



Biennial Progress Report for Texas Economic Development Act

Form 50-773
(May 2010)

Instructions:

- This form must be filled out by each applicant that is party to a limitation agreement.
- If the original application was made by a group of two or more companies, each company must complete this form.
- If the original applicant split into two or more applicants after the original agreement, all current agreement holders must complete this form.
- Applicants should only complete the information for their years as an agreement holder, noting what year they were formed after the original agreement was approved.
- Each agreement holder should respond as a current applicant on Line 9 below.
- Applicants should report their proportionate share of required employment and investment information.
- If the original applicant is still the only agreement holder, please do not complete Lines 31 and 32 below.

In addition to the Biennial Progress Report required from each applicant that is a party to an agreement, a separate Biennial Progress Report summarizing the combined applicant's data for the entire agreement must be completed.

- If one of the applicants cannot provide this information, a summarization report must be completed by the school district.

- Projects spanning more than one school district must complete forms for each school district.
- Please return signed hard copy forms and electronic spreadsheets to the school district before May 15 of each even-numbered year.

Notes:

- The school district that is a party to the Chapter 313 agreement is collecting the data required by Chapter 313.008 on this form for the Comptroller of Public Accounts (CPA).
- The CPA requests companies complete the electronic spreadsheet version of the form. Please submit both an *unsigned electronic version* and a *signed hard copy version* of the spreadsheet (with any attachments) to the district. Please contact CPA if you have questions about the form. The spreadsheet version of this form can be downloaded at: www.window.state.tx.us/taxinfo/proptax/hb1200/index.html.
- After ensuring that all forms are complete, the school district will forward that data to the CPA for inclusion in a statutorily required report to the Texas Legislature.

1. Name of school district: **WALLER ISD**

2. Name of CAD appraising the qualified property in this school district: **HARRIS County CAD**

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

4. Name of applicant on original application: **Hewlett-Packard Company**

5. Date original application filed with school district: **August 22, 2008**

6. Name of company entering into original agreement with district: **Hewlett-Packard Company**

7. Date original limitation agreement approved by school district: **April 14, 2009**

8. Date of final signing of agreement (if different from board approval date): **July 13, 2009**

9. Name of current agreement holder(s): **Hewlett-Packard Company**

10. Complete mailing address of current agreement holder:
5400 LEGACY DR, H1-4A-66 PLANO, TX 75024

11. Name of company contact person for agreement holder: **JAMES A. BAKER**

12. Title of company contact person: **U.S. Property TAX MANAGER**

13. Phone number of company contact person: **972-605-1190**

14. E-mail address of company contact person: **jim-tax.baker@HACOM**

15. Texas franchise tax ID number of current agreement holder: **194-10814362**

For more information, visit our Web site: www.window.state.tx.us/taxinfo/proptax/hb1200/index.html

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16. If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity.

N/A

17. NAICS Code of current agreement holder (8 Digit):

~~334110~~ 641712 8/12/10

18. Name of authorized company representative (if different from above):

19. Title of authorized company representative (if different from above):

20. Phone of authorized company representative (if different from above):

21. E-mail of authorized company representative (if different from above):

22. Complete mailing address of authorized company representative (if different from above):

23. First (complete) year of Qualifying Time Period -- after the date the application is approved. See Tax Code §213.021(4):

2010

24. First year of property value limitation (generally the third complete year of the agreement):

2012

25. Original Limitation Amount (for entire agreement):

\$ 10,000,000

26. Amount of qualified investment during the qualifying time period the recipient committed to spend or allocate for this project on application (Not Total Investment):

~~10,000,000~~ 187,557,100 8/12/10

27. Date of construction commencement (estimate if in the future):

Dec. 2008

28. Date construction completed (actual or estimate if in the future):

Dec 2009

29. Has the description of the qualified property changed from that in the application? If so, please describe on an attachment how the actual qualified property -- for which you are providing actual and estimated market values on subsequent pages -- differs from that property described in the agreement. Include only property located in this school district.

NO

30. What was the number of permanent existing jobs at this facility prior to application?

0

31. 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

32. 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

33. If the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), please provide the definition of "new job" as used in the agreement. (Use attachments if needed.)

