

O'HANLON, DEMERATH & CASTILLO

ATTORNEYS AND COUNSELORS AT LAW

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January 17, 2019

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

RE: Application to the Highland Independent School District from Maryneal Windpower, LLC

To the Local Government Assistance & Economic Analysis Division:

By copy of this letter transmitting the application for review to the Comptroller's Office, the Highland Independent School District is notifying Maryneal Windpower, LLC of its intent to consider the application for appraised value limitation on qualified property should a positive certificate be issued by the Comptroller. Please prepare the economic impact report.

The Applicant submitted the Application to the school district on November 19, 2018. The Board voted to accept the application on November 19, 2018. The application has been determined complete as of January 17, 2019. The Applicant has provided the schedules in both electronic format and paper copies. The electronic copy is identical to the hard copy that will be hand delivered.

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

Sincerely,



Kevin O'Hanlon
School District Consultant

Cc: Nolan County Appraisal District
Maryneal Windpower, LLC



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

December 19, 2018

Duane Hyde
Superintendent, Highland Independent School District
6625 FM 608
Roscoe, TX 79545

Re: Application for Appraised Value Limitation on Qualified Property

Mr. Hyde,

Please see attached Application for Appraised Value Limitation on Qualified Property for Maryneal Windpower, LLC.

Maryneal Windpower, LLC is a potential project of Duke Energy Renewables, and can also be identified by Interconnection Queue Number 18INR0031.

Please let us know if you have any questions or comments regarding the attached application. We appreciate your involvement and look forward to hearing from you.

Respectfully,

A handwritten signature in cursive script that reads 'Troy Reed'.

Troy Reed
Manager
Ernst & Young, LLP

APPLICATION TAB ORDER FOR REQUESTED ATTACHMENTS

TAB	ATTACHMENT
1	Pages 1 through 11 of Application
2	Proof of Payment of Application Fee
3	Documentation of Combined Group membership under Texas Tax Code 171.0001(7), history of tax default, delinquencies and/or material litigation <i>(if applicable)</i>
4	Detailed description of the project
5	Documentation to assist in determining if limitation is a determining factor
6	Description of how project is located in more than one district, including list of percentage in each district and, if determined to be a single unified project, documentation from the Office of the Governor <i>(if applicable)</i>
7	Description of Qualified Investment
8	Description of Qualified Property
9	Description of Land
10	Description of all property not eligible to become qualified property <i>(if applicable)</i>
11	<p>Maps that clearly show:</p> <ul style="list-style-type: none"> a) Project vicinity b) Qualified investment including location of tangible personal property to be placed in service during the qualifying time period and buildings to be constructed during the qualifying time period c) Qualified property including location of new buildings or new improvements d) Existing property e) Land location within vicinity map f) Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size <p>Note: Electronic maps should be high resolution files. Include map legends/markers.</p>
12	Request for Waiver of Job Creation Requirement and supporting information <i>(if applicable)</i>
13	Calculation of three possible wage requirements with TWC documentation
14	Schedules A1, A2, B, C and D completed and signed Economic Impact <i>(if applicable)</i>
15	Economic Impact Analysis, other payments made in the state or other economic information <i>(if applicable)</i>
16	<p>Description of Reinvestment or Enterprise Zone, including:</p> <ul style="list-style-type: none"> a) evidence that the area qualifies as a enterprise zone as defined by the Governor's Office b) legal description of reinvestment zone* c) order, resolution or ordinance establishing the reinvestment zone* d) guidelines and criteria for creating the zone* <p>* To be submitted with application or before date of final application approval by school board</p>
17	Signature and Certification page, signed and dated by Authorized School District Representative and Authorized Company Representative <i>(applicant)</i>



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM #1

Application

See attached.

Application for Appraised Value Limitation on Qualified Property

(Tax Code, Chapter 313, Subchapter B or C)

INSTRUCTIONS: This application must be completed and filed with the school district. In order for an application to be processed, the governing body (school board) must elect to consider an application, but — by Comptroller rule — the school board may elect to consider the application only after the school district has received a completed application. Texas Tax Code, Section 313.025 requires that any completed application and any supplemental materials received by the school district must be forwarded within seven days to the Comptroller of Public Accounts.

If the school board elects to consider the application, the school district must:

- notify the Comptroller that the school board has elected to consider the application. This notice must include:
 - the date on which the school district received the application;
 - the date the school district determined that the application was complete;
 - the date the school board decided to consider the application; and
 - a request that the Comptroller prepare an economic impact analysis of the application;
- provide a copy of the notice to the appraisal district;
- must complete the sections of the application reserved for the school district and provide information required in the Comptroller rules located at 34 Texas Administrative Code (TAC) Section 9.1054; and
- forward the original hard copy of the completed application to the Comptroller in a three-ring binder with tabs, as indicated on page 9 of this application, separating each section of the documents, in addition to an electronic copy on CD. See 34 TAC Chapter 9, Subchapter F.

The governing body may, at its discretion, allow the applicant to supplement or amend the application after the filing date, subject to the restrictions in 34 TAC Chapter 9, Subchapter F.

When the Comptroller receives the notice and required information from the school district, the Comptroller will publish all submitted application materials on its website. The Comptroller is authorized to treat some application information as confidential and withhold it from publication on the Internet. To do so, however, the information must be segregated and comply with the other requirements set out in the Comptroller rules. For more information, see guidelines on Comptroller's website.

The Comptroller will independently determine whether the application has been completed according to the Comptroller's rules (34 TAC Chapter 9, Subchapter F). If the Comptroller finds the application is not complete, the Comptroller will request additional materials from the school district. Pursuant to 9.1053(a)(1)(C), requested information shall be provided within 20 days of the date of the request. When the Comptroller determines that the application is complete, it will send the school district a notice indicating so. The Comptroller will determine the eligibility of the project, issue a certificate for a limitation on appraised value to the school board regarding the application and prepare an economic impact evaluation by the 90th day after the Comptroller receives a complete application—as determined by the Comptroller.

The school board must approve or disapprove the application not later than the 150th day after the application review start date (the date the application is finally determined to be complete), unless an extension is granted. The Comptroller and school district are authorized to request additional information from the applicant that is reasonably necessary to issue a certificate, complete the economic impact evaluation or consider the application at any time during the application review period.

Please visit the Comptroller's website to find out more about the program at comptroller.texas.gov/economy/local/ch313/. There are links to the Chapter 313 statute, rules, guidelines and forms. Information about minimum limitation values for particular districts and wage standards may also be found at that site.

SECTION 1: School District Information

1. Authorized School District Representative

November 19, 2018

Date Application Received by District

Duane

First Name

Hyde

Last Name

Superintendent

Title

Highland ISD

School District Name

6625 FM 608

Street Address

6625 FM 608

Mailing Address

Roscoe

City

Texas

State

79545

ZIP

(325) 766-3652

Phone Number

(325) 766-2281

Fax Number

dhyde@highland.esc14.net

Email Address

Mobile Number (optional)

2. Does the district authorize the consultant to provide and obtain information related to this application?

Yes

No

SECTION 1: School District Information (continued)

3. Authorized School District Consultant (If Applicable)

Kevin	O'Hanlon
First Name	Last Name
Attorney	
Title	
O'Hanlon, McCollom & Demerath	
Firm Name	
(512) 494-9949	(512) 494-9919
Phone Number	Fax Number
	kohanlon@808west.com; mhanley@808west.com
Mobile Number (optional)	Email Address

4. On what date did the district determine this application complete? January 17, 2019
5. Has the district determined that the electronic copy and hard copy are identical? Yes No

SECTION 2: Applicant Information

1. Authorized Company Representative (Applicant)

Janet	Bridges	
First Name	Last Name	
Managing Director	Duke Energy Renewables	
Title	Organization	
550 South Caldwell St. Suite 600		
Street Address		
Mailing Address		
Charlotte	North Carolina	28202
City	State	ZIP
Phone Number	Fax Number	
	Janet.Bridges@duke-energy.com	
Mobile Number (optional)	Business Email Address	

2. Will a company official other than the authorized company representative be responsible for responding to future information requests? Yes No
- 2a. If yes, please fill out contact information for that person.

Jeff	Peterson	
First Name	Last Name	
Director	Duke Energy Renewables	
Title	Organization	
9597 Jones Rd #877		
Street Address		
Mailing Address		
Houston	TX	77065
City	State	ZIP
(281) 536-1660	Fax Number	
Phone Number	Jeff.Peterson@duke-energy.com	
(281) 536-1660	Business Email Address	
Mobile Number (optional)		

3. Does the applicant authorize the consultant to provide and obtain information related to this application? Yes No

SECTION 2: Applicant Information (continued)

4. Authorized Company Consultant (If Applicable)

Evan _____ Horn _____
 First Name Last Name
 Tax Manager _____
 Title
 Ernst & Young LLP _____
 Firm Name
 512-426-8958 _____
 Phone Number Fax Number
 evan.horn@ey.com _____
 Business Email Address

SECTION 3: Fees and Payments

1. Has an application fee been paid to the school district? Yes No
 The total fee shall be paid at time of the application is submitted to the school district. Any fees not accompanying the original application shall be considered supplemental payments.
 1a. If yes, attach in **Tab 2** proof of application fee paid to the school district.
 For the purpose of questions 2 and 3, "payments to the school district" include any and all payments or transfers of things of value made to the school district or to any person or persons in any form if such payment or transfer of thing of value being provided is in recognition of, anticipation of, or consideration for the agreement for limitation on appraised value.
 2. Will any "payments to the school district" that you may make in order to receive a property tax value limitation agreement result in payments that are not in compliance with Tax Code §313.027(i)? Yes No N/A
 3. If "payments to the school district" will only be determined by a formula or methodology without a specific amount being specified, could such method result in "payments to the school district" that are not in compliance with Tax Code §313.027(i)? Yes No N/A

SECTION 4: Business Applicant Information

1. What is the legal name of the applicant under which this application is made? _____ Maryneal Windpower, LLC
 2. List the Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (11 digits) _____ 32014970977
 3. List the NAICS code _____ 221115
 4. Is the applicant a party to any other pending or active Chapter 313 agreements? Yes No
 4a. If yes, please list application number, name of school district and year of agreement _____

