

UNDERWOOD

JAMES WESTER
Phone: 806.379.0354
Fax: 806.379.0316
www.uwlaw.com
James.Wester@uwlaw.com

ADDRESS:
500 S. Taylor Street
Suite 1200, LB 233
Amarillo, TX 79101-2446
MAILING ADDRESS:
P.O. Box 9158
Amarillo, TX 79105-9158

January 18, 2017

Deisy Perez
Economic Development and Analysis Division
Texas Comptroller of Public Accounts
111 E. 17th St.
Austin, TX 78774

Via Email and Federal Express

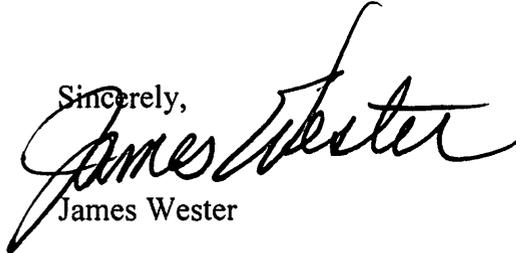
Re: App 1226 – Brazos ISD – Fort Bend Solar, LLC

Dear Deisy:

Attached please find amended application pages for the Chapter 313 Application submitted by Fort Bend Solar, LLC to Brazos ISD (the "Application"), along with a signature page for this Amendment No. 02, and the full set of schedules in Excel format. This Amendment, dated January 11, 2018 and numbered 02, is the second amendment to the Application.

A CD containing this Amendment is also enclosed. Please let me know if you require any additional information.

Sincerely,



James Wester

JWW/ph
Encl.

cc: Ross Meterskey, Project Development Director

via email: ross.metersky@lendlease.com

SECTION 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)? 0

2. What is the last complete calendar quarter before application review start date: [] First Quarter [] Second Quarter [x] Third Quarter [] Fourth Quarter of (year)

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)? 0

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? 2

5. What is the number of new non-qualifying jobs you are estimating you will create? 0

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)? [x] Yes [] No

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 967.00

b. 110% of the average weekly wage for manufacturing jobs in the county is 1,587.00

c. 110% of the average weekly wage for manufacturing jobs in the region is 1,211.00

8. Which Tax Code section are you using to estimate the qualifying job wage standard required for this project? [x] §313.021(5)(A) or [] §313.021(5)(B)

9. What is the minimum required annual wage for each qualifying job based on the qualified property? 82,540.00

10. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? 82,540.00

11. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? [x] 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)? [] Yes [x] No

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? [] Yes [x] No

13a. If yes, attach in Tab 6 supporting documentation including a list of qualifying jobs in the other school district(s).

SECTION 15: Additional Information

- 1. 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 13

Wage Requirement Calculation

1. Average Weekly Wages for All Jobs (All Industries) in Fort Bend County, Q3 2016 – Q2 2017

| Category | Area | Period | Avg. Weekly Wage |
|----------------|------------------|---------|------------------|
| All Industries | Fort Bend County | Q3 2016 | \$952 |
| All Industries | Fort Bend County | Q4 2016 | \$976 |
| All Industries | Fort Bend County | Q1 2016 | \$1,022 |
| All Industries | Fort Bend County | Q2 2017 | \$934 |
| | | AVERAGE | \$971 |

Quarterly Employment and Wages (QCEW)

[Restart](#) [Back](#) [Print](#) [Download](#)

[Help with Download](#)

Page 1 of 1 (40 results/page)

| Year | Period | Area | Ownership | Division | Level | Ind Code | Industry | Avg Weekly Wages |
|------|---------|------------------|-----------|----------|-------|----------|-----------------------|------------------|
| 2016 | 1st Qtr | Fort Bend County | Total All | 00 | 0 | 10 | Total, all industries | \$977 |
| 2016 | 2nd Qtr | Fort Bend County | Total All | 00 | 0 | 10 | Total, all industries | \$919 |
| 2016 | 3rd Qtr | Fort Bend County | Total All | 00 | 0 | 10 | Total, all industries | \$952 |
| 2016 | 4th Qtr | Fort Bend County | Total All | 00 | 0 | 10 | Total, all industries | \$976 |
| 2017 | 1st Qtr | Fort Bend County | Total All | 00 | 0 | 10 | Total, all industries | \$1,022 |
| 2017 | 2nd Qtr | Fort Bend County | Total All | 00 | 0 | 10 | Total, all industries | \$934 |

