1167-schleicher-liveoak-amendment001

Application for Appraised Value Limitation on Qualified Property



S	SECTION 9: Projected Timeline
1.	Application approval by school board
	Commencement of construction
3.	Beginning of qualifying time period
4.	First year of limitation
5.	Begin hiring new employees
6.	Commencement of commercial operations
7.	Do you propose to construct a new building or to erect or affix a new improvement after your application review start date (date your application is finally determined to be complete)? Yes No
	Note: Improvements made before that time may not be considered qualified property.
8.	When do you anticipate the new buildings or improvements will be placed in service?
S	ECTION 10: The Property
1	Identify county or counties in which the proposed project will be located
	Identify Central Appraisal District (CAD) that will be responsible for appraising the property
3.	Will this CAD be acting on behalf of another CAD to appraise this property? Yes
4.	List all taxing entities that have jurisdiction for the property, the portion of project within each entity and tax rates for each entity:
	County: City: (Name, tax rate and percent of project) (Name, tax rate and percent of project)
	Hospital District: Water District: (Name, tax rate and percent of project) (Name, tax rate and percent of project)
	Other (describe): Other (describe):
	(Name, tax rate and percent of project) (Name, tax rate and percent of project)
5.	Is the project located entirely within the ISD listed in Section 1?
^	5a. If no, attach in Tab 6 additional information on the project scope and size to assist in the economic analysis.
о.	Did you receive a determination from the Texas Economic Development and Tourism Office that this proposed project and at least one other project seeking a limitation agreement constitute a single unified project (SUP), as allowed in §313.024(d-2)? Yes No
	6a. If yes, attach in Tab 6 supporting documentation from the Office of the Governor.
S	SECTION 11: Investment
tio	OTE: The minimum amount of qualified investment required to qualify for an appraised value limitation and the minimum amount of appraised value limitation vary depending on whether the school district is classified as Subchapter B or Subchapter C, and the taxable value of the property within the school strict. For assistance in determining estimates of these minimums, access the Comptroller's website at www.texasahead.org/tax_programs/chapter313/.
1.	At the time of application, what is the estimated minimum qualified investment required for this school district?
2.	What is the amount of appraised value limitation for which you are applying?
	Note: The property value limitation amount is based on property values available at the time of application and may change prior to the execution of any final agreement.
3.	Does the qualified investment meet the requirements of Tax Code §313.021(1)? Yes No
4.	Attach a description of the qualified investment [See §313.021(1).] The description must include: a. a specific and detailed description of the qualified investment you propose to make on the property for which you are requesting an appraised value limitation as defined by Tax Code §313.021 (Tab 7); b. a description of any new buildings, proposed new improvements or personal property which you intend to include as part of your minimum qualified investment (Tab 7); and
	c. a detailed map of the qualified investment showing location of tangible personal property to be placed in service during the qualifying time period and buildings to be constructed during the qualifying time period, with vicinity map (Tab 11).
5.	Do you intend to make at least the minimum qualified investment required by Tax Code §313.023 (or §313.053 for Subchapter C school districts) for the relevant school district category during the qualifying time period?



February 10, 2017 Application for Appraised Value Limitation on Qualified Property

SECTION 12: Qualified Property

1.	Attach a detailed description of the qualified property. [See §313.021(2)] (If qualified investment describes qualified property exactly, you may skip items
	a, b and c below.) The description must include:
	1a a specific and detailed description of the qualified property for which you are requesting an appraised value limitation as defined by Tay Code

 a specific and detailed description of the qualified property for which you are requesting an appraised value limitation as defined by Tax Codi §313.021 (Tab 8);

	1b.		scription of any new buildings, proposed new improvements or personal property which you intend to include as part of your qualified prop- (Tab 8); and
	1c.	a ma	up of the qualified property showing location of new buildings or new improvements with vicinity map (Tab 11).
2.			pon which the new buildings or new improvements will be built part of the qualified property described by (A)?
	2a.	If yes	s, attach complete documentation including:
		a.	legal description of the land (Tab 9);
		b.	each existing appraisal parcel number of the land on which the new improvements will be constructed, regardless of whether or not all of the land described in the current parcel will become qualified property (Tab 9);
		c.	owner (Tab 9);
		d.	the current taxable value of the land. Attach estimate if land is part of larger parcel (Tab 9); and
		e.	a detailed map showing the location of the land with vicinity map (Tab 11).
3.			on which you propose new construction or new improvements currently located in an area designated as a t zone under Tax Code Chapter 311 or 312 or as an enterprise zone under Government Code Chapter 2303? Yes No
	3a.	If ye	s, attach the applicable supporting documentation:
		a.	evidence that the area qualifies as a enterprise zone as defined by the Governor's Office (Tab 16);
		b.	legal description of reinvestment zone (Tab 16);
		c.	order, resolution or ordinance establishing the reinvestment zone (Tab 16);
		d.	guidelines and criteria for creating the zone (Tab 16); and
		e.	a map of the reinvestment zone or enterprise zone boundaries with vicinity map (Tab 11)
	3b.		submit detailed description of proposed reinvestment zone or enterprise zone with a map indicating coundaries of the zone on which you propose new construction or new improvements to the Comptroller's