SECTION 5: Applicant Business Structure

1. Identify Business Organization of Applicant (corporation, limited liability corporation, etc) _____ Limited Liability Corporation
 2. Is applicant a combined group, or comprised of members of a combined group, as defined by Tax Code §171.0001(7)? Yes No
 2a. If yes, attach in **Tab 3** a copy of Texas Comptroller Franchise Tax Form No. 05-165, No. 05-166, or any other documentation from the Franchise Tax Division to demonstrate the applicant's combined group membership and contact information.
 3. Is the applicant current on all tax payments due to the State of Texas? Yes No
 4. Are all applicant members of the combined group current on all tax payments due to the State of Texas? Yes No N/A
 5. If the answer to question 3 or 4 is no, please explain and/or disclose any history of default, delinquencies and/or any material litigation, including litigation involving the State of Texas. (If necessary, attach explanation in **Tab 3**)

SECTION 6: Eligibility Under Tax Code Chapter 313.024

1. Are you an entity subject to the tax under Tax Code, Chapter 171? Yes No
2. The property will be used for one of the following activities:
 - (1) manufacturing Yes No
 - (2) research and development Yes No
 - (3) a clean coal project, as defined by Section 5.001, Water Code Yes No
 - (4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code Yes No
 - (5) renewable energy electric generation Yes No
 - (6) electric power generation using integrated gasification combined cycle technology Yes No
 - (7) nuclear electric power generation Yes No
 - (8) a computer center that is used as an integral part or as a necessary auxiliary part for the activity conducted by applicant in one or more activities described by Subdivisions (1) through (7) Yes No
 - (9) a Texas Priority Project, as defined by 313.024(e)(7) and TAC 9.1051 Yes No
3. Are you requesting that any of the land be classified as qualified investment? Yes No
4. Will any of the proposed qualified investment be leased under a capitalized lease? Yes No
5. Will any of the proposed qualified investment be leased under an operating lease? Yes No
6. Are you including property that is owned by a person other than the applicant? Yes No
7. Will any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment? Yes No

SECTION 7: Project Description

1. In **Tab 4**, attach a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information.
2. Check the project characteristics that apply to the proposed project:

<input type="checkbox"/> Land has no existing improvements	<input checked="" type="checkbox"/> Land has existing improvements <i>(complete Section 13)</i>
<input type="checkbox"/> Expansion of existing operation on the land <i>(complete Section 13)</i>	<input type="checkbox"/> Relocation within Texas

SECTION 8: Limitation as Determining Factor

1. Does the applicant currently own the land on which the proposed project will occur? Yes No
2. Has the applicant entered into any agreements, contracts or letters of intent related to the proposed project? Yes No
3. Does the applicant have current business activities at the location where the proposed project will occur? Yes No
4. Has the applicant made public statements in SEC filings or other documents regarding its intentions regarding the proposed project location? Yes No
5. Has the applicant received any local or state permits for activities on the proposed project site? Yes No
6. Has the applicant received commitments for state or local incentives for activities at the proposed project site? Yes No
7. Is the applicant evaluating other locations not in Texas for the proposed project? Yes No
8. Has the applicant provided capital investment or return on investment information for the proposed project in comparison with other alternative investment opportunities? Yes No
9. Has the applicant provided information related to the applicant's inputs, transportation and markets for the proposed project? Yes No
10. Are you submitting information to assist in the determination as to whether the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in Texas? Yes No

Chapter 313.026(e) states "the applicant may submit information to the Comptroller that would provide a basis for an affirmative determination under Subsection (c)(2)." If you answered "yes" to any of the questions in Section 8, attach supporting information in Tab 5.

SECTION 9: Projected Timeline

- 1. Application approval by school board June 2019
- 2. Commencement of construction Q4 2019
- 3. Beginning of qualifying time period June 30, 2019
- 4. First year of limitation 2021
- 5. Begin hiring new employees Q4 2020
- 6. Commencement of commercial operations Q4 2020
- 7. Do you propose to construct a new building or to erect or affix a new improvement after your application review start date (*date your application is finally determined to be complete*)? Yes No
Note: Improvements made before that time may not be considered qualified property.
- 8. When do you anticipate the new buildings or improvements will be placed in service? Q4 2020

SECTION 10: The Property

- 1. Identify county or counties in which the proposed project will be located Nolan County
- 2. Identify Central Appraisal District (CAD) that will be responsible for appraising the property Nolan County Appraisal District
- 3. Will this CAD be acting on behalf of another CAD to appraise this property? Yes No
- 4. List all taxing entities that have jurisdiction for the property, the portion of project within each entity and tax rates for each entity:
 County: Nolan, 0.471252, 100% City:
(Name, tax rate and percent of project)
 Hospital District: Rolling Plains, 0.403970, 100% Water District: Wes-Tex Groundwater, 0.005000, 100%
(Name, tax rate and percent of project)
 Other (describe): Farm to Market, 0.096698, 100% Other (describe):
(Name, tax rate and percent of project)
- 5. Is the project located entirely within the ISD listed in Section 1? Yes No
 5a. If no, attach in **Tab 6** additional information on the project scope and size to assist in the economic analysis.
- 6. Did you receive a determination from the Texas Economic Development and Tourism Office that this proposed project and at least one other project seeking a limitation agreement constitute a single unified project (SUP), as allowed in §313.024(d-2)? Yes No
 6a. If yes, attach in **Tab 6** supporting documentation from the Office of the Governor.

SECTION 11: Investment

NOTE: The minimum amount of qualified investment required to qualify for an appraised value limitation and the minimum amount of appraised value limitation vary depending on whether the school district is classified as Subchapter B or Subchapter C, and the taxable value of the property within the school district. For assistance in determining estimates of these minimums, access the Comptroller's website at comptroller.texas.gov/economy/local/ch313/.

- 1. At the time of application, what is the estimated minimum qualified investment required for this school district? 30,000,000
- 2. What is the amount of appraised value limitation for which you are applying? 30,000,000
Note: The property value limitation amount is based on property values available at the time of application and may change prior to the execution of any final agreement.
- 3. Does the qualified investment meet the requirements of Tax Code §313.021(1)? Yes No
- 4. Attach a description of the qualified investment [See §313.021(1).] The description must include:
 - a. a specific and detailed description of the qualified investment you propose to make on the property for which you are requesting an appraised value limitation as defined by Tax Code §313.021 (**Tab 7**);
 - b. a description of any new buildings, proposed new improvements or personal property which you intend to include as part of your minimum qualified investment (**Tab 7**); and
 - c. a detailed map of the qualified investment showing location of tangible personal property to be placed in service during the qualifying time period and buildings to be constructed during the qualifying time period, with vicinity map (**Tab 11**).
- 5. Do you intend to make at least the minimum qualified investment required by Tax Code §313.023 (or §313.053 for Subchapter C school districts) for the relevant school district category during the qualifying time period? Yes No

SECTION 12: Qualified Property

- 1. Attach a detailed description of the qualified property. [See §313.021(2)] (If qualified investment describes qualified property exactly, you may skip items a, b and c below.) The description must include:
 - 1a. a specific and detailed description of the qualified property for which you are requesting an appraised value limitation as defined by Tax Code §313.021 (Tab 8);
 - 1b. a description of any new buildings, proposed new improvements or personal property which you intend to include as part of your qualified property (Tab 8); and
 - 1c. a map of the qualified property showing location of new buildings or new improvements with vicinity map (Tab 11).
- 2. Is the land upon which the new buildings or new improvements will be built part of the qualified property described by §313.021(2)(A)? Yes No
 - 2a. If yes, attach complete documentation including:
 - a. legal description of the land (Tab 9);
 - b. each existing appraisal parcel number of the land on which the new improvements will be constructed, regardless of whether or not all of the land described in the current parcel will become qualified property (Tab 9);
 - c. owner (Tab 9);
 - d. the current taxable value of the land. Attach estimate if land is part of larger parcel (Tab 9); and
 - e. a detailed map showing the location of the land with vicinity map (Tab 11).
- 3. Is the land on which you propose new construction or new improvements currently located in an area designated as a reinvestment zone under Tax Code Chapter 311 or 312 or as an enterprise zone under Government Code Chapter 2303? Yes No
 - 3a. If yes, attach the applicable supporting documentation:
 - a. evidence that the area qualifies as a enterprise zone as defined by the Governor's Office (Tab 16);
 - b. legal description of reinvestment zone (Tab 16);
 - c. order, resolution or ordinance establishing the reinvestment zone (Tab 16);
 - d. guidelines and criteria for creating the zone (Tab 16); and
 - e. a map of the reinvestment zone or enterprise zone boundaries with vicinity map (Tab 11)
 - 3b. If no, submit detailed description of proposed reinvestment zone or enterprise zone with a map indicating the boundaries of the zone on which you propose new construction or new improvements to the Comptroller's office within 30 days of the application date. What is the anticipated date on which you will submit final proof of a reinvestment zone or enterprise zone? N/A

SECTION 13: Information on Property Not Eligible to Become Qualified Property

- 1. In Tab 10, attach a specific and detailed description of all existing property. This includes buildings and improvements existing as of the application review start date (the date the application is determined to be complete by the Comptroller). The description must provide sufficient detail to locate all existing property on the land that will be subject to the agreement and distinguish existing property from future proposed property.
- 2. In Tab 10, attach a specific and detailed description of all proposed new property that will not become new improvements as defined by TAC 9.1051. This includes proposed property that: functionally replaces existing or demolished/removed property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property; or is otherwise ineligible to become qualified property. The description must provide sufficient detail to distinguish existing property (question 1) and all proposed new property that cannot become qualified property from proposed qualified property that will be subject to the agreement (as described in Section 12 of this application).
- 3. For the property not eligible to become qualified property listed in response to questions 1 and 2 of this section, provide the following supporting information in Tab 10:
 - a. maps and/or detailed site plan;
 - b. surveys;
 - c. appraisal district values and parcel numbers;
 - d. inventory lists;
 - e. existing and proposed property lists;
 - f. model and serial numbers of existing property; or
 - g. other information of sufficient detail and description.
- 4. Total estimated market value of existing property (that property described in response to question 1): \$ 15,637,000.00
- 5. In Tab 10, include an appraisal value by the CAD of all the buildings and improvements existing as of a date within 15 days of the date the application is received by the school district.
- 6. Total estimated market value of proposed property not eligible to become qualified property (that property described in response to question 2): \$ 0.00

Note: Investment for the property listed in question 2 may count towards qualified investment in Column C of Schedules A-1 and A-2, if it meets the requirements of 313.021(1). Such property cannot become qualified property on Schedule B.