See Attachment "Employment Positions"



District Name WALLER ISD

Project Name Heckley Data Center - Houston West

Company Name HEWLETT-PACKARD COMPANY

1st Yr. of Qualifying Time Period 2010

Note: Excel spreadsheet version is available for download at URL listed below.

	Pre-Qualifying Time Period		Qualifying Time Period	
		From application approval date to Jan. 1 of next tax year ¹	Year 1 (First Complete Tax Year) 2010	Year 2 2011
34. Number of qualifying jobs ² applicant committed to create on application (cumulative)**	/	/	0	0
35. Number of qualifying jobs ² applicant actually created (cumulative)**	/	/	8	8
36. Number of new jobs ³ created (cumulative)**	/	/	8	8
37. Number of new jobs ³ created that provide health benefits for employees (cumulative)**	/	/	11	11
38. Median annual wage of new jobs each applicant created**	/	/		
39. Average annual wage of new jobs each applicant created**	/	/	108,230	108,230
40. Total investment for this project (per year or time period, not cumulative)**	8,355,900	93,753,883	81,445,200	0
41. Amount of qualified investment applicant actually spent or allocated for this project (per year or time period, not cumulative)** (See also Note #1.)	/	93,753,883	81,445,200	0
42. Market value of qualified property on January 1 before any exemptions**	0	0	112,147,544	112,147,544
43. Market value of qualified property (amount shown in #42) less any exemptions, but before the limitation on value authorized by Tax Code 313**	0	0	112,147,544	112,147,544
44. Limitation amount in each of years 1-10**	/	/	112,147,544	112,147,544
45. Taxable value of qualified property certified by the county appraisal district for the purpose of school M&O taxes**	0	0	112,147,544	112,147,544
46. School District M&O tax rate (per hundred dollars of value)*	1.04	1.04		
47. School district I&S tax rate (per hundred dollars of value)*	0.38	0.40		
48. Total school district ad valorem tax levy (M&O and I&S) on qualified property**	0	0		

* Actual data only. ** Actual and projected data. Use actual data for prior years. Estimates are required for current and future years.

Notes:

- Only projects with agreement executed after June 19, 2009 may have any qualified investment between the time of application approval and Jan. 1 of subsequent tax year.
- Jobs meeting all of the requirements of Tax Code §313.021(3). Each qualifying job is a new job that meets the wage standard for that school district, and is covered by a group health benefits plan for which the employer offers to pay at least 80 percent of the employee-only premium. Do not include construction jobs in counts of qualifying jobs.
- For new job definition see TAG §5.1051(14).
- Total investment is all investment at original cost, including land acquired after filing of application. Investments made in one year should be reflected in the subsequent year's market value.
- The investment made during the qualifying time period meeting the requirements of Tax Code §313.021(1). Fill in amounts for the time between the application approval and Jan. 1 of first tax year, Year 1 and Year 2 only. (See also Note #1)
- For all values, use those from CAD as available. For future years, use market value that the entity estimates will approximate the market value for ad valorem tax purposes in that year.
- This amount may vary annually for agreements with multiple agreement-holders. Subentities should enter their share of original limitation amount. Limitation amounts of all subentities should sum to that of the original limitation amount originally approved by the school district.

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	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
	2012	2013	2014	2015	2016	2017	2018	2019
34. Number of qualifying jobs applicant committed to create on application (cumulative)**	0							
35. Number of qualifying jobs applicant actually created (cumulative)**	8							
36. Number of new jobs created (cumulative)**	11							
37. Number of new jobs created that provide health benefits for employees (cumulative)**	11							
38. Median annual wage of new jobs each applicant created**								
39. Average annual wage of new jobs each applicant created**	108,231							
40. Total investment for this project (per year or time period, not cumulative)**	0							
41. Amount of qualified investment applicant actually spent or allocated for this project* (per year or time period, not cumulative)** (See also Note #1)								
42. Market value of qualified property on January 1 before any exemptions**	\$120M	\$110M	\$100M	\$120M	\$110M	\$100M	\$120M	\$110M
43. Market value of qualified property (amount shown in #42) less any exemptions, but before the limitation on value authorized by Tax Code §13.02	Same as #42							
44. Limitation amount in each of years 1-10**	10,000,000							
45. Taxable value of qualified property certified by the county appraisal district for the purpose of school M&O taxes**	Same as #42							
46. School District M&O tax rate (per hundred dollars of value)*								
47. School district T&S tax rate (per hundred dollars of value)*								
48. Total school district ad valorem tax levy (M&O and T&S) on qualified property*								

*Actual data only. **Actual and projected data. Use actual data for prior years. Estimates are required for current and future years.