SECTION 13: Information on Property Not Eligible to Become Qualified Property

1. In **Tab 10**, attach a specific and detailed description of all **existing property**. This includes buildings and improvements existing as of the application review start date (the date the application is determined to be complete by the Comptroller). The description must provide sufficient detail to locate all existing property on the land that will be subject to the agreement and distinguish existing property from future proposed property.

office within 30 days of the application date. What is the anticipated date on which you will submit final proof of a reinvestment zone or enterprise zone?

- 2. In **Tab 10**, attach a specific and detailed description of all **proposed new property that will not become new improvements** as defined by TAC 9.1051. This includes proposed property that: functionally replaces existing or demolished/removed property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property; or is otherwise ineligible to become qualified property. The description must provide sufficient detail to distinguish existing property (question 1) and all proposed new property that cannot become qualified property from proposed qualified property that will be subject to the agreement (as described in Section 12 of this application).
- 3. For the property not eligible to become qualified property listed in response to questions 1 and 2 of this section, provide the following supporting information in **Tab 10**:
 - a. maps and/or detailed site plan;
 - b. surveys;
 - c. appraisal district values and parcel numbers;
 - d. inventory lists;
 - e. existing and proposed property lists;
 - f. model and serial numbers of existing property; or
 - g. other information of sufficient detail and description.

4.	Total estimated market value of existing property (that property described in response to question 1): \$_	

In Tab 10, include an appraisal value by the CAD of all the buildings and improvements existing as of a date within 15 days of the date the application is received by the school district.

6.	Total estimated market value of proposed property not eligible to become qualified property	
	(that property described in response to question 2):	

Note: Investment for the property listed in question 2 may count towards qualified investment in Column C of Schedules A-1 and A-2, if it meets the requirements of 313.021(1). Such property cannot become qualified property on Schedule B.

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February 10, 2017 Application for Appraised Value Limitation on Qualified Property



S	ECTION 14: Wage and Employment Information					
1.	What is the estimated number of permanent jobs (more than 1,600 hours a year), with the applicant or a contractor of the applicant, on the proposed qualified property during the last complete quarter before the application review start date (date your application is finally determined to be complete)?					
2.	What is the last complete calendar quarter before application review start date:					
	First Quarter Second Quarter Third Quarter Fourth Quarter of					
3.	What were the number of permanent jobs (more than 1,600 hours a year) this applicant had in Texas during the most recent quarter reported to the Texas Workforce Commission (TWC)?					
	Note: For job definitions see TAC §9.1051 and Tax Code §313.021(3).					
4.	What is the number of new qualifying jobs you are committing to create?					
5.	What is the number of new non-qualifying jobs you are estimating you will create?					
6.	Do you intend to request that the governing body waive the minimum new qualifying job creation requirement, as provided under Tax Code §313.025(f-1)?					
	6a. If yes, attach evidence in Tab 12 documenting that the new qualifying job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards.					
7.	Attach in Tab 13 the four most recent quarters of data for each wage calculation below, including documentation from the TWC website. The final actual statutory minimum annual wage requirement for the applicant for each qualifying job — which may differ slightly from this estimate — will be based on information from the four quarterly periods for which data were available at the time of the application review start date (date of a completed application) See TAC §9.1051(21) and (22).					
	a. Average weekly wage for all jobs (all industries) in the county is					
	b. 110% of the average weekly wage for manufacturing jobs in the county is					
	c. 110% of the average weekly wage for manufacturing jobs in the region is					
8.	Which Tax Code section are you using to estimate the qualifying job wage standard required for this project?					
9.	What is the minimum required annual wage for each qualifying job based on the qualified property?					
10.	What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property?					
11.	Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? Yes No					
12	Do you intend to satisfy the minimum qualifying job requirement through a determination of cumulative economic benefits to the state as provided by §313.021(3)(F)?					
	12a. If yes, attach in Tab 12 supporting documentation from the TWC, pursuant to §313.021(3)(F).					
13.	Do you intend to rely on the project being part of a single unified project, as allowed in §313.024(d-2), in meeting the qualifying job requirements?					
	13a. If yes, attach in Tab 6 supporting documentation including a list of qualifying jobs in the other school district(s).					
S	ECTION 15: Economic Impact					