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 Third Quarter Fourth Quarter of 2018
(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? 3
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)? 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 825.00
 - b. 110% of the average weekly wage for manufacturing jobs in the county is 1,239.70
 - c. 110% of the average weekly wage for manufacturing jobs in the region is 934.53
8. Which Tax Code section are you using to estimate the qualifying job wage standard required for this project? §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? 48,595.80
10. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? 48,595.80
11. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? 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 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 No
 - 13a. If yes, attach in **Tab 6** supporting documentation including a list of qualifying jobs in the other school district(s).

SECTION 15: Economic Impact

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**.



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM #2

Proof of Payment of Application Fee

Proof of payment attached.

Proof of payment of filing fee received by the
Comptroller of Public Accounts per TAC Rule
§9.1054 (b)(5)

(Page Inserted by Office of Texas Comptroller of
Public Accounts)



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM #3

Combined Group Membership Documentation

Attached to this application is a copy of the most recently filed Form 05-165 for this combined group report. Please note that Maryneal Windpower LLC was formerly Sweetwater Wind 6 LLC as seen on the combined group report. The name change to Maryneal Windpower LLC occurred on 10/16/2018.

Texas Franchise Tax Extension Affiliate List



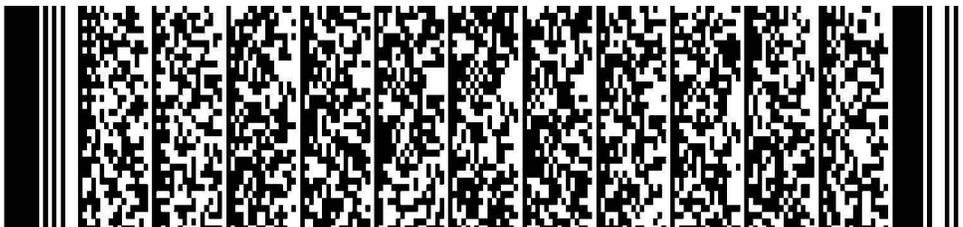
Reporting entity taxpayer number: 12027772180
 Report year: 2018
 Reporting entity taxpayer name: Duke Energy Corporation & Affiliates

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. Ball Hill Windpark, LLC	205632069	<input checked="" type="checkbox"/>
2. Bethel Price Solar, LLC	364777676	<input checked="" type="checkbox"/>
3. Black Mountain Solar, LLC	453138179	<input checked="" type="checkbox"/>
4. CALDWELL POWER COMPANY	560891276	<input checked="" type="checkbox"/>
5. CAPITAN CORPORATION	566025088	<input checked="" type="checkbox"/>
6. Caprock Solar 1 LLC	000000001	<input checked="" type="checkbox"/>
7. Caprock Solar 2, LLC	000000002	<input checked="" type="checkbox"/>
8. Caprock Solar Holdings 1, LLC	000000003	<input checked="" type="checkbox"/>
9. Caprock Solar Holdings 2, LLC	000000004	<input checked="" type="checkbox"/>
10. CaroFund, Inc.	561951151	<input checked="" type="checkbox"/>
11. CaroHome, LLC	561952041	<input checked="" type="checkbox"/>
12. Catamount Energy Corporation	030334622	<input checked="" type="checkbox"/>
13. Catamount Rumford Corp.	030319840	<input checked="" type="checkbox"/>
14. Catamount Sweetwater 1, LLC	651216716	<input checked="" type="checkbox"/>
15. Catamount Sweetwater 2, LLC	201543289	<input checked="" type="checkbox"/>
16. Catamount Sweetwater 3, LLC	201543371	<input checked="" type="checkbox"/>
17. Catamount Sweetwater 4-5, LLC	202530700	<input checked="" type="checkbox"/>
18. Catamount Sweetwater 6, LLC	203437505	<input checked="" type="checkbox"/>
19. Catamount Sweetwater Corporation	15104779804	<input checked="" type="checkbox"/>
20. Catamount Sweetwater Holdings, LLC	203043739	<input checked="" type="checkbox"/>
21. CATAWBA MANUFACTURING AND ELECTRIC POWER COMPANY	560891277	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

Texas Comptroller Official Use Only



VE/DE FM



Texas Franchise Tax Extension Affiliate List



Reporting entity taxpayer number: 12027772180
 Report year: 2018
 Reporting entity taxpayer name: Duke Energy Corporation & Affiliates

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. CEC UK 1 Holding Corporation	542099121	<input checked="" type="checkbox"/>
2. CEC UK 2 Holding Corporation	542099123	<input checked="" type="checkbox"/>
3. CEC Wind Development, LLC	208366550	<input checked="" type="checkbox"/>
4. Century Group Real Estate Holdings, LLC	462376666	<input checked="" type="checkbox"/>
5. Cimarron Windpower II, LLC	452711651	<input checked="" type="checkbox"/>
6. CINCAP IV, LLC	351878271	<input checked="" type="checkbox"/>
7. CINCAP V, LLC	351878271	<input checked="" type="checkbox"/>
8. CINERGY CENTRUS COMMUNICATIONS, INC.	311624694	<input checked="" type="checkbox"/>
9. CINERGY CENTRUS, INC.	311605377	<input checked="" type="checkbox"/>
10. CINERGY CLIMATE CHANGE INVESTMENTS, LLC	352212088	<input checked="" type="checkbox"/>
11. CINERGY CORP	311385023	<input checked="" type="checkbox"/>
12. Cinergy Global Holdings, Inc.	311637643	<input checked="" type="checkbox"/>
13. CINERGY GLOBAL POWER, INC.	311573140	<input checked="" type="checkbox"/>
14. CINERGY GLOBAL RESOURCES, INC.	311600199	<input checked="" type="checkbox"/>
15. CINERGY INVESTMENTS, INC.	13114211900	<input checked="" type="checkbox"/>
16. Cinergy Limited Holdings, LLC	13518782712	<input checked="" type="checkbox"/>
17. CINERGY POWER GENERATION SERVICES, LLC	13117420847	<input checked="" type="checkbox"/>
18. CINERGY RETAIL POWER GENERAL, INC.	13118142200	<input checked="" type="checkbox"/>
19. CINERGY SOLUTIONS PARTNERS, LLC	311735353	<input checked="" type="checkbox"/>
20. CINERGY SOLUTIONS UTILITY, INC.	371496842	<input checked="" type="checkbox"/>
21. CINERGY TECHNOLOGY, INC.	351861260	<input checked="" type="checkbox"/>

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Texas Franchise Tax Extension Affiliate List



Reporting entity taxpayer number: 12027772180
 Report year: 2018
 Reporting entity taxpayer name: Duke Energy Corporation & Affiliates

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. CINERGY WHOLESALE ENERGY, INC.	311742083	<input checked="" type="checkbox"/>
2. CINFUEL RESOURCES, INC.	300023971	<input checked="" type="checkbox"/>
3. CINPOWER I, LLC	13518782712	<input checked="" type="checkbox"/>
4. CLAIBORNE ENERGY SERVICES, INC.	561688941	<input checked="" type="checkbox"/>
5. Clear Skies Solar Holdings, LLC	352463458	<input checked="" type="checkbox"/>
6. Clear Skies Solar, LLC	352464051	<input checked="" type="checkbox"/>
7. Colonial Eagle Solar, LLC	300841007	<input checked="" type="checkbox"/>
8. Conetoe II Solar LLC	465508392	<input checked="" type="checkbox"/>
9. Creswell Alligood Solar, LLC	352515238	<input checked="" type="checkbox"/>
10. CS Murphy Point, LLC	271608328	<input checked="" type="checkbox"/>
11. CSGP GENERAL, LLC	32003322511	<input checked="" type="checkbox"/>
12. CSGP LIMITED, LLC	311735353	<input checked="" type="checkbox"/>
13. CST General, LLC	32003436469	<input checked="" type="checkbox"/>
14. CST GREEN POWER, LP	32036072349	<input checked="" type="checkbox"/>
15. CST Limited, LLC	311735353	<input checked="" type="checkbox"/>
16. DATC Holdings Path 15, LLC	010755955	<input checked="" type="checkbox"/>
17. DATC Path 15 Transmission LLC	205489812	<input checked="" type="checkbox"/>
18. DATC Path 15, LLC	810583474	<input checked="" type="checkbox"/>
19. DE Fossil-Hydro California, Inc.	562264909	<input checked="" type="checkbox"/>
20. DE Nuclear Engineering, Inc.	560947005	<input checked="" type="checkbox"/>
21. DEGS Biomass, LLC	263504569	<input checked="" type="checkbox"/>

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Texas Franchise Tax Extension Affiliate List



