

Chapter 313 Annual Eligibility Report Form

SECTION 1: Applicant and District Information

1. Tax year covered by this report: 2018

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.

2. Application number: 1134NOTE: You can find your application number and all agreement documents and reports on the website comptroller.texas.gov/economy/local/ch313/agreement-docs.php3. Name of school district: Petersburg ISD4. Name of project on original application (or short description of facility): Hale Wind5. Name of applicant on original application: Hale Wind Energy LLC6. Name the company entering into original agreement with district: Hale Wind Energy LLC7. Amount of limitation at time of application approval: \$20,000,000

8. 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.)

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SECTION 2: Current Agreement Information

1. Name of current agreement holder(s) Hale Petersburg Wind, LLC2. Complete mailing address of current agreement holder 2493 FM 37, Petersburg, TX 79250

3. Company contact person for agreement holder:

Anthony AragonManager

Name

Title

(806) 765-2863anthony.aragon@xcelenergy.com

Phone

Email

4. Texas franchise tax ID number of current agreement holder: 32062972370

5. If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity:

Name

Tax ID

6. If the authorized company representative (same as signatory for this form) is different from the contact person listed above, complete the following:

Pete MathiesonVP, Tax

Name

Title

414 Nicollet Mall, 4th Floor, Minneapolis, MN 55401

Complete Mailing Address

(612) 330-5919peter.d.mathieson@xcelenergy.com

Phone

Email

7. 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.)

<u>Hale Wind Energy assigned the entirety of the agreement to Hale Petersburg Wind, LLC and the Comptroller approved the assignment on April 13, 2018.</u>
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- 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 comptroller.texas.gov/economy/local/ch313/agreement-docs.php.

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? 16
- 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? \$ 40,900
- 5. What is the annual wage the applicant committed to pay for each of the qualifying jobs in the year covered by this report? \$ 40,900.00
- 6. 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? 0
- 6a. Of the qualifying job-holders last year, how many were employees of the approved applicant? 0
- 6b. Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? 0
- 6c. 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
- 7. Do the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3) and TAC 9.1051(30)? Yes No

NON-QUALIFYING JOBS

- 8. What is the number of non-qualifying jobs the applicant had on Dec. 31 of the year covered by this report? 512
- 9. What was the average wage you were paying for non-qualifying jobs on Dec. 31 of the year covered by this report? .. \$ 800.00
- 10. What is the county average weekly wage for non-qualifying jobs, as defined in TAC §9.1051? \$ 643.00

MISCELLANEOUS

- 11. 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
- 11a. If yes, attach supporting documentation to evidence that the requirements of §313.021(3)(F) were met.
- 12. 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
- 12a. 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? \$ 407,236,767.28
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? 0.00
2. Please describe your interest in the agreement and identify all the documents creating that interest.

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 →	<u>Peter Mathieson</u>	<u>VP Tax</u>
	<small>Print Name (Authorized Company Representative)</small>	<small>Title</small>
sign here →	<u>Pen Maurini</u>	<u>9/6/19</u>
	<small>Signature (Authorized Company Representative)</small>	<small>Date</small>
print here →	<u>Paul Simon</u>	<u>(612) 330-7810</u>
	<small>Print Name of Preparer (Person Who Completed the Form)</small>	<small>Phone</small>

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

by and between

PETERSBURG INDEPENDENT SCHOOL DISTRICT

and

HALE WIND ENERGY, LLC

(Texas Taxpayer ID #32057900931)

Comptroller Application #1134

Dated

November 17, 2016

on appraised value of the property described in the Application and provided the certificate to the District;

WHEREAS, the District's Board of Trustees, by resolution dated October 17, 2016, extended the statutory deadline by which the District must consider the Application until December 31, 2016, and the Comptroller was provided notice of such extension as set out under 34 TEXAS ADMIN. CODE Section 9.1054(d);

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 313.025 of the TEXAS TAX CODE;

WHEREAS, on November 17, 2016, 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 17, 2016, 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) the Applicant is eligible for the limitation on appraised value of the Applicant's Qualified Property; (iii) the project proposed by the Applicant is reasonably likely to generate tax revenue in an amount sufficient to offset the 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 the Applicant's decision to invest capital and construct the project in this State; and (v) this Agreement is in the best interest of the District and the State of Texas;

WAIVER
WHEREAS, on November 17, 2016, 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) the TEXAS TAX CODE;

WHEREAS, on October 28, 2016, 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;

WHEREAS, on November 17, 2016, 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 or, in the event the Board President and Secretary are unavailable or have disclosed a conflict of interest, the Board of Trustees has authorized John Gicante 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:



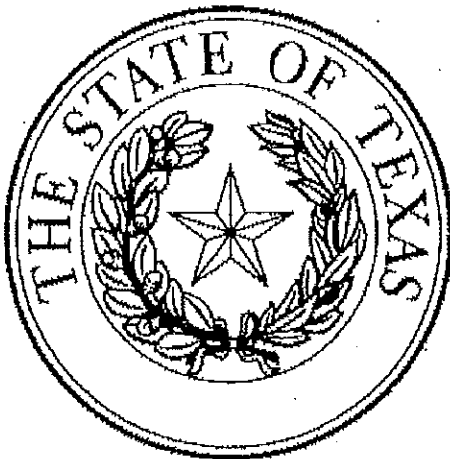
Office of the Secretary of State

Certificate of Fact

The undersigned, as Secretary of State of Texas, does hereby certify that the document, Application for Registration for Hale Petersburg Wind, LLC (file number 802658187), a DELAWARE, USA, Foreign Limited Liability Company (LLC), was filed in this office on February 23, 2017.

