



**GLENN HEGAR** TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

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

November 18, 2016

Jim Haley  
Superintendent  
Pecos-Barstow-Toyah Independent School District  
1302 South Park Street  
Pecos, Texas 79772

Re: Application for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes by and between Pecos-Barstow-Toyah Independent School District and ETC Texas Pipeline, LTD, Application 1160

Dear Superintendent Haley:

On November 2, 2016, the Comptroller's office received from Pecos-Barstow-Toyah Independent School District (school district) an application from ETC Texas Pipeline, LTD for a limitation on appraised value. Pursuant to Texas Tax Code, Section 313.025(a), the Comptroller is authorized to prescribe the information necessary for an application.

When the Comptroller receives an application for limitation on appraised value, Texas Tax Code, Section 313.025(h) requires that the Comptroller determine whether the property meets the eligibility requirements of Texas Tax Code, Section 313.024. Additionally, no later than the 90th day after receiving the application, Texas Tax Code, Section 313.025(d) directs the Comptroller's office to issue a certificate for a limitation on the appraised value of the property, or provide the governing body of the school district with a written explanation of the comptroller's decision to not issue a certificate. The requirements to determine eligibility and to issue a certificate for a limitation do not begin until an application is complete as determined by this agency.

The Comptroller has reviewed the application and determined that it lacks the information required for an application. The information that is required to complete the application is identified in Attachment A. According to program rules, Texas Administrative Code, Section 9.1053(a)(1)(C), requested information shall be provided within 20 days of the date of the request. To expedite the review, please compile the necessary information and send it as a single submission to our office.

Should you have any questions, please contact Michelle Luera with our office. She can be reached by e-mail at [michelle.luera@cpa.texas.gov](mailto:michelle.luera@cpa.texas.gov) or by phone toll-free at 1-800-531-5441, ext. 3-6053, or at 512-463-6053.

Sincerely,

  
Will Counihan  
Director

Data Analysis & Transparency Division

Enclosure

cc: Sara Leon, Powell & Leon, LLP  
Megan McKavangh, Energy Transfer Partners, L.P.  
Mike Fry, KE Andrews



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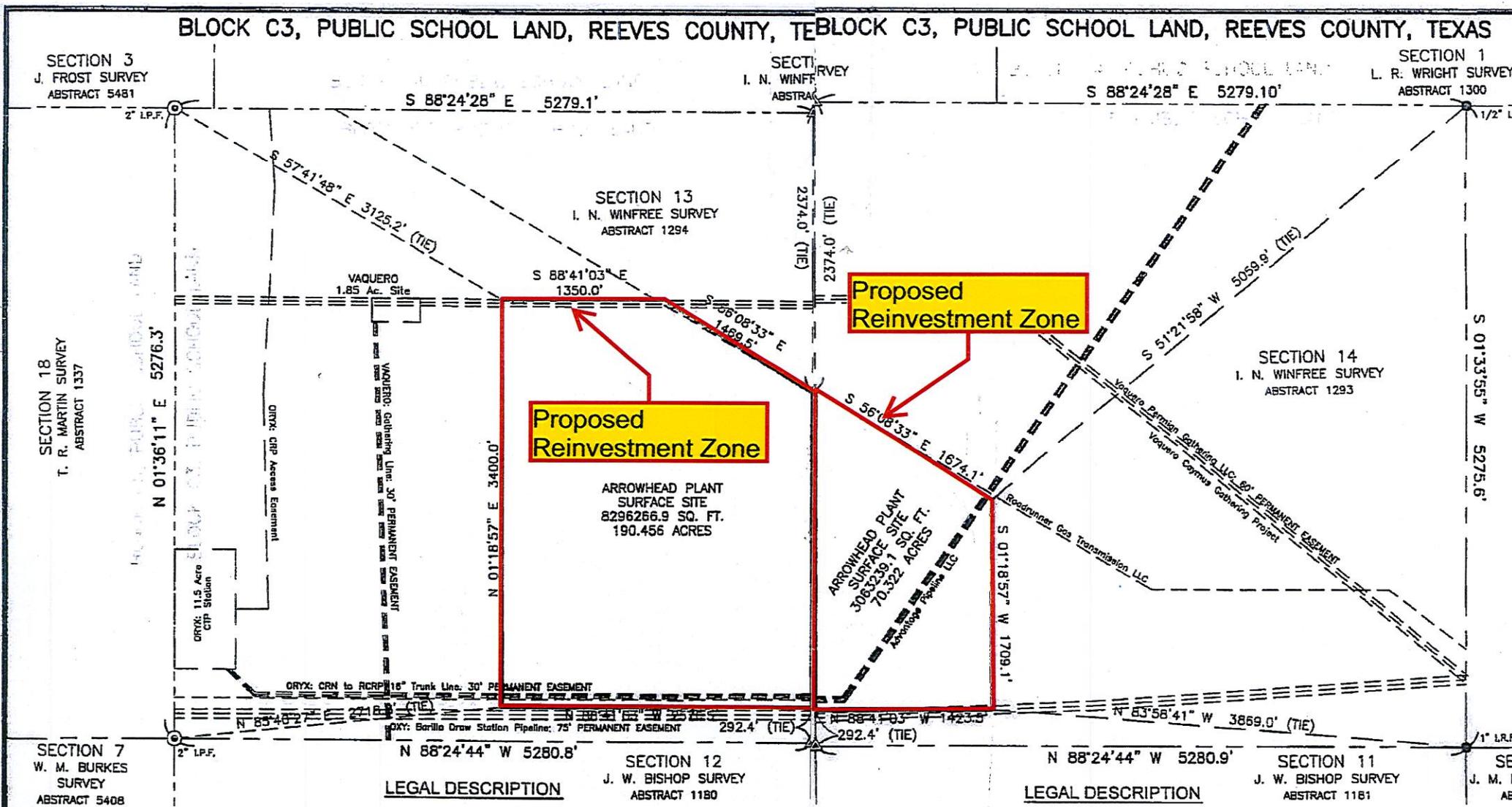
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**Attachment A**