Reporting entity taxpayer number Report year Reporting entity taxpayer name

12027772180 2018 Duke Energy Corporation & Affiliates

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. DEGS O&M, LLC	311735353	<input checked="" type="checkbox"/>
2. DEGS OF DELTA TOWNSHIP, LLC	311735353	<input checked="" type="checkbox"/>
3. DEGS OF LANSING, LLC	311735353	<input checked="" type="checkbox"/>
4. DEGS OF MONACA, LLC	311735353	<input checked="" type="checkbox"/>
5. DEGS OF NARROWS, LLC	311735353	<input checked="" type="checkbox"/>
6. DEGS OF SHREVEPORT, LLC	311735353	<input checked="" type="checkbox"/>
7. DEGS OF SOUTH CHARLESTON, LLC	311735353	<input checked="" type="checkbox"/>
8. DEGS Wind Supply II, LLC	263328333	<input checked="" type="checkbox"/>
9. DEGS Wind Supply, LLC	32034378953	<input type="checkbox"/>
10. DEI Trading & Marketing (UK), Ltd.	980417929	<input checked="" type="checkbox"/>
11. DETMI Management, Inc.	18412745426	<input type="checkbox"/>
12. Dixilyn-Field Drilling Company	13629058176	<input checked="" type="checkbox"/>
13. Dogwood Solar, LLC	352455400	<input checked="" type="checkbox"/>
14. DTMSI MANAGEMENT, LTD.	980633764	<input checked="" type="checkbox"/>
15. DUKE BROADBAND, LLC	311734648	<input checked="" type="checkbox"/>
16. Duke Capital Partners, LLC	32003515734	<input checked="" type="checkbox"/>
17. DUKE COMMUNICATIONS HOLDINGS, INC	311480521	<input checked="" type="checkbox"/>
18. Duke Energy ACP, LLC	320448881	<input checked="" type="checkbox"/>
19. Duke Energy Americas, LLC	32015926036	<input type="checkbox"/>
20. Duke Energy Beckjord Storage, LLC	364770372	<input checked="" type="checkbox"/>
21. Duke Energy Beckjord, LLC	310240030	<input checked="" type="checkbox"/>

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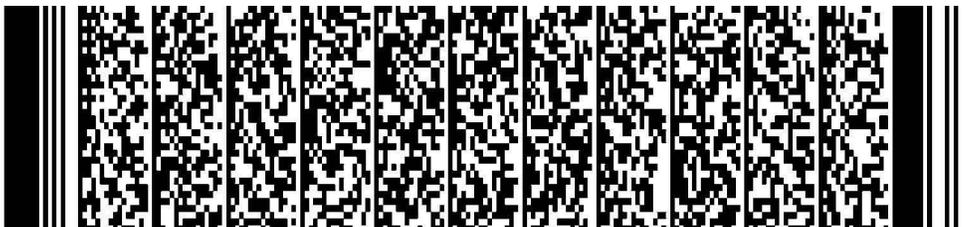
Reporting entity taxpayer number: 12027772180
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LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. Duke Energy Business Services, LLC	15621153582	<input type="checkbox"/>
2. Duke Energy Carolinas Plant Operations, LLC	562256559	<input checked="" type="checkbox"/>
3. Duke Energy Carolinas, LLC	15602055202	<input checked="" type="checkbox"/>
4. Duke Energy China Corp.	14310901872	<input type="checkbox"/>
5. DUKE ENERGY COMMERCIAL ENTERPRISES INC.	13518782712	<input type="checkbox"/>
6. Duke Energy Corporate Services, Inc.	263038228	<input checked="" type="checkbox"/>
7. Duke Energy Corporation	12027772180	<input type="checkbox"/>
8. DUKE ENERGY DEVELOPMENT PTY LTD	522153900	<input checked="" type="checkbox"/>
9. Duke Energy Florida, LLC	590247770	<input checked="" type="checkbox"/>
10. DUKE ENERGY GENERATION SERVICES, INC.	311735353	<input checked="" type="checkbox"/>
11. Duke Energy Group Holdings, LLC	202834760	<input checked="" type="checkbox"/>
12. Duke Energy Group, LLC	232493313	<input checked="" type="checkbox"/>
13. Duke Energy Industrial Sales, LLC	760849274	<input checked="" type="checkbox"/>
14. Duke Energy International (Europe) Holdings Aps	870622575	<input checked="" type="checkbox"/>
15. Duke Energy International (Europe), Limited	980356953	<input checked="" type="checkbox"/>
16. Duke Energy International, LLC	15620512069	<input type="checkbox"/>
17. DUKE ENERGY KENTUCKY, INC.	310473080	<input checked="" type="checkbox"/>
18. Duke Energy Merchants, LLC	17606059990	<input checked="" type="checkbox"/>
19. Duke Energy Moapa, LLC	17606397796	<input checked="" type="checkbox"/>
20. Duke Energy Murray Operating, LLC	760688666	<input checked="" type="checkbox"/>
21. Duke Energy North America, LLC	32001282725	<input type="checkbox"/>

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1. DUKE ENERGY OHIO, INC.	30119734942	<input type="checkbox"/>
2. DUKE ENERGY ONE, INC.	32056697876	<input type="checkbox"/>
3. Duke Energy Pipeline Holding Company, LLC	352515010	<input checked="" type="checkbox"/>
4. Duke Energy Progress, LLC	560165465	<input checked="" type="checkbox"/>
5. DUKE ENERGY REGISTRATION SERVICES, INC.	32042266984	<input checked="" type="checkbox"/>
6. Duke Energy Renewable Services, LLC	14612428574	<input type="checkbox"/>
7. Duke Energy Renewables NC Solar, LLC f/k/a DEGS NC S	272121073	<input checked="" type="checkbox"/>
8. DUKE ENERGY RENEWABLES SOLAR, LLC f/k/a DEGS Solar,	32060293126	<input type="checkbox"/>
9. DUKE ENERGY RENEWABLES WIND, LLC f/k/a DEGS Wind 1,	32033832885	<input type="checkbox"/>
10. DUKE ENERGY RENEWABLES, INC.	32008965132	<input type="checkbox"/>
11. Duke Energy Royal, LLC	043646707	<input checked="" type="checkbox"/>
12. Duke Energy SAM LLC fka Duke Energy Piketon, LLC	310240030	<input checked="" type="checkbox"/>
13. Duke Energy Sabal Trail LLC	473058529	<input checked="" type="checkbox"/>
14. Duke Energy Services, Inc.	480650320	<input checked="" type="checkbox"/>
15. Duke Energy Transmission Holding Co., LLC	263075988	<input checked="" type="checkbox"/>
16. DUKE INVESTMENTS, LLC	311734648	<input checked="" type="checkbox"/>
17. DUKE PROJECT SERVICES, INC.	15608584361	<input type="checkbox"/>
18. DUKE SUPPLY NETWORK, LLC	311734648	<input checked="" type="checkbox"/>
19. DUKE TECHNOLOGIES, INC.	311734648	<input checked="" type="checkbox"/>
20. Duke Ventures II, LLC	311734648	<input checked="" type="checkbox"/>
21. Duke Ventures Real Estate, LLC	270371755	<input checked="" type="checkbox"/>

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1. Duke Ventures, LLC	32033275242	<input checked="" type="checkbox"/>
2. DUKE-CADENCE, INC	351803018	<input checked="" type="checkbox"/>
3. DUKE-FLUOR DANIEL	522070043	<input checked="" type="checkbox"/>
4. DukeNet VentureCo, Inc.	272957743	<input checked="" type="checkbox"/>
5. DUKE-RELIANT RESOURCES, INC.	311582985	<input checked="" type="checkbox"/>
6. EASTOVER LAND COMPANY	610708843	<input checked="" type="checkbox"/>
7. EASTOVER MINING COMPANY	610709991	<input checked="" type="checkbox"/>
8. ENERGY PIPELINES INTERNATIONAL CO.	30113438326	<input type="checkbox"/>
9. EQUINOX VERMONT CORPORATION	030325687	<input checked="" type="checkbox"/>
10. Everetts Wildcat Solar, LLC	300842195	<input checked="" type="checkbox"/>
11. Florida Progress, LLC	592147112	<input checked="" type="checkbox"/>
12. Florida Progress Funding Corporation	510389087	<input checked="" type="checkbox"/>
13. Forest Subsidiary Inc	383992585	<input checked="" type="checkbox"/>
14. Fresh Air Energy X LLC	364792324	<input checked="" type="checkbox"/>
15. Gaston Solar, LLC	463872414	<input checked="" type="checkbox"/>
16. Gato Montes Solar, LLC	900779058	<input checked="" type="checkbox"/>
17. Green Frontier Windpower Holdings, LLC	272120861	<input checked="" type="checkbox"/>
18. Green Frontier Windpower, LLC	272562244	<input checked="" type="checkbox"/>
19. GREENVILLE GAS AND ELECTRIC LIGHT AND POWER COMPANY	560891274	<input checked="" type="checkbox"/>
20. HAPPY JACK WINDPOWER, LLC	208913370	<input checked="" type="checkbox"/>
21. Highlander Solar 1, LLC	371652523	<input checked="" type="checkbox"/>

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LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. Highlander Solar 2, LLC	383856146	<input checked="" type="checkbox"/>
2. HXOp Solar One, LLC	352494924	<input checked="" type="checkbox"/>
3. Ironwood Cimarron Windpower Holdings, LLC	274524080	<input checked="" type="checkbox"/>
4. Kentucky May Coal Company, LLC	591663823	<input checked="" type="checkbox"/>
5. Kit Carson Windpower II Holdings, LLC	000000005	<input checked="" type="checkbox"/>
6. Kit Carson Windpower II, LLC	000000006	<input checked="" type="checkbox"/>
7. Kit Carson Windpower, LLC	270434095	<input checked="" type="checkbox"/>
8. KO TRANSMISSION COMPANY	311408986	<input checked="" type="checkbox"/>
9. Laurel Hill Wind Energy, LLC	202181648	<input checked="" type="checkbox"/>
10. Long Farm 46 Solar LLC	472835796	<input checked="" type="checkbox"/>
11. Los Vientos Windpower 1B, LLC	32044657784	<input type="checkbox"/>
12. Los Vientos Windpower IA Holdings, LLC	274810749	<input checked="" type="checkbox"/>
13. Los Vientos Windpower IA, LLC	32043517013	<input type="checkbox"/>
14. Los Vientos Windpower IB Holdings, LLC	460876907	<input checked="" type="checkbox"/>
15. Los Vientos Windpower III, LLC	32055131646	<input type="checkbox"/>
16. Los Vientos Windpower V, LLC	32051737255	<input type="checkbox"/>
17. Martins Creek Solar NC, LLC	272326071	<input checked="" type="checkbox"/>
18. MCP, LLC	571106058	<input checked="" type="checkbox"/>
19. MIAMI POWER CORPORATION	316035703	<input checked="" type="checkbox"/>
20. Murphy Farm Power, LLC	271738688	<input checked="" type="checkbox"/>
21. NC Renewables Properties, LLC	274226281	<input checked="" type="checkbox"/>

