

Chapter 313 Annual Eligibility Report Form

SECTION 1: Applicant and District Information

1. Tax year covered by this report: 2016**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: 1167**NOTE:** 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: Schleicher Independent School District

4. Name of project on original application (or short description of facility): _____

5. Name of applicant on original application: Live Oak Wind Project, LLC6. Name the company entering into original agreement with district: Live Oak Wind Project, 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.)

N/A

SECTION 2: Current Agreement Information

1. Name of current agreement holder(s) Live Oak Wind Project, LLC2. Complete mailing address of current agreement holder 3760 State Street, Suite 200 Santa Barbara, CA 93195

3. Company contact person for agreement holder:

Jonathan Koehn

Name

(805) 569-6182

Phone

Director of Project Development

Title

jkoehn@infinitywind.com

Email

4. Texas franchise tax ID number of current agreement holder: 32040272893

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:

Name

Title

Complete Mailing Address

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.)

N/A

- 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? 0
- 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? 5
- 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? \$ 43,017.00
- 5. What is the annual wage the applicant committed to pay for each of the qualifying jobs in the year covered by this report? \$ 46,000.00
- 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? 0
- 9. What was the average wage you were paying for non-qualifying jobs on Dec. 31 of the year covered by this report? .. \$ _____
- 10. What is the county average weekly wage for non-qualifying jobs, as defined in TAC §9.1051? \$ _____

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? ... \$ 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?
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 Derek Harding
Print Name (Authorized Company Representative)

Manager
Title

sign here [Handwritten Signature]
Signature (Authorized Company Representative)

10/16/17
Date

print here Robert Daniel
Print Name of Preparer (Person Who Completed the Form)

(512) 671-5557
Phone

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

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	Avg Weekly Wages
2015	3rd Qtr	Schleicher County	Total All	0	0	10	Total, All Industries	\$ 875
2015	4th Qtr	Schleicher County	Total All	0	0	10	Total, All Industries	\$ 945
2016	1st Qtr	Schleicher County	Total All	0	0	10	Total, All Industries	\$ 1,001
2016	2nd Qtr	Schleicher County	Total All	0	0	10	Total, All Industries	\$ 794
TOTAL								\$ 903.75
Average County Total, All Industries Wage								\$ 46,995
Requisite Wage (110% of Avg County Total, All Industries Wage)								\$ 51,695

Quarterly Employment and Wages - Schleicher County								
Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2015	3rd Qtr	Schleicher County	Total All	31	2	31-33	Manufacturing	
2015	4th Qtr	Schleicher County	Total All	31	2	31-33	Manufacturing	
2016	1st Qtr	Schleicher County	Total All	31	2	31-33	Manufacturing	
2016	2nd Qtr	Schleicher County	Total All	31	2	31-33	Manufacturing	
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	
	Hourly	Annual
1. Concho Valley Council of Governments	\$ 18.80	\$ 39,106
Requisite Wage (110% of COG Mfg Wage)		\$ 43,017



Franchise Tax Account Status

As of : 09/29/2017 10:12:28

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

LIVE OAK WIND PROJECT, LLC	
Texas Taxpayer Number	32040272893
Mailing Address	3760 STATE ST STE 200 SANTA BARBARA, CA 93105-5621
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	09/10/2009
Texas SOS File Number	0801168740
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