Notes:

- Only projects with agreements executed after June 19, 2009 may have any qualified investment between the time of application approval and Jan. 1 of subsequent tax year.
- Jobs meeting all of the requirements of Tax Code §513.021(3). Each qualifying job is a new job that meets the wage standard for that school district, and is covered by a group health benefits plan for which the employer offers to pay at least 80 percent of the employee-only premium. Do not include construction jobs in counts of qualifying jobs.
- For new job definition see TAO §9.1051(14).
- Total investment is all investment at original cost, including land acquired after filing of application. Investments made in one year should be reflected in the subsequent year's market value.
- The investment made during the qualifying time period meeting the requirements of Tax Code §513.021(1). Fill in amounts for the time between the application approval and Jan. 1 of first tax year, Year 1 and Year 2 only. (See also Note #1)
- For all values, use those from CAD as available. For future years, use market value that the entity estimates will approximate the market value for ad valorem tax purposes in that year.
- This amount may vary annually for agreements with multiple agreement-holders. Subdivides should enter their share of original limitation amount. Limitation amounts of all subdivides should sum to that of the original limitation amount originally approved by the school district.

The CPA requests companies complete the electronic spreadsheet version of the form. Please submit both an unsigned electronic version and a signed hard copy version of the spreadsheet (with any attachments) to the district.

By signing below, I, JAMES A. BAKER, certify that I am the authorized representative of HEWLETT-PACKARD COMPANY, a current agreement holder of a limitation on appraised value, and the contents of this form and the attached documentation are true and correct to the best of my knowledge and belief.

Authorized Official
 Sign here: James A. Baker
 Print Name/Title: JAMES A. BAKER - US Property Tax Manager

Date: July 15, 2010
 Phone (Area Code and Number): 972-605-1190

Amended 8/12/10 James A. Baker

in the future that could impact or alter the calculation of Applicant's ad valorem tax obligation to the District either with or without the limitation of property values made pursuant to this Agreement.

"*Application*" means the Application for Appraised Value Limitation on Qualified Property (Chapter 313, Subchapter B or C, Property Tax Code) filed by Applicant on August 22, 2008 together with the Amended Applications filed on October 30, 2008 and on January 31, 2009.

"*Benefit Account*" means the account established by Applicant, pursuant to the provisions of this Subsection 4.3(b) of this Agreement, for the District's purchase of H-P Goods and Services from Applicant.

"*Comptroller*" means the Texas Comptroller of Public Accounts.

"*Comptroller's Rules*" means the applicable rules and regulations of the Comptroller set forth at 34 Texas Administrative Code § 9.107 together with any court or administrative decisions interpreting same.

"*County*" means Harris County, Texas.

"*County Appraisal District*" means the Harris County Appraisal District.

"*District*" or "*School District*" means the Waller Independent School District, being a duly incorporated and operating independent school district in the State of Texas, having the power to levy, assess, and collect ad valorem taxes within its boundaries.

"*Employment Positions*" shall mean non-temporary full time employment positions of the Applicant, its permitted assigns and affiliates at, or otherwise located in Harris County, Texas in support of, the facility to which this tax limitation agreement applies, including employees of contractors assigned to the facility to which this tax limitation agreement applies as shown on Applicant's internal contingent labor management systems. Two (2) or more part time employees, totaling thirty (30) hours or more per week may be substituted for one (1) full time employee.

"*Force Majeure*" means a failure caused by (a) provisions of law, or the operation or effect of rules, regulations or orders promulgated by any governmental authority having jurisdiction over the Applicant, the Applicant's Qualified Property or the Applicant's Qualified Investment or any upstream, intermediate or downstream equipment or support facilities as are necessary to the operation of the Applicant's Qualified Property or the Applicant's Qualified Investment; (b) any demand or requisition, arrest, order, request, directive, restraint or requirement of any government or governmental agency whether federal, state, military, local or otherwise; (c) the action, judgment or decree of any court; (d) floods, storms, hurricanes, evacuation due to threats of hurricanes, lightning, earthquakes, washouts, high water, fires, acts of God or public