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Texas Franchise Tax Extension Affiliate List



Reporting entity taxpayer number: 12027772180
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LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. North Allegheny Wind, LLC	204976668	<input checked="" type="checkbox"/>
2. Notrees Windpower, LP	12089132950	<input type="checkbox"/>
3. Ocotillo Windpower, LP	12020785650	<input type="checkbox"/>
4. OHIO RIVER VALLEY PROPANE, LLC	13518782712	<input checked="" type="checkbox"/>
5. PanEnergy Corp	17421504600	<input checked="" type="checkbox"/>
6. PHX Management Holdings, LLC	475373152	<input checked="" type="checkbox"/>
7. PIH Inc.	593478335	<input checked="" type="checkbox"/>
8. PIH Tax Credit Fund III, Inc.	364443680	<input checked="" type="checkbox"/>
9. PIH Tax Credit Fund IV, Inc.	364443682	<input checked="" type="checkbox"/>
10. PIH Tax Credit Fund V, Inc.	364443685	<input checked="" type="checkbox"/>
11. Progress Capital Holdings, Inc.	592910519	<input checked="" type="checkbox"/>
12. Progress Energy EnviroTree, Inc.	200560403	<input checked="" type="checkbox"/>
13. Progress Energy, Inc.	562155481	<input checked="" type="checkbox"/>
14. Progress Fuels Corporation	591663823	<input checked="" type="checkbox"/>
15. Progress Synfuels Holdings, Inc.	522207174	<input checked="" type="checkbox"/>
16. Progress Telecommunications Corporation	593542071	<input checked="" type="checkbox"/>
17. Progress Ventures Holdings, Inc.	582453021	<input checked="" type="checkbox"/>
18. PT Holding Company, LLC	200362964	<input checked="" type="checkbox"/>
19. Pumpjack Solar I, LLC	611677804	<input checked="" type="checkbox"/>
20. RE Ajo 1, LLC	271126769	<input checked="" type="checkbox"/>
21. RE AZ Holdings, LLC	273701042	<input checked="" type="checkbox"/>

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1. RE Bagdad Solar 1, LLC	270993996	<input checked="" type="checkbox"/>
2. RE SF City 1 Holdco, LLC	272920871	<input checked="" type="checkbox"/>
3. RE SF City1, GP	270993618	<input checked="" type="checkbox"/>
4. RE SFCity 1, LP	270306516	<input checked="" type="checkbox"/>
5. RP-Orlando, LLC	274288389	<input checked="" type="checkbox"/>
6. SANDY RIVER TIMBER	32038928548	<input checked="" type="checkbox"/>
7. Searchlight Wind Energy, LLC	262005908	<input checked="" type="checkbox"/>
8. SEC Bellefonte SD Solar One, LLC	271824418	<input checked="" type="checkbox"/>
9. SEC BESD Solar One, LLC	271433041	<input checked="" type="checkbox"/>
10. Seville Solar Holding Comapany LLC	465614669	<input checked="" type="checkbox"/>
11. Seville Solar Investments One LLC	474186313	<input checked="" type="checkbox"/>
12. Seville Solar One LLC	465597101	<input checked="" type="checkbox"/>
13. Seville Solar Two, LLC	465691149	<input checked="" type="checkbox"/>
14. Shirley Wind, LLC	205854324	<input checked="" type="checkbox"/>
15. SILVER SAGE WINDPOWER, LLC	32033832885	<input checked="" type="checkbox"/>
16. SolNCPower5, LLC	471722528	<input checked="" type="checkbox"/>
17. SolNCPower6 LLC	471757662	<input checked="" type="checkbox"/>
18. SolNCPower10 LLC	472831841	<input checked="" type="checkbox"/>
19. Solar Star North Carolina I, LLC	272049842	<input checked="" type="checkbox"/>
20. Solar Star North Carolina II, LLC	272217869	<input checked="" type="checkbox"/>
21. SOUTH CONSTRUCTION COMPANY, INC.	356038829	<input checked="" type="checkbox"/>

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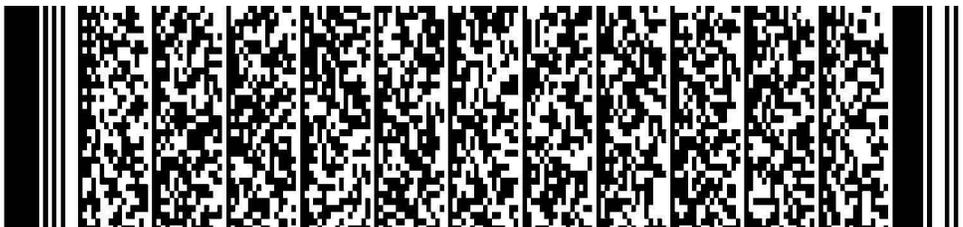
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LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. SOUTHERN POWER COMPANY	560891283	<input checked="" type="checkbox"/>
2. Strategic Resource Solutions Corp.	561969188	<input checked="" type="checkbox"/>
3. SUEZ-DEGS OF ORLANDO, LLC	311612973	<input checked="" type="checkbox"/>
4. Sugartree Timber, LLC	263077650	<input checked="" type="checkbox"/>
5. Sweetwater Development, LLC	32009176739	<input type="checkbox"/>
6. Sweetwater Wind 6, LLC	32014970977	<input type="checkbox"/>
7. Sweetwater Wind Power, LLC	32009176796	<input type="checkbox"/>
8. SYNCAP II, LLC	13518782712	<input checked="" type="checkbox"/>
9. Tarboro Solar LLC	463510736	<input checked="" type="checkbox"/>
10. Taylorsville Solar, LLC	273631582	<input checked="" type="checkbox"/>
11. TBP PROPERTIES, LLC	331162179	<input checked="" type="checkbox"/>
12. TE Notrees, LLC	32031953253	<input type="checkbox"/>
13. TE Ocotillo, LLC	32031953295	<input type="checkbox"/>
14. Teak Mountain Products, LLC	260145803	<input checked="" type="checkbox"/>
15. Three Buttes Windpower, LLC	263328528	<input checked="" type="checkbox"/>
16. Top Consolidated ELIM	522153900	<input checked="" type="checkbox"/>
17. Top of the World Wind Energy Holdings, LLC	273969054	<input checked="" type="checkbox"/>
18. Top of the World Wind Energy, LLC	262268503	<input checked="" type="checkbox"/>
19. TRES TIMBER, LLC	331162176	<input checked="" type="checkbox"/>
20. TRI-STATE IMPROVEMENT COMPANY	310677812	<input checked="" type="checkbox"/>
21. TX Solar I, LLC	32039980035	<input type="checkbox"/>

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1. Washington Airport Solar, LLC	364777396	<input checked="" type="checkbox"/>
2. Washington Millfield Solar, LLC	300807240	<input checked="" type="checkbox"/>
3. Washington White Post Solar, LLC	371702158	<input checked="" type="checkbox"/>
4. WATEREE POWER COMPANY	560751405	<input checked="" type="checkbox"/>
5. West Texas Angelos Holdings, LLC	32043773962	<input type="checkbox"/>
6. WESTERN CAROLINA POWER COMPANY	560891269	<input checked="" type="checkbox"/>
7. White Sands Solar, LLC	300749871	<input checked="" type="checkbox"/>
8. Wild Jack Solar Holdings LLC	475258006	<input checked="" type="checkbox"/>
9. Wild Jack Solar LLC	300884992	<input checked="" type="checkbox"/>
10. Wildwood SolarI, LLC	800781721	<input checked="" type="checkbox"/>
11. Willow Creek Wind Energy LLC	260627772	<input checked="" type="checkbox"/>
12. Willow Mountain Products, LLC	260145938	<input checked="" type="checkbox"/>
13. Wind Star Holdings, LLC	465411007	<input checked="" type="checkbox"/>
14. Wind Star Renewables, LLC	383929660	<input checked="" type="checkbox"/>
15. Windsor Cooper Hill Solar, LLC	383922929	<input checked="" type="checkbox"/>
16. Winton Solar LLC	463878687	<input checked="" type="checkbox"/>
17. Woods Canyon Windpower, LLC	000000007	<input checked="" type="checkbox"/>
18. REC Solar Commercial Corporation	32054281764	<input type="checkbox"/>
19. Emerald State Solar, LLC	813035270	<input checked="" type="checkbox"/>
20. Woodland Solar, LLC	463705462	<input checked="" type="checkbox"/>
21. Seaboard Solar LLC	464074095	<input checked="" type="checkbox"/>

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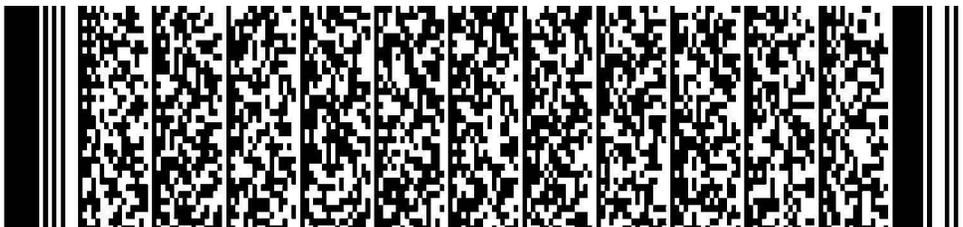
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LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. River Road Solar, LLC	472302141	<input checked="" type="checkbox"/>
2. Garysburg Solar LLC	461324230	<input checked="" type="checkbox"/>
3. Emerald State Solar Holdings, LLC	611796017	<input checked="" type="checkbox"/>
4. Duke Energy Clean Energy Resources, LLC	371839651	<input checked="" type="checkbox"/>
5. Duke Energy Renewables Holding Comapany LLC	13114211900	<input checked="" type="checkbox"/>
6. Los Vientos Windpower III Holdings, LLC	471609777	<input checked="" type="checkbox"/>
7. Los Vientos Windpower IV Holdings, LLC	471619529	<input checked="" type="checkbox"/>
8. Los Vientos Windpower IV, LLC	32051737321	<input type="checkbox"/>
9. Los Vientos Windpower V Holdings, LLC	471630348	<input checked="" type="checkbox"/>
10. Frontier Windpower LLC	474881702	<input checked="" type="checkbox"/>
11. Frontier Windpower II, LLC	475652440	<input checked="" type="checkbox"/>
12. Texoma Wind Holdings, LLC	000000008	<input checked="" type="checkbox"/>
13. Texoma Wind, LLC	371839658	<input checked="" type="checkbox"/>
14. DUKE ENERGY INDIANA, LLC	30119734926	<input type="checkbox"/>
15. Duke Energy SAM Historic	310240030	<input checked="" type="checkbox"/>
16. Duke Energy Renewables Commercial, LLC	472584734	<input checked="" type="checkbox"/>
17. Wildwood Solar II, LLC	814695171	<input checked="" type="checkbox"/>
18. Victory Solar LLC	352553314	<input checked="" type="checkbox"/>
19. Longboat Solar, LLC	471153378	<input checked="" type="checkbox"/>
20. Rio Bravo Solar I, LLC	814444109	<input checked="" type="checkbox"/>
21. Rio Bravo Solar II, LLC	814464796	<input checked="" type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

