulloch County site and local tax incentive agreements are critical to lenders and investors.

With regard to Section 8 question 2 on both the Lohn and Brady applications: Rattlesnake Power, LLC has entered into real estate leases with McCulloch County landowners that are typical for wind projects in Texas. They are renewable annually and do not contain any contractual commitment at this point to build or operate the project.

With regard to Section 8 question 5 on both the Lohn and Brady applications: Rattlesnake Power, LLC has obtain TXDOT crossing permits that would allow power lines to traverse certain state highways and has obtained road use and crossing permits from McCulloch County. None of these agreements has any penalty or exposure if the project is not constructed.

With regard to Section 8 question 6 on both the Lohn and Brady applications: Rattlesnake Power, LLC has entered into tax abatement agreements with McCulloch County and the McCulloch Hospital District. These agreement should not expose Rattlesnake Power, LLC to any penalty if the project were not built so long as no local property taxes have actually been abated.

Supporting Information

**Additional information
provided by the Applicant or
located by the Comptroller**



- Business Directory
- News
- Sports News
- Obituaries
- Making A Difference
- Local Events
- Trading Post
- KNEL Contests
- Trading on the Radio

Return to

9/14/2015 - Mason, McCulloch, Menard Commissioners
Courts Meet Monday - [Click here to print this information](#)



McCulloch County Approves Tax Abatement For Wind Project

McCulloch County Commissioners voted Monday morning to approve a tax abatement agreement for the Rattlesnake Energy wind power project being planned for the northwestern portions of the County.

In making the motion to approve the agreement, County Commission Brent Deeds said that there make be some negatives associated with the project, they are outweighed by the positive benefits to the County, the school districts, the Hickory Water District and the Hospital District. County Judge Danny Neal said the the project would help diversify the County's industrial base and improve the economic vitality of the County.

Voting to approve the agreement were Commissioner Deeds, Commissioner Jim Quinn and County Judge Neal. Commissioner Gene Edmiston voted against, with Commissioner Jim Ross abstaining.

Mason County Holds Tax Public Hearing

Mason Commissioners began Monday with a public hearing on the tax rate proposed for the County 2015-15.

Action items on the agenda, Commissioners approved a request by the Mason Study Club for use of the Courthouse yard, and a request by the Librarian to use Eckert Trust Funds for Old Yeller Day banners and historical re-enactors.

Commissioners will approved the Sheriff's fees, and discussed the Court bailiff, a 2016 ramp grant, the 2016 budget and the County burn ban now in effect.

Menard County Adopts Budget

First items on the agenda for Menard County Commissioners Monday was the adoption of the County's budget and tax rate for the next fiscal year.

Menard County's independent auditor presented the audit report for the County for the fiscal year that ended on Sept. 30th of 2014.

Commissioners also discussed the Sheriff's and Constable's fees for 2016, airport hangars, plats on West and Oak Ridge ranches and the Bois D'Arc bridge project.

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