- 1) Maps of the reinvestment zone in the application are inconsistent in shape and do not match up. When one compares the reinvestment zone map found in Tab 8 to the maps of the reinvestment zone found in Tab 9 they do not agree. The two maps in Tab 9 do not match up; furthermore they have different set of coordinates. Please submit accurate maps of the reinvestment zone. Attached exhibit A's in Tab 9 are meant to be viewed side by side with the western boundary of the 70.322ac being lined up with the eastern boundary of the 190.456ac tract. I have included a map reflecting both tracts properly aligned to show whole re-investment zone on one (1) map.
- 2) In Tax Year 2017 on Schedule C shows both construction FTEs and the number of local qualifying jobs working the same year. If this is correct please disregard this request. If not please submit a revised Schedule C. If built, the plant construction would start in April of 2017. If all goes according to plan, COD would take place August of 2017. Therefore, the inclusion of construction FTE's and local FTE's for same year is correct.

Note: This letter is not a final list of application deficiencies. Revisions made to address the concerns above may require the revision of other portions of the application, such as Schedules A1, A2, B, C, and D.

BLOCK C3, PUBLIC SCHOOL LAND, REEVES COUNTY, TEXAS



**LEGAL DESCRIPTION**

SURFACE SITE SURVEY LOCATED IN SECTION 13, BLOCK C3, PUBLIC SCHOOL LAND, REEVES COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SURFACE SITE, IN THE EAST LINE OF SECTION 13, WHICH BEARS NORTH 01° 35' 03" EAST, A DISTANCE OF 292.4 FEET, FROM THE SOUTHEAST CORNER OF SECTION 13,

THENCE NORTH 88° 41' 03" WEST, A DISTANCE OF 2576.6 FEET, TO THE SOUTHWEST CORNER OF THE SURFACE SITE, WHICH BEARS NORTH 01° 35' 03" EAST, A DISTANCE OF 2718.8 FEET FROM THE SOUTHWEST CORNER OF SECTION 13, THENCE NORTH 01° 18' 57" EAST, A DISTANCE OF 3400.0 FEET, TO THE NORTHWEST CORNER OF THE SURFACE SITE, WHICH BEARS SOUTH 57° 41' 48" EAST, A DISTANCE OF 3125.2 FEET, FROM THE NORTHWEST CORNER OF SECTION 13, THENCE SOUTH 57° 41' 48" EAST, A DISTANCE OF 1350.0 FEET, TO A NORTHERLY CORNER OF THE SURFACE SITE, THENCE SOUTH 56° 08' 33" EAST, A DISTANCE OF 1674.1 FEET, TO THE NORTHEAST CORNER OF THE SURFACE SITE, IN THE EAST LINE OF SECTION 13, WHICH BEARS SOUTH 01° 35' 03" WEST, ALONG THE WEST LINE OF SECTION 14, WHICH BEARS NORTH 01° 35' 03" EAST, ALONG THE WEST LINE OF SECTION 14, A DISTANCE OF 2609.6 FEET, TO THE NORTHWEST CORNER OF THE SURFACE SITE, WHICH BEARS SOUTH 51° 21' 58" WEST, A DISTANCE OF 5059.9 FEET, TO THE SOUTHWEST CORNER OF SECTION 14, A DISTANCE OF 2374.0 FEET, FROM THE SOUTHWEST CORNER OF SECTION 14,

THENCE SOUTH 01° 35' 03" WEST, ALONG THE EAST LINE OF SECTION 13, A DISTANCE OF 2609.6 FEET TO THE POINT OF BEGINNING, AND THE END OF THIS SURVEY,

CAUTIONARY NOTE: LINE CROSSINGS AND OTHER FEATURES HEREON WERE LOCATED BY VISUAL INSPECTION ONLY.

# Application for Appraised Value Limitation on Qualified Property

## SECTION 16: Authorized Signatures and Applicant Certification

After the application and schedules are complete, an authorized representative from the school district and the business should review the application documents and complete this authorization page. Attach the completed authorization page in Tab 17. NOTE: If you amend your application, you will need to obtain new signatures and resubmit this page, Section 16, with the amendment request.

### 1. Authorized School District Representative Signature

I am the authorized representative for the school district to which this application is being submitted. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code.

print here Jim Haley Print Name (Authorized School District Representative) Title Superintendent  
 sign here Jim Haley Signature (Authorized School District Representative) Date 11/28/16

### 2. Authorized Company Representative (Applicant) Signature and Notarization

I am the authorized representative for the business entity for the purpose of filing this application. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code. The information contained in this application and schedules is true and correct to the best of my knowledge and belief.

I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

print here Megan McKavanagh Print Name (Authorized Company Representative (Applicant)) Title Sr. Manager Property Tax  
 sign here Megan McKavanagh Signature (Authorized Company Representative (Applicant)) Date 11/22/2016

GIVEN under my hand and seal of office this, the

22<sup>nd</sup> day of November, 2016

Sharon Clark  
 Notary Public in and for the State of Texas

My Commission expires: April 3, 2017



(Notary Seal)

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.