Texas Comptroller Official Use Only



VE/DE FM



Texas Franchise Tax Extension Affiliate List



Reporting entity taxpayer number: 12027772180
 Report year: 2018
 Reporting entity taxpayer name: Duke Energy Corporation & Affiliates

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. Duke Energy Florida Solar Solutions LLC	473252298	<input checked="" type="checkbox"/>
2. Piedmont Natural Gas Company, Inc.	15605569985	<input checked="" type="checkbox"/>
3. Piedmont ENCNG Company, LLC	043754093	<input checked="" type="checkbox"/>
4. Piedmont ACP Company, LLC	000000009	<input checked="" type="checkbox"/>
5. Piedmont Energy Partners, Inc.	561991796	<input checked="" type="checkbox"/>
6. Piedmont Constitution Pipeline Company, LLC	364751482	<input checked="" type="checkbox"/>
7. Piedmont Interstate Pipeline Company	561795481	<input checked="" type="checkbox"/>
8. Piedmont Energy Company	561866106	<input checked="" type="checkbox"/>
9. Piedmont Intrastate Pipeline Company	561870763	<input checked="" type="checkbox"/>
10. Piedmont Hardy Storage Company, LLC	205782135	<input checked="" type="checkbox"/>
11. Phoenix Energy Technologies, Inc.	263984247	<input checked="" type="checkbox"/>
12. High Noon Solar Holdings, LLC	821778025	<input checked="" type="checkbox"/>
13. High Noon Solar, LLC	821806248	<input checked="" type="checkbox"/>
14. Progress Fuels, LLC	822324116	<input checked="" type="checkbox"/>
15. Stenner Creek Solar, LLC	000000010	<input checked="" type="checkbox"/>
16. Amshore Osage, LLC	000000011	<input checked="" type="checkbox"/>
17. Duke Energy Shoreham, LLC	822802633	<input checked="" type="checkbox"/>
18. Shoreham Energy Holdings, LLC	822808152	<input checked="" type="checkbox"/>
19. DEPHCO Logistics, LLC	000000012	<input checked="" type="checkbox"/>
20.		<input type="checkbox"/>
21.		<input type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

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CHECKLIST ITEM #4

Detailed Description of Project

Maryneal Windpower, LLC anticipates constructing a wind-powered electric generating facility with an operating capacity of approximately 180 megawatts. Presently our plans are to install 43 Siemens/Gamesa 4.2 megawatt turbines on the property within the “Maryneal Wind” reinvestment zone in Nolan County, Texas. Maryneal Windpower, LLC estimates that all 43 turbines are planned to be installed in Highland ISD.

If granted an Appraised Value Limitation pursuant to Texas Tax Code 313, Maryneal Windpower, LLC expects to issue a full notice to proceed for construction in Q3 of 2019 and expects to complete construction in Q4 2020.

The additional improvements for the Maryneal Windpower Project will include but are not limited to, wind turbines, towers, nacelles, rotors, reinforced concrete foundations, new and improved roads, operations and maintenance building, pads, meteorological equipment, electrical transmission cables and towers, transformers, electrical substations, and control systems as necessary for the commercial generation of electricity to the ERCOT electrical grid.



CHECKLIST ITEM #5

Documentation to assist in determining if limitation is a determining factor.

2. Has the applicant entered into any agreements, contracts or letters of intent related to the proposed project?

The applicant has entered into long term lease agreements with the landowners in the project area. The applicant has also signed interconnection study agreements to interconnect the project to the transmission system. None of the contracts or agreements with the Company has entered into requires or obligates the Company to move forward with the proposed project in the event that a Chapter 313 Appraised Value Limitation is not approved.

In order for the project to qualify for the federal income tax Production Tax Credit (PTC), the Applicant was required to complete PTC qualification work before the statutorily imposed deadline of December 31, 2016. This work consisted of earth moving and installation of approximately 5400 linear feet of road connecting proposed turbine locations. These were not deemed taxable improvements by the Nolan County Central Appraisal District and no tax bill was delivered. The Applicant's completion of this PTC qualification work does in no way legally or financially commit it to constructing the project in Nolan County.

7. Is the applicant evaluating other locations not in Texas for the proposed project?

Duke Energy Renewables, acting as parent company of Maryneal Windpower, LLC, is a U.S. developer of wind projects, and has operations in several regions within the contiguous United States. Duke has the ability to locate wind farms anywhere in the U.S. and bases its decision to deploy capital on projects with the best return on investment. For these reasons Duke Energy studies and compares the economic returns at various competing sites throughout the market areas where wind development is attractive. Without a Limitation on Appraised Value, the economics of the project become far less attractive and Duke Energy would allocate its financial resources to alternative sites outside the State of Texas with more favorable economic returns which would include:

- Oklahoma
- Iowa
- South Dakota



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

10. Are you submitting information to assist in the determination as to whether the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in Texas?

The information provided in this Attachment and throughout the Application has been assembled to provide the reviewer with the best possible information to make an assessment and determination of the critical nature of the Limitation on Appraised Value to the feasibility of Maryneal Windpower, LLC. The financial viability of the Maryneal Windpower, LLC project is contingent on receiving the Chapter 313 Appraised Value Limitation and the project cannot move forward without it.



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM #6

Description of how project is located in more than one district, including list of percentage in each district and, if determined to be a single unified project, documentation from the Office of the Governor (if applicable).

N/A



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM #7

Description of Qualified Investment

Maryneal Windpower, LLC plans to construct an approximately 180 MW wind farm in Nolan County.

This application covers all qualified property within Highland ISD necessary for the commercial operations for the proposed wind farm described in Checklist #4. One hundred eighty (180 MW) will be located in Highland ISD. Turbine placement is subject to change.

This application covers all qualified investment and qualified property necessary for the commercial operations of the win farm.

Qualified Investment and qualified property includes, but is not limited to, wind turbines, towers, nacelles, rotors, reinforced concrete foundations, new and improved roads, operations and maintenance building, pads, meteorological equipment, electrical transmission cables and towers, transformers, electrical substations, and control systems as necessary for the commercial generation of electricity to the ERCOT electrical grid.



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM #8

Description of Qualified Investment

Maryneal Windpower, LLC plans to construct an approximately 180 MW wind farm in Nolan County.

This application covers all qualified property within Highland ISD necessary for the commercial operations for the proposed wind farm described in Checklist #4. One hundred eighty (180 MW) will be located in Highland ISD. Turbine placement is subject to change.

This application covers all qualified investment and qualified property necessary for the commercial operations of the win farm.

Qualified Investment and qualified property includes, but is not limited to, wind turbines, towers, nacelles, rotors, reinforced concrete foundations, new and improved roads, operations and maintenance building, pads, meteorological equipment, electrical transmission cables and towers, transformers, electrical substations, and control systems as necessary for the commercial generation of electricity to the ERCOT electrical grid.



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM #9

Description of Land

Maryneal Windpower, LLC will lease approximately 16,000+ acres of land with local land owners in Nolan County, Texas.



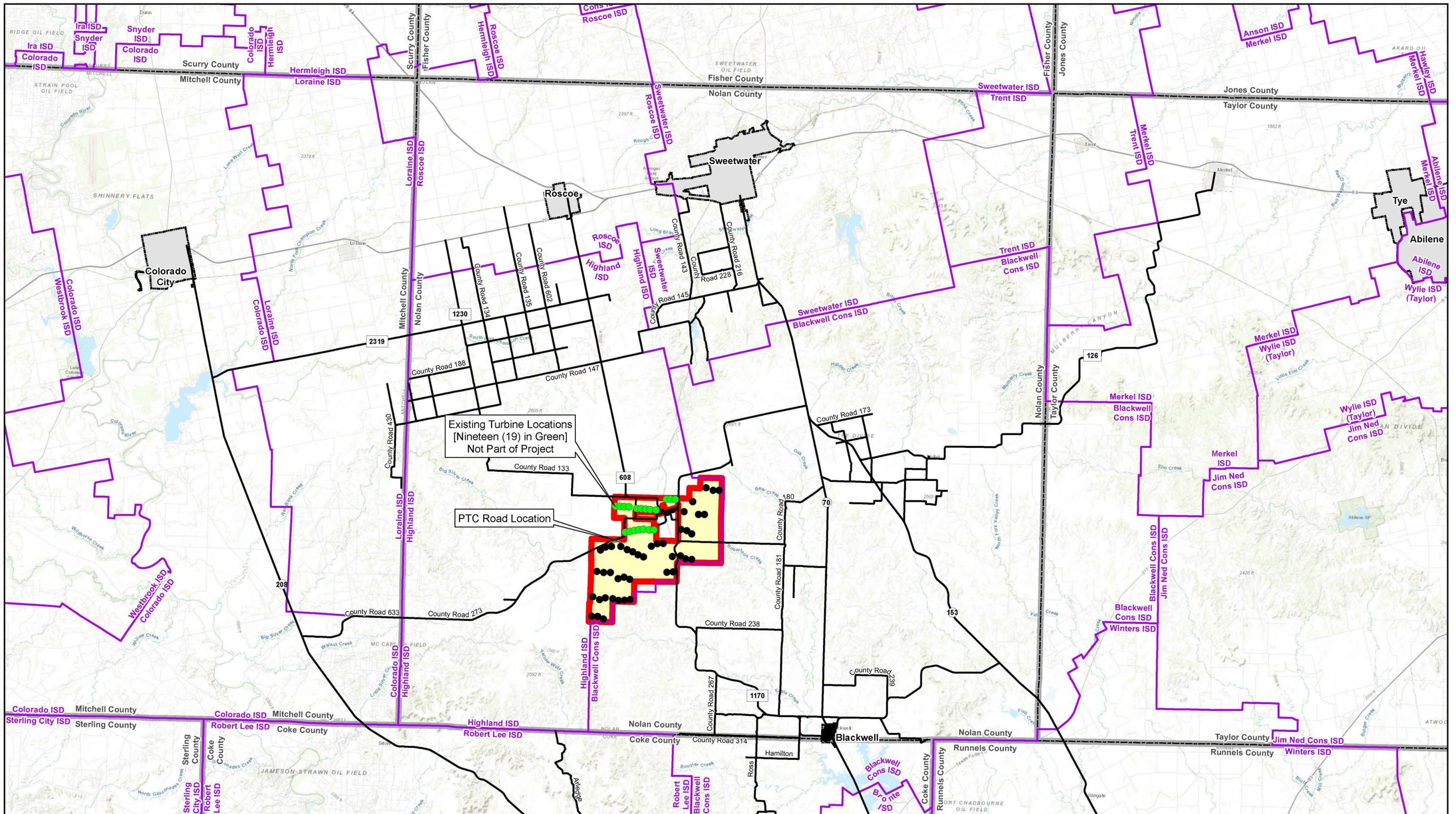
Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM #10