- Complete and attach Schedules A1, A2, B, C, and D in Tab 14. Note: Excel spreadsheet versions of schedules are available for download and printing at URL listed below.
- 2. Attach an Economic Impact Analysis, if supplied by other than the Comptroller's Office, in Tab 15. (not required)
- 3. If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, attach a separate schedule showing the amount for each year affected, including an explanation, in Tab 15.



Tab 6

Description of how project is located in more than one district, including list of percentages in each district and if determined to be a single unified project, documentation from the Office of the Governor (if applicable)

1.	Schleicher County	100%
2.	Schleicher County Hospital District	100%
3.	Schleicher County ISD	100%
4.	Plateau Water District	100%

DUFF&PHELPS

Live Oak Wind Project Live Oak Wind Project Schleicher County ISD Limitation of Value Application

Tab 7

Description of qualified investment

The proposed Investment is anticipated to have a total capacity of approximately 200 megawatts ("MW"), all of which will be located in Schleicher County Independent School District. Turbine selection is ongoing at this time and has not been finalized. The exact number of wind turbines and size of each turbine will vary depending upon the wind turbines selected, manufacturer's availability and prices, ongoing wind studies and the final megawatt generating capacity of the Project when completed. Current plans are to install 2.3 MW General Electric turbines with an estimated 87 turbines located in Schleicher ISD. Live Oak Wind Project is also constructing approximately 4 miles of generation transmission tie line in Schleicher ISD and Schleicher County. Live Oak Wind requests a value limitation for all materials and equipment installed for the Project, including but not limited to:

- 1. Wind turbines
- 2. Turbine transformers (pad-mounts)
- 3. Electrical substations
- 4. Generation transmission tie line
- 5. Associated towers
- 6. Operations & maintenance building
- 7. Personal property
- 8. Interconnection facilities.

Construction of the Project is anticipated to begin in the first quarter of 2018 with completion by December 31, 2018.

DUFF&PHELPS

Live Oak Wind Project Live Oak Wind Project Schleicher County ISD Limitation of Value Application

Tab 8

Description of qualified property

See Tab 7, qualified property description matches qualified investment.

DUFF&PHELPS

Live Oak Wind Project Live Oak Wind Project Schleicher County ISD Limitation of Value Application

Tab 10

Description of Property not Eligible to become Qualified Property

Live Oak Wind currently has six temporary meteorological tower on site for ongoing wind studies and monitoring. These towers will be removed upon completion of the project. The estimated value of these towers is less than \$100,000.

The Big Hill Substation is owned by LCRA Transmission Service Corporation and is not included as part of the Live Oak Wind project.



Tab 13 Calculation of three possible wage requirements with available TWC documentation

	Quarterly Employment and Wages - Schleicher County								
Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	_	Weekly Vages
2015	4th Qtr	Schleicher County	Private	0	0	10	Total, All Industries	\$	945
2016	1st Qtr	Schleicher County	Private	0	0	10	Total, All Industries	\$	1,001
2016	2nd Qtr	Schleicher County	Private	0	0	10	Total, All Industries	\$	794
2016	3rd Qtr	Schleicher County	Private	0	0	10	Total, All Industries	\$	877
TOTAL						\$	904.25		
Average County Total, All Industries Wage							\$	47,021	
Requisite Wage (110% of Avg County Total, All Industries Wage)						\$	51,723		

	Quarterly Employment and Wages - Schleicher County							
Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2015	4th Qtr	Schleicher County	Private	31	2	31-33	Manufacturing	
2016	1st Qtr	Schleicher County	Private	31	2	31-33	Manufacturing	
2016	2nd Qtr	Schleicher County	Private	31	2	31-33	Manufacturing	
2016	3rd Qtr	Schleicher County	Private	31	2	31-33	Manufacturing	
TOTAL	TOTAL							
Average County Manufacturing Wage							\$ -	
Requisite Wage (110% of Avg County Mfg Wage)							\$ -	

Texas Workforce Commission has no data for Manufacturing jobs within Schleicher County

2015 Manufacturing Wages by Council of Government Region Wages for All Occupations - Schleicher County				
COG	Wages			
COG	Hourly		Annual	
Concho Valley Council of Governments	\$ 18.80	\$	39,106	
Requisite Wage (110% of COG Mfg Wage)		\$	43,017	



Tab 17

Signature and Certification Page

See Attached.