2. Average Weekly Wages for Manufacturing Jobs in Fort Bend County, Q3 2016 – Q2 2017

| Category | Area | Period | Avg. Weekly Wage |
|---------------|------------------|-----------------|------------------|
| Manufacturing | Fort Bend County | Q3 2016 | \$1,390 |
| Manufacturing | Fort Bend County | Q4 2016 | \$1,382 |
| Manufacturing | Fort Bend County | Q1 2017 | \$1,615 |
| Manufacturing | Fort Bend County | Q2 2017 | \$1,385 |
| | | AVERAGE | \$1,443 |
| | | 110% OF AVERAGE | \$1,587 |

Quarterly Employment and Wages (QCEW)

[Restart](#) [Back](#) [Print](#) [Download](#)

[Help with Download](#)

Page 1 of 1 (40 results/page)

| Year | Period | Area | Ownership | Division | Level | Ind Code | Industry | Avg Weekly Wages |
|------|---------|------------------|-----------|----------|-------|----------|---------------|------------------|
| 2016 | 1st Qtr | Fort Bend County | Total All | 31 | 2 | 31-33 | Manufacturing | \$1,519 |
| 2016 | 2nd Qtr | Fort Bend County | Total All | 31 | 2 | 31-33 | Manufacturing | \$1,373 |
| 2016 | 3rd Qtr | Fort Bend County | Total All | 31 | 2 | 31-33 | Manufacturing | \$1,390 |
| 2016 | 4th Qtr | Fort Bend County | Total All | 31 | 2 | 31-33 | Manufacturing | \$1,382 |
| 2017 | 1st Qtr | Fort Bend County | Total All | 31 | 2 | 31-33 | Manufacturing | \$1,615 |
| 2017 | 2nd Qtr | Fort Bend County | Total All | 31 | 2 | 31-33 | Manufacturing | \$1,385 |

3. Average Weekly Wages for Manufacturing Jobs in Houston-Galveston Area, 2016

| Category | Area | Period | Avg. Weekly Wage |
|---------------|-------------------|-----------------|------------------|
| Manufacturing | Houston-Galveston | 2016 | \$1,101 |
| | | 110% OF AVERAGE | \$1,211 |

**2016 Manufacturing Average Wages by Council of Government Region
Wages for All Occupations**

| COG | Wages | |
|---|----------------|-----------------|
| | Hourly | Annual |
| Texas | \$25.41 | \$52,850 |
| 1. Panhandle Regional Planning Commission | \$22.52 | \$46,834 |
| 2. South Plains Association of Governments | \$18.27 | \$38,009 |
| 3. NORTEX Regional Planning Commission | \$24.14 | \$50,203 |
| 4. North Central Texas Council of Governments | \$26.06 | \$54,215 |
| 5. Ark-Tex Council of Governments | \$19.07 | \$39,663 |
| 6. East Texas Council of Governments | \$20.52 | \$42,677 |
| 7. West Central Texas Council of Governments | \$20.31 | \$42,242 |
| 8. Rio Grande Council of Governments | \$19.32 | \$40,188 |
| 9. Permian Basin Regional Planning Commission | \$26.00 | \$54,079 |
| 10. Concho Valley Council of Governments | \$18.78 | \$39,066 |
| 11. Heart of Texas Council of Governments | \$21.14 | \$43,962 |
| 12. Capital Area Council of Governments | \$30.06 | \$62,522 |
| 13. Brazos Valley Council of Governments | \$17.66 | \$36,729 |
| 14. Deep East Texas Council of Governments | \$18.06 | \$37,566 |
| 15. South East Texas Regional Planning Commission | \$33.42 | \$69,508 |
| 16. Houston-Galveston Area Council | \$27.52 | \$57,246 |
| 17. Golden Crescent Regional Planning Commission | \$26.38 | \$54,879 |
| 18. Alamo Area Council of Governments | \$21.67 | \$45,072 |
| 19. South Texas Development Council | \$15.02 | \$31,235 |
| 20. Coastal Bend Council of Governments | \$27.85 | \$57,921 |
| 21. Lower Rio Grande Valley Development Council | \$17.55 | \$36,503 |
| 22. Texoma Council of Governments | \$20.98 | \$43,648 |
| 23. Central Texas Council of Governments | \$18.65 | \$38,783 |
| 24. Middle Rio Grande Development Council | \$23.05 | \$47,950 |

Source: Texas Occupational Employment and Wages

Data published: July 2017

Data published annually, next update will be July 31, 2018

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.