Description of all property not eligible to become qualified property (if applicable).

In order for the project to qualify for the federal income tax Production Tax Credit (PTC), the Applicant was required to complete a minimum amount of PTC qualification work before the statutorily imposed deadline of December 31, 2016. This work consisted of earth moving and installation of approximately 5400 linear feet of road connecting proposed turbine locations. These were not deemed taxable improvements by the Nolan County Central Appraisal District and no tax bill was delivered. The Applicant's completion of this minor amount of PTC qualification work does in no way legally or financially commit it to constructing the project in Nolan County. The estimated cost to install the roads was \$200,000. This will not become qualified property and be excluded from the limitation.

Attached is a general property tax information statement taken from the Nolan County Appraisal District website displaying for Sweetwater 5 values for their turbines of \$15,437,000.



Existing Turbine Locations
[Nineteen (19) in Green]
Not Part of Project

PTC Road Location

1221 South MoPac Expressway, Suite 225
Austin, Texas 78746 | 512-222-1125
www.energyrenewalpartners.com



Legend

- Proposed Turbine Location
- Existing Turbine Location
- PTC Road
- Proposed Project Area
- School District Boundary
- City Limit
- County Boundary

Duke Energy Renewables
Maryneal Windpower Project
Regional Location - Neighboring Wind Projects

Project Location: Nolan County, Texas



MAP 2

Prepared by: B. Richards Date: 12/19/2018

Nolan County Appraisal District



General Property Tax Information - Parcel ID: 509654

Property Owner
SWEETWATER WIND 5 LLC

Account Number
0708194-0-9900005

Mailing Address
6688 N CENTRAL EXPY STE 500
DALLAS, TX 75206-3924

Legal Information
35 (2.3MW) TURBINES
REAL NP
SWEETWATER WIND 5 LLC (80.5MW)
HIGHLAND ISD (2008)

Property Address

[View / Print Tax Statement](#)

[View All Tax Data For This Owner](#)

THIS IS BASE TAX ONLY AND DOES NOT INCLUDE PENALTY & INTEREST AND/OR DISCOUNT.

DO NOT PAY THIS AMOUNT.

PLEASE CLICK VIEW / PRINT TAX STATEMENT ABOVE.

Jur Code	Description	Assessed Value	Tax Rate	Tax Amount
01N	Nolan County	15,437,000	0.381753	58931.21
01NIS	Nolan County IS	15,437,000	0.058613	9048.09
03H	Highland ISD	15,437,000	1.16	179069.20
03HIS	Highland ISD I&S	15,437,000	0.15	23155.50
04W	Wes-Tex Groundwater	15,437,000	0.005	771.85
051	Nolan County Hospital Dist	15,437,000	0.4	61748.00
11N	Fm kt	15,437,000	0.09129	14092.44

BASE property tax for **2018**: \$ 346816.29

* Where supporting website data is available.

[New Property Search](#)

[Go To Previous Page](#)

BRENDA KLEPPER
 Nolan County Appraisal District
 P.O. Box 1256
 Sweetwater, Tx 79556-1256
 (325)-235-8421



2018 TAX STATEMENT

***** Taxes as Of Today: 12/19/2018 *****

Owner ID: 708194

SWEETWATER WIND 5 LLC
 6688 N CENTRAL EXPY STE 500
 DALLAS, TX 75206

NOTICE TO TAXPAYER
 The records of this office indicate that the taxes on the property show below have not been paid.
 Please report any errors in DESCRIPTION, AMOUNT OF TAX, ASSESSMENT or OWNERSHIP to the APPRAISAL DISTRICT.

Parcel ID: 509654

Account #: 0708194-0-9900005

Legal Description:

35 (2.3MW) TURBINES)
 REAL NP
 SWEETWATER WIND 5 LLC (80.5MW)
 HIGHLAND ISD (2008)

Tax Year	Jurisdiction	Base Tax Amount	Penalty / Interest And Or Discount	Attorney Fees Due	Total Due
2018	Fm kt	14,092.44	0.00	0.00	14,092.44
2018	Highland ISD	179,069.20	0.00	0.00	179,069.20
2018	Highland ISD I&S	23,155.50	0.00	0.00	23,155.50
2018	Nolan County	58,931.21	0.00	0.00	58,931.21
2018	Nolan County Hospital Dist	61,748.00	0.00	0.00	61,748.00
2018	Nolan County IS	9,048.09	0.00	0.00	9,048.09
2018	Wes-Tex Groundwater	771.85	0.00	0.00	771.85

IF YOU PAYING FROM THIS STATEMENT, PLEASE CONTACT THE COLLECTION OFFICE TO VERIFY THE TOTAL DUE. INTERNET CONNECTIVITY COULD POSSIBLY AFFECT CALCULATIONS.

THIS STATEMENT WAS PRINTED FROM WWW.NOLAN-CAD.ORG.
 PLEASE CONTACT THE COLLECTION OFFICE FOR MORE DETAILED INFORMATION.
 PRINT DATE - 12/19/2018