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	Robert Gibson	Superintendent
	Print Name (Authorized School District Representative)	Title
sign here	1976.	2-9-17
	Signature (Authorized School District Representative)	Date

2. Authorized Company Representative (Applicant) Signature and Notarization

I am the authorized representative for the business entity for the purpose of filling 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	Derek M. Harding Print Name (Authorized Company Representative (Applicant))	
sign here	Signature (Authorized Company Representative (Applicant))	Date 2/8/17
	See a Hached	GIVEN under my hand and seal of office this, the
		day of
		Notary Public in and for the State of Texas
	(Notary Seal)	My Commission expires:

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certific document to which this certificate is attached, and not	cate verifies only the identity of the individual who signed the the truthfulness, accuracy, or validity of that document.
State of California County of Santa Barbara On 2/3/2017 before me, Date personally appeared	Atherine A Dowling, Notary Public, Here Insert Name and Title of the Officer arding Name(s) of Signer(s)
subscribed to the within instrument and acknow	/ evidence to be the person(s) whose name(s) is/are vledged to me that he/she/they executed the same in nis/her/their signature(s) on the instrument the person(s), cted, executed the instrument.
KATHERINE A. DOWLING Notary Public - California Santa Barbara County Commission # 2166825 My Comm. Expires Nov 1, 2020	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal. Signature Signature of Notary Public
Place Notary Seal Above	
Though this section is optional, completing this	TIONAL information can deter alteration of the document or sometimes form to an unintended document.
Title or Type of Document:	Document Date:
	n Named Above:
Capacity(ies) Claimed by Signer(s) Signer's Name: Corporate Officer — Title(s): Partner — Limited General Individual Attorney in Fact Trustee Guardian or Conservator Other: Signer Is Representing:	☐ Partner — ☐ Limited ☐ General ☐ Individual ☐ Attorney in Fact ☐ Trustee ☐ Guardian or Conservator ☐ Other:

Tab 10

Description of Property not Eligible to become Qualified Property

Live Oak Wind currently has six temporary meteorological tower on site for ongoing wind studies and monitoring. These towers will be removed upon completion of the project. The estimated value of these towers is \$55,000.

The Big Hill Substation is owned by LCRA Transmission Service Corporation and is not included as part of the Live Oak Wind project.

Date 11/14/2016

Applicant Name

Form 50-296A **Live Oak Wind Project, LLC**

Revised May 2014

ISD Name **Schleicher County**

	PROPERTY INVESTMENT AMOUNTS										
(Estimated Investment in each year. Do not put cumulative totals.)											
	1		·	Column A	Column B	Column C	Column D	Column E			
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	New investment (original cost) in tangible personal property placed in service during this year that will become Qualified Property	New investment made during this year in buildings or permanent nonremovable components of buildings that will become Qualified Property	Other new investment made during this year that will <u>not</u> become Qualified Property [SEE NOTE]	Other new investment made during this year that may become Qualified Property [SEE NOTE]	Total Investment (Sum of Columns A+B+C+D)			
Investment made before filing complete application with district		Year preceding the first complete	2016	Not eligible to becor	me Qualified Property		100,000.00	100,000.00			
Investment made after filing complete application with district, but before final board approval of application		tax year of the qualifying time period (assuming no deferrals of		\$ -	\$ -	\$ -	\$	-			
Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period		qualifying time period)	2017	\$ -	\$ -	\$ -	\$	-			
Complete tax years of qualifying time period	QTP1	2018-2019	2018	\$ 284,000,000	\$ 650,000	\$ -	\$	284,650,000			
	QTP2	2019-2020	2019			\$ -	\$	-			
Total Investment through Qualifying Time Period [ENTER this row in Schedule A2]											
			\$ 284,000,000		\$	100,000.00 ψ					
					Ent	er amounts from TOTAL fow above in Schedul	t AL				
Total Qualified Investment (sum of green cells)											

For All Columns: List amount invested each year, not cumulative totals.

Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application. Only tangible personal property that is specifically described in the application can become qualified property.

284,650,000

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.

Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that will not become qualified property include investment that will not creating a new improvement as defined by TAC 9.1051. This is proposed property that functionally replaces existing property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property—described in SECTION 13, question #5 of the application.

Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.

Total Investment: Add together each cell in a column and enter the sum in the blue total investment row. Enter the data from this row into the first row in Schedule A2.

Qualified Investment: For the green qualified investment cell, enter the sum of all the green-shaded cells.

Date 11/14/2016

Form 50-296A **Applicant Name** Live Oak Wind Project, LLC

Schleicher County

Revised May 2014 **ISD Name**

				PROPERTY IN	VESTMENT AMOUNTS					
				(Estimated Investment in eac	h year. Do not put cumulative totals.)					
		T		Column A	Column B	Column C	Column D	Column E		
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	New investment (original cost) in tangible personal property placed in service during this year that will become Qualified Property	Qualified Property	NOTE]	will become Qualified Property (SEE NOTE)	Total Investment (A+B+C+D)		
Total lavoration and finance Only a divide Ad*		TOTAL C FROM	M COLIEDIU E AA	Enter amounts from TOTAL row in Schedule A1 in the row below						
Total Investment from Schedule A1*		TOTALS FROM	M SCHEDULE A1	\$ 284,000,000	\$ 650,000) \$ -	\$ 100,000 \$	284,750,000		
	0	2016-2017	2016	\$ -	\$ -	\$ -	\$ - \$	<u>-</u>		
Each year prior to start of value limitation period** Insert as many rows as necessary	0	2017-2018	2017	\$ -	\$ -	\$ -	\$ - \$	<u>-</u>		
	0	2018-2019	2018	\$ 284,000,000	\$ 650,000	\$ -	\$ - \$	284,650,000		
	1	2019-2020	2019	-	\$ -	-	- \$	-		
	2	2020-2021	2020	\$ -	\$ -	\$ -	\$ - \$	-		
	3	2021-2022	2021	-	\$ -	\$ -	s - s	-		
	4	2022-2023	2022	-	\$ -	\$ -	\$ - \$	-		
	5	2023-2024	2023	\$ -	\$ -	\$ -	\$ - \$	-		
Value limitation period***	6	2024-2025	2024	\$ -	\$ -	\$ -	\$ - \$	_		
	7	2025-2026	2025	\$ -	\$ -	\$ -	\$ - \$			
	8	2026-2027	2026	\$ -	\$ -	\$ -	s - s	-		
	9	2027-2028	2027	\$ -	\$ -	\$ -	s - s	-		
	10	2028-2029	2028	\$ -	\$ -	\$ -	\$ - \$	-		
	Tot	al Investment mad	e through limitation	\$ 284,000,000	\$ 650,000	\$ -	\$ - \$	284,650,000		
	11	2029-2030	2029			\$ -	\$	-		
	12	2030-2031	2030			\$ -	\$	-		
Continue to maintain viable presence	13	2031-2032	2031			\$ -	\$	-		
	14	2032-2033	2032			\$ -		-		
	15	2033-2034	2033			\$ -	<u> </u>	-		
	16	2034-2035	2034			\$ -		-		
	17	2035-2036	2035			\$ -	\$	-		
	18	2036-2037	2036			\$ -	\$	-		
	19	2037-2038	2037			\$ -	\$	<u>-</u>		
Additional years for 25 year economic impact as required by	20	2038-2039	2038			\$ -	\$	<u>-</u>		
313.026(c)(1)	21	2039-2040	2039			-	\$	-		
	22	2040-2041	2040			\$ -	\$	-		
	23	2041-2042	2041			-	\$	-		
	25	2042-2043	2042			-	\$	-		
				up have and incorporated into this schodule		\$ -	\$	<u>-</u>		

^{*} All investments made through the qualifying time period are captured and totaled on Schedule A1 [blue box] and incorporated into this schedule in the first row.

^{**} Only investment made during deferrals of the start of the limitation (after the end of qualifying time period or the qualif time period overlaps the limitation, no investment should be included on this line.

^{***} If your qualifying time period will overlap your value limitation period, do not also include investment made during the qualifying time period, depending on the overlap. Only include investments/years that were **not** captured on Schedule A1. For All Columns: List amount invested each year, not cumulative totals. Only include investments in the remaining rows of Schedule A2 that were not captured on Schedule A1.

Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application. Only tangible personal property that is specifically described in the application can become qualified property.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.

Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that will not become qualified property include investment meeting the definition of 313.021(1) but not creating a new improvement as defined by TAC 9.1051. This is proposed property that functionally replaces existing property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property.

Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.