| PROPERTY INVESTMENT AMOUNTS | | | | | | | | |
|--|------|--|---|--|--|--|---|--|
| (Estimated Investment in each year. Do not put cumulative totals.) | | | | | | | | |
| | Year | School Year (YYYY-YYYY) | Tax Year (Fill in actual tax year below) YYYY | Column A New investment (original cost) in tangible personal property placed in service during this year that will become Qualified Property | Column B New investment made during this year in buildings or permanent nonremovable components of buildings that will become Qualified Property | Column C Other new investment made during this year that will <u>not</u> become Qualified Property [SEE NOTE] | Column D Other new investment made during this year that may become Qualified Property [SEE NOTE] | Column E Total Investment (Sum of Columns A+B+C+D) |
| Investment made before filing complete application with district | 2018 | Year preceding the first complete tax year of the qualifying time period (assuming no deferrals of qualifying time period) | 2018 | Not eligible to become Qualified Property | | | [The only other investment made before filing complete application with district that may become Qualified Property is land.] | 0 |
| Investment made after filing complete application with district, but before final board approval of application | | | | 0 | 0 | 0 | 0 | 0 |
| Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period | | | | 1,944,551 | 0 | 0 | 0 | 1,944,551 |
| Complete tax years of qualifying time period | QTP1 | 2018-2019 | 2019 | 114,728,528 | 0 | 0 | 0 | 114,728,528 |
| | QTP2 | 2019-2020 | 2020 | 77,782,053 | 0 | 0 | 0 | 77,782,053 |
| Total Investment through Qualifying Time Period [ENTER this row in Schedule A2] | | | | 194,455,132 | 0 | 0 | 0 | 194,455,132 |
| | | | | Enter amounts from TOTAL row above in Schedule A2 | | | | |
| Total Qualified Investment (sum of green cells) | | | | 194,455,132 | | | | |

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.

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—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.

Schedule C: Employment Information

1/8/2018
 Fort Bend Solar LLC
 Brazos ISD

Form 50-296A
 Revised May 2014

| | Year | School Year (YYYY-YYYY) | Tax Year (Actual tax year) YYYY | Construction | | Non-Qualifying Jobs | Qualifying Jobs | |
|---|---------------------|----------------------------|---------------------------------------|--|---|---|---|---|
| | | | | Column A | Column B | Column C | Column D | Column E |
| | | | | Number of Construction FTE's or man-hours (specify) | Average annual wage rates for construction workers | Number of non-qualifying jobs applicant estimates it will create (cumulative) | Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative) | Average annual wage of new qualifying jobs |
| Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i> | 0 | 2017-2018 | 2017 | 0 | 0 | 0 | 0 | n/a |
| Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i> | 0 | 2018-2019 | 2018 | | \$0 | 0 | 0 | n/a |
| Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i> | 0 | 2019-2020 | 2019 | 150 FTE avg; 300 FTE peak | \$70,000 | 0 | 2 | \$82,540 |
| Value Limitation Period <i>The qualifying time period could overlap the value limitation period.</i> | 1 | 2020-2021 | 2020 | 200 FTE avg;500 FTE peak | \$70,000 | 0 | 2 | \$82,540 |
| | 2 | 2021-2022 | 2021 | 0 | n/a | 0 | 2 | \$82,540 |
| | 3 | 2022-2023 | 2022 | 0 | n/a | 0 | 2 | \$82,540 |
| | 4 | 2023-2024 | 2023 | 0 | n/a | 0 | 2 | \$82,540 |
| | 5 | 2024-2025 | 2024 | 0 | n/a | 0 | 2 | \$82,540 |
| | 6 | 2025-2026 | 2025 | 0 | n/a | 0 | 2 | \$82,540 |
| | 7 | 2026-2027 | 2026 | 0 | n/a | 0 | 2 | \$82,540 |
| | 8 | 2027-2028 | 2027 | 0 | n/a | 0 | 2 | \$82,540 |
| | 9 | 2028-2029 | 2028 | 0 | n/a | 0 | 2 | \$82,540 |
| | 10 | 2029-2030 | 2029 | 0 | n/a | 0 | 2 | \$82,540 |
| Years Following Value Limitation Period | 11 through 25 | 2029-2045 | 2029-2044 | 0 | n/a | 0 | 2 | \$82,540 |

Notes: See TAC 9.1051 for definition of non-qualifying jobs.
 Only include jobs on the project site in this school district.

- C1. Are the cumulative number of qualifying jobs listed in Column D less than the number of qualifying jobs required by statute?
 qualifying jobs in Subchapter B districts, 10 qualifying jobs in Subchapter C districts) (25) Yes No
 If yes, answer the following two questions:
- C1a. Will the applicant request a job waiver, as provided under 313.025(f-1)? Yes No
- C1b. Will the applicant avail itself of the provision in 313.021(3)(F)? Yes No

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 Brian Thompson Superintendent Title

sign here Brian Thompson Signature Date 1-18-18

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 Craig Carson Senior Vice President Title

sign here Signature Date Jan. 10, 2018



(Notary Seal)

GIVEN under my hand and seal of office this, the

10 day of January, 2018

Teri L Clark Notary Public in and for the State of Texas

My Commission expires: 11-20-2018

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.