(Total Tax Due For This Collection Office) \$ **346,816.29**

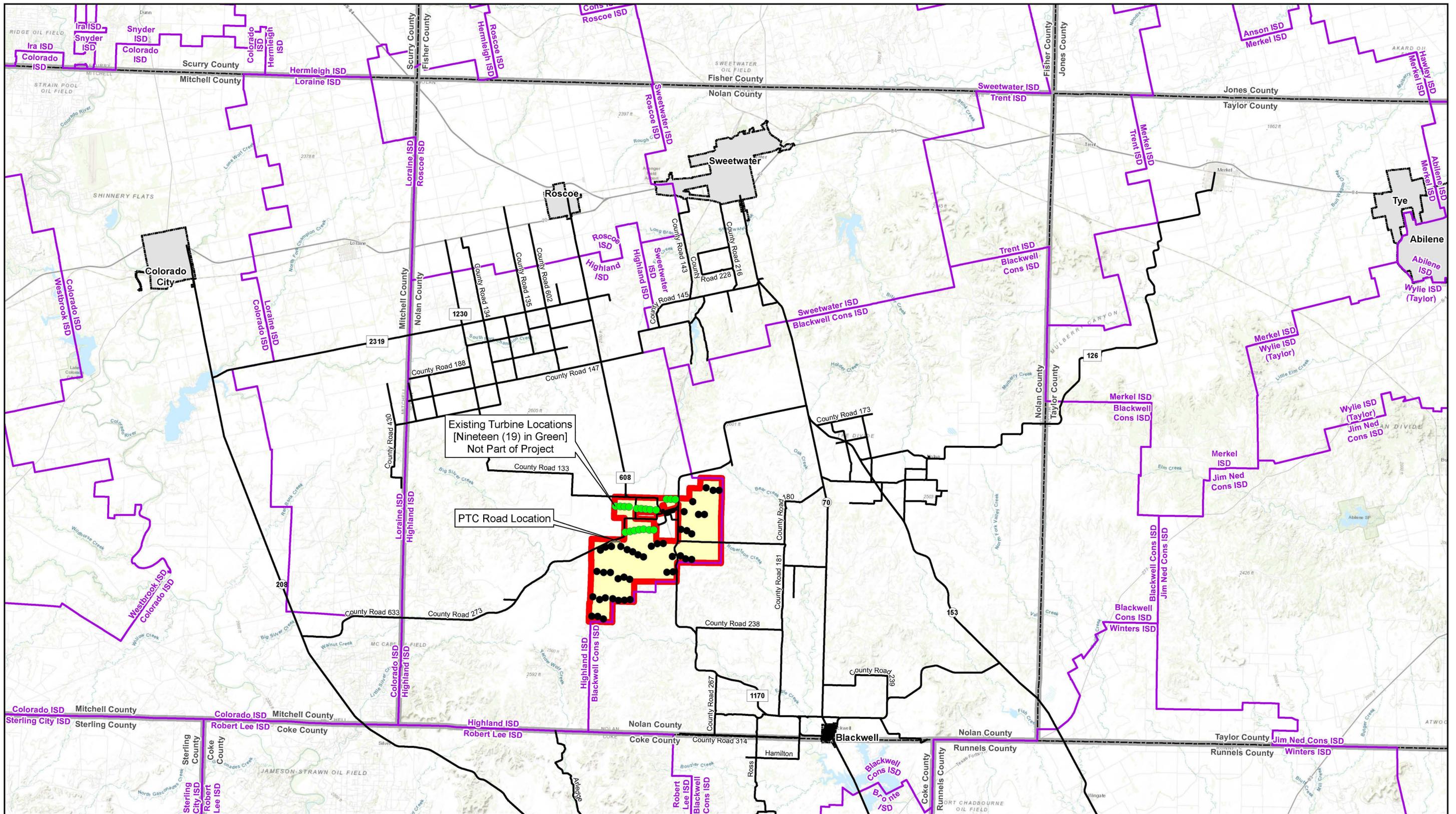


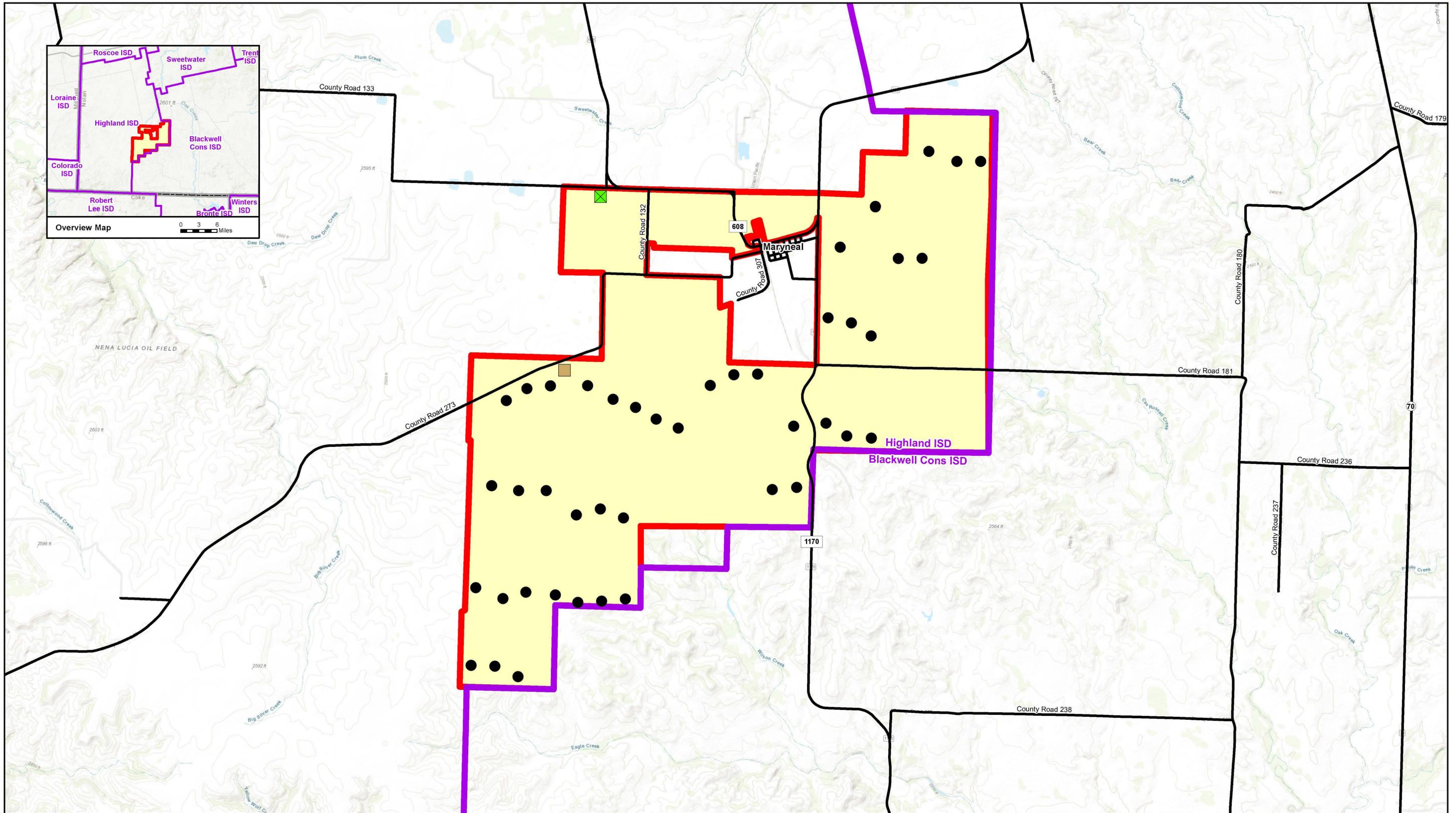
Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM #11

Maps

1. Project vicinity – Attached
2. Qualified investment including location of tangible personal property to be placed in service during the qualifying time period and buildings to be constructed during the qualifying time period - Attached
3. Qualified property including location of new buildings or new improvements - Attached
4. Existing property - Attached
5. Land location within vicinity map - Attached
6. Reinvestment or Enterprise Zone within vicinity map, showing the actual or proposed boundaries and size – To be supplemented after creation





1221 South MoPac Expressway, Suite 225
 Austin, Texas 78746 | 512-222-1125
 www.energyrenewalpartners.com

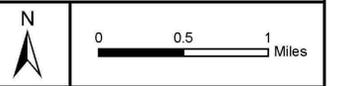


Legend

- Proposed Turbine Location
- ⊠ Proposed Project Substation
- Proposed O&M Building
- ▭ Proposed Project Area
- ▭ School District Boundary

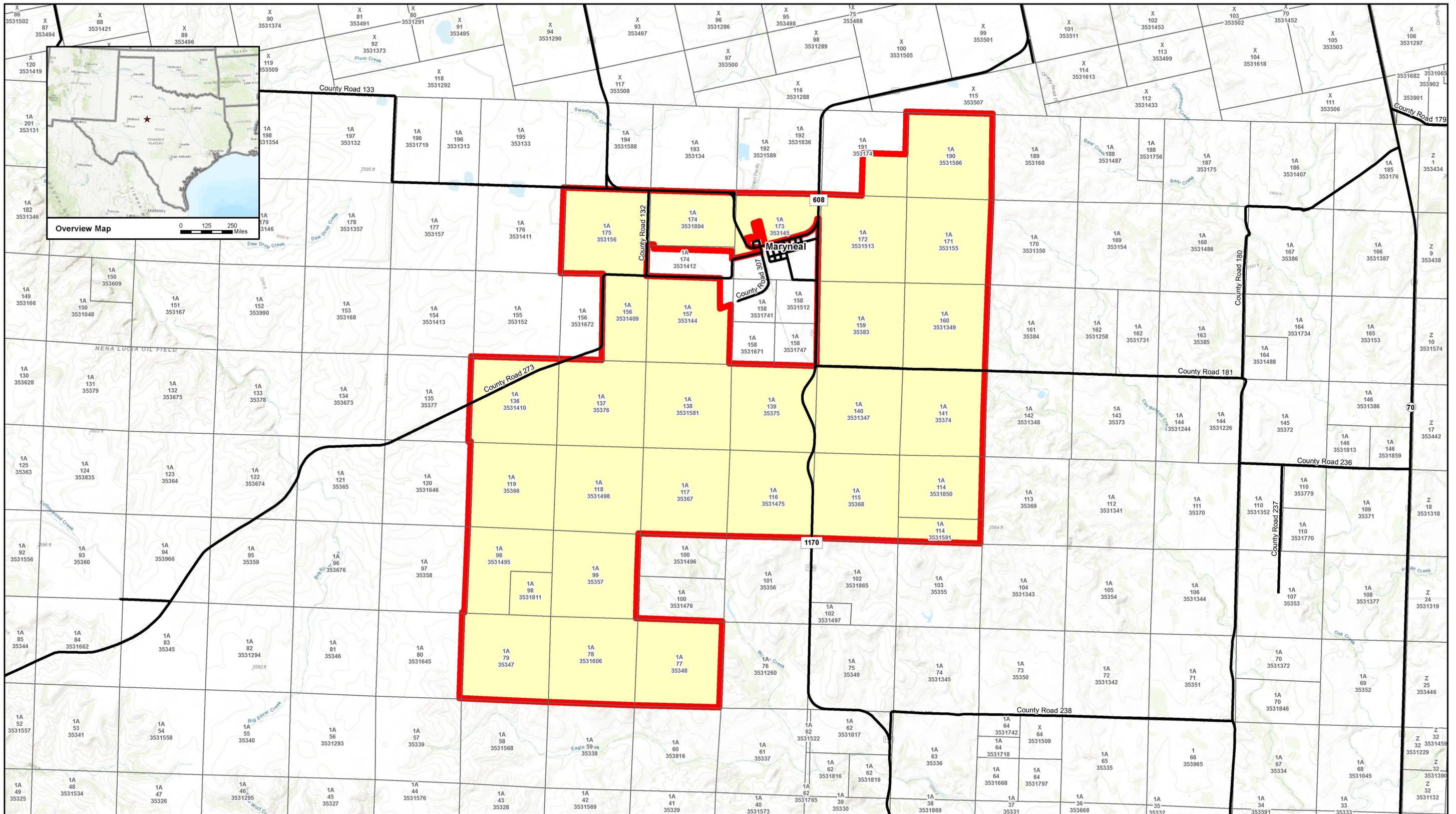
Duke Energy Renewables
Maryneal Windpower Project
 Proposed Project Infrastructure and ISD Boundaries

Project Location: Nolan County, Texas



MAP 1

Prepared by: B. Richards Date: 12/19/2018



1221 South MoPac Expressway, Suite 225
 Austin, Texas 78746 | 512-222-1125
 www.energyrenewalpartners.com



Legend

- Proposed Reinvestment Zone
- Section Boundary

**Duke Energy Renewables
 Maryneal Windpower Project
 Approved Reinvestment Zone**

Project Location: Nolan County, Texas



0 0.5 1 Miles

MAP 1

Prepared by: B. Richards Date: 10/15/2018



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM #12

Request for Waiver of Job Creation Requirement and supporting information.

See attached.



Janet M. Bridges
Vice President
Maryneal Windpower, LLC

550 South Caldwell Street Suite 900
CHