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Casandra Johnson
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Jay Youngblood
Tyler, Texas

John J. Janssen, Ph.D.
Corpus Christi, Texas

Rick W. Powell
Pittsburg/Lewisville, Texas

June 30, 2017

Via electronic and First Class Mail

Ms. Deisy Perez
Research Analyst
Local Government Assistance & Economic Analysis
Texas Comptroller of Public Accounts
111 E. 17th Street
Austin, Texas 78774

Re: Application for Chapter 313 Value Limitation Agreement to the Pecos-Barstow-Toyah Independent School District from West of the Pecos Solar LLC Application # 1189

Dear Ms. Perez:

Please find attached the first Amendment to the above-referenced application.

- The applicant has provided a more detailed letter requesting waiver of the jobs requirement;
- Tab 4 has been amended to provide a more detailed description of the proposed project;
- Tab 7 is amended to provide a more detailed description of the qualified investment; and
- Tab 11 is amended with a more detailed map of the proposed project.

We appreciate your prompt attention to this matter.

Respectfully submitted,

A handwritten signature in blue ink that reads "Sara Leon".

Sara Hardner Leon

Enclosure

cc: *Via electronic mail:* jhaley@pbtisd.esc18.net
Mr. Jim Haley
Superintendent of Schools
Pecos-Barstow-Toyah Independent School District

Via electronic mail: mark.frigo@eon.com
Mr. Mark Frigo
Vice President
West of the Pecos Solar LLC

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EC&R NA Solar PV, LLC

Via electronic mail: mike@keatax.com

Mr. Mike Fry
Director of Energy Services
K.E. Andrews



Amendment 1
6/30/17

April 12, 2017

Mr. Jim Haley, Superintendent
Pecos-Barstow-Toyah Independent School District
1301 South Eddy Street
Pecos, Texas 79772

Re: Chapter 313 Job Waiver Request

Dear Mr. Haley,

Please consider this letter to be West of the Pecos, LLC's formal request to waive the minimum new job creation requirement, as provided under Texas Tax Code 313.025(f-1).

Based upon knowledge of staffing requirements West of the Pecos, LLC requests the job creation requirement under Chapter 313 of the Texas Tax Code be waived. In line with solar industry standards for job requirements, West of the Pecos, LLC has committed to create two (2) new permanent jobs.

Solar projects create a large number of full-time, temporary jobs during the construction phase (1st year), but require a small number of highly skilled technicians to operate the solar project once construction operations end and commercial operations begin.

These permanent employees of a solar energy project maintain and service solar panels, mounting infrastructure, underground electrical connections, substations and other infrastructure associated with the safe and reliable operation of the project. In addition to the onsite employee described above, there also may be asset managers or technicians who supervise, monitor, and support solar project operations from offsite locations.

The waiver request herein is in line with industry standards for the number of jobs specifically relegated to a solar generation facility of this size. This is evidenced by previously filed limitation agreement applications by solar developers who similarly requested a waiver of the job requirements and in addition, by readily available documentation and education materials related to the development of solar generation facilities.

Sincerely,


MARK A. FRIGO

West of the Pecos Solar, LLC

Tab 4

Detailed description of the project

West of the Pecos, LLC proposes to develop a utility-scale, grid-connected solar photovoltaic energy (PV) plant within the Pecos-Barstow-Toyah Independent School District.

The project will be constructed on approximately 800 acres, which is part of a larger, long-term lease agreement with a local landowner. The project will be located entirely in Reeves County and within the Pecos-Barstow-Toyah Independent School District. The proposed project will include, but is not limited to, the following:

- Planned 100 MW-AC in size;
- PV modules;
- DC-to-AC inverters;
- Medium and high-voltage electric cabling;
- Single-Axis racking system (mounting structures);
- Project substation which will include a high-voltage transformer, switchgear, transmission equipment, telecommunications and SCADA equipment, and metering equipment;
- High-voltage transmission line connecting the project to the grid (gen-tie);
- Meteorological equipment to measure solar irradiance and other weather conditions; and
- Associated equipment to safely operate, maintain and deliver electricity to the grid.

The parent company of West of the Pecos, LLC, is an international solar developer with project opportunities all across the United States. The ability to enter into a limited appraisal valuation agreement with the Pecos-Barstow-Toyah Independent School District is a motivating factor for constructing the project in Reeves County, Texas, as opposed to building and investing in another state or region where state tax incentives are available. Such where Applicant is considering include Tennessee, Georgia, Alabama, North Carolina, Mississippi, Utah, New Mexico, California, Nevada and Arizona.

Tab 7

Description of Qualified Investment

West of the Pecos, LLC anticipates constructing a solar photovoltaic (PV) electric generating facility with an operating capacity of approximately 100 MW. The exact capacity and the specific technology components will be determined during the development and design process.

A 100 MW solar PV generating facility may include a qualified investment consisting of the following improvements:

- PV modules;
- DC-to-AC inverters;
- Medium and high-voltage electric cabling;
- Single-Axis racking system (mounting structures);
- Project substation which will include a high-voltage transformer, switchgear, transmission equipment, telecommunications and SCADA equipment, and metering equipment;
- High-voltage transmission line connecting the project to the grid (gen-tie);
- Meteorological equipment to measure solar irradiance and other weather conditions; and
- Associated equipment to safely operate, maintain and deliver electricity to the grid.

Amendment 1
6/30/17

CR 440

T&P RR Co., Block 56, Township 2

Section 33

Section 40

Section 38

285

West of the Pecos

Date: May 19, 2017
Map Scale 1:20,000
Projection: UTM 13
Datum: NAD83



-  Oncor Substation
-  Project Substation
-  Gen-Tie
-  Project Footprint



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0 0.5 1 2 Miles



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.

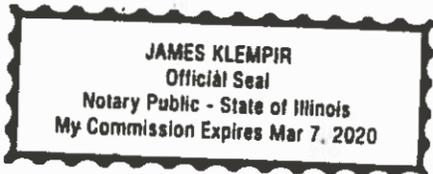
print here → Jim Haley Title Superintendent
Print Name (Authorized School District Representative)
 sign here → [Signature] Date 6/29/17
Signature (Authorized School District Representative)

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 → MARK A. FRIGO Title VICE PRESIDENT
Print Name (Authorized Company Representative (Applicant))
 sign here → [Signature] Date 6/28/17
Signature (Authorized Company Representative (Applicant))



(Notary Seal)

GIVEN under my hand and seal of office this, the
28th day of June, 2017
[Signature]
 Notary Public in and for the State of Texas
 My Commission expires: March 7, 2020

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.