

**O'HANLON, DEMERATH & CASTILLO**

ATTORNEYS AND COUNSELORS AT LAW

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July 24, 2018

Local Government Assistance & Economic Analysis  
Texas Comptroller of Public Accounts  
P.O. Box 13528  
Austin, Texas 78711-3528

RE: Amended Application to the Borden County Independent School District from  
BNB Oxbow Solar LLC

To the Local Government Assistance & Economic Analysis Division:

I have enclosed for you the Amended Application to the Borden County Independent School  
District from BNB Oxbow Solar

1. Other Names the company goes by: None
2. Ercot GINR Number: 19INR0036, April 13, 2017
3. Updated Job Waiver Request

A copy of the application will be submitted to the Borden County Appraisal District.

Sincerely,



Kevin O'Hanlon  
School District Consultant

Cc: Borden County Appraisal District  
BNB Oxbow Solar LLC



CUMMINGS WESTLAKE  
PROPERTY TAX ADVISORS

July 9, 2018

Mr. Billy Collins  
Superintendent  
Borden County Independent School District  
P. O. Box 95  
Gail, TX 79738

**Re: Chapter 313 Jobs Waiver Request**

Dear Superintendent Collins,

BNB Oxbow Solar, LLC requests that the Borden County Independent School District's Board of Trustees waive the job requirement provision as allowed by Section 313.025(f-1) of the Tax Code. This waiver would be based on the school district's board findings that the jobs creation requirement exceeds the industry standard for the number of employees reasonably necessary for the operation of the facility of the property owner that is described in the application.

BNB Oxbow Solar, LLC requests that the Board of Trustees make such a finding and waive the job creation requirement for 10 permanent jobs. In line with industry standards for job requirements, BNB Oxbow Solar, LLC has committed to create two total jobs for the project.

Solar projects create a large number of full and part-time, but temporary jobs during the construction phase of the project, but require a relatively small number of highly skilled technicians to operate and maintain the project after commercial operation commences.

The number of jobs committed to in this application is in line with the industry standards for a project this size. This is evidenced by previously filed limitation agreement applications by solar developers who also requested a waiver of job requirements. In addition, there are educational materials and other documentation that also suggest that BNB Oxbow Solar, LLC has the appropriate number of jobs for this project at one permanent job per 75MW – 100MW of installed capacity. The permanent employees of a solar project maintain, and service solar panels, underground electrical connections, substations and other infrastructure associated with the safe and reliable operation of the project. In addition to

the onsite employees, there may be managers or technicians who support the project from offsite locations.

Sincerely,

A handwritten signature in black ink that reads "Wes Jackson". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Wes Jackson  
Partner  
Cummings Westlake, LLC



# 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

Billy Collins

Print Name (Authorized School District Representative)

Superintendent

Title

sign here

Signature (Authorized School District Representative)

Date

7/23/2018

### 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

Orlando Puig

Print Name (Authorized Company Representative (Applicant))

Project Manager

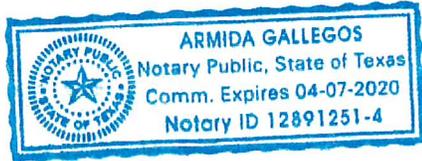
Title

sign here

Signature (Authorized Company Representative (Applicant))

Date

7/10/18



(Notary Seal)

GIVEN under my hand and seal of office this, the

10 day of July, 2018

Notary Public in and for the State of Texas

My Commission expires: 04-07-2020

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.