It is further certified that the entity status in Texas is in existence.

In testimony whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in Austin, Texas on August 27, 2019.



A handwritten signature in black ink, appearing to read "Ruth R. Hughes".

Ruth R. Hughes
Secretary of State

**HALE WIND ENERGY, LLC
TAB 13 TO CHAPTER 313 APPLICATION**

**HALE COUNTY
CHAPTER 313 WAGE CALCULATION - ALL JOBS - ALL INDUSTRIES**

QUARTER	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
FOURTH	2014	\$ 675	\$ 35,100
FIRST	2015	\$ 623	\$ 32,396
SECOND	2015	\$ 615	\$ 31,980
THIRD	2015	\$ 630	\$ 32,760
AVERAGE		\$ 636	\$ 33,059

**HALE COUNTY
CHAPTER 313 WAGE CALCULATION - MANUFACTURING JOBS**

QUARTER	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
FOURTH	2014	\$ 737	\$ 38,324
FIRST	2015	\$ 718	\$ 37,336
SECOND	2015	\$ 708	\$ 36,816
THIRD	2015	\$ 697	\$ 36,244
AVERAGE		\$ 715	\$ 37,180
X		110%	110%
		\$ 786.50	\$ 40,898.00

CHAPTER 313 WAGE CALCULATION - REGIONAL WAGE RATE

YEAR	AVG WEEKLY WAGES*	ANNUALIZED
2014	\$ 843	\$ 43,821
X	110%	110%
	\$ 927	\$ 48,203

* SEE ATTACHED TWC DOCUMENTATION

Quarterly Employment and Wages (QCEW)

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2014	4th Qtr	Hale County	Private	00	0	10	Total, All Industries	\$875
2015	1st Qtr	Hale County	Private	00	0	10	Total, All Industries	\$623
2015	2nd Qtr	Hale County	Private	00	0	10	Total, All Industries	\$815
2015	3rd Qtr	Hale County	Private	00	0	10	Total, All Industries	\$830

Quarterly Employment and Wages (QCEW)

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Year Period Area Ownership Division Level Ind Code Industry Avg Weekly Wages

2014	4th Qtr	Hale County	Private	31	2	31-33	Manufacturing	\$737
2015	1st Qtr	Hale County	Private	31	2	31-33	Manufacturing	\$718
2015	2nd Qtr	Hale County	Private	31	2	31-33	Manufacturing	\$708
2015	3rd Qtr	Hale County	Private	31	2	31-33	Manufacturing	\$697

**2014 Manufacturing Average Wages by Council of Government Region
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
Texas	\$24.18	\$50,305
<u>1. Panhandle Regional Planning Commission</u>	\$21.07	\$43,821
<u>2. South Plains Association of Governments</u>	\$16.75	\$34,834
<u>3. NORTEX Regional Planning Commission</u>	\$20.23	\$42,077
<u>4. North Central Texas Council of Governments</u>	\$25.32	\$52,672
<u>5. Ark-Tex Council of Governments</u>	\$17.80	\$37,017
<u>6. East Texas Council of Governments</u>	\$19.87	\$41,332
<u>7. West Central Texas Council of Governments</u>	\$19.41	\$40,365
<u>8. Rio Grande Council of Governments</u>	\$17.82	\$37,063
<u>9. Permian Basin Regional Planning Commission</u>	\$23.65	\$49,196
<u>10. Concho Valley Council of Governments</u>	\$18.70	\$38,886
<u>11. Heart of Texas Council of Governments</u>	\$20.98	\$43,636
<u>12. Capital Area Council of Governments</u>	\$28.34	\$58,937
<u>13. Brazos Valley Council of Governments</u>	\$17.57	\$36,547
<u>14. Deep East Texas Council of Governments</u>	\$17.76	\$36,939
<u>15. South East Texas Regional Planning Commission</u>	\$29.21	\$60,754
<u>16. Houston-Galveston Area Council</u>	\$26.21	\$54,524
<u>17. Golden Crescent Regional Planning Commission</u>	\$23.31	\$48,487
<u>18. Alamo Area Council of Governments</u>	\$19.46	\$40,477
<u>19. South Texas Development Council</u>	\$13.91	\$28,923
<u>20. Coastal Bend Council of Governments</u>	\$25.12	\$52,240
<u>21. Lower Rio Grande Valley Development Council</u>	\$16.25	\$33,808
<u>22. Texoma Council of Governments</u>	\$20.51	\$42,668
<u>23. Central Texas Council of Governments</u>	\$18.02	\$37,486
<u>24. Middle Rio Grande Development Council</u>	\$20.02	\$41,646

110% x \$43,821
= \$48,203

Source: Texas Occupational Employment and Wages

Data published: July 2015

Data published annually, next update will be July 31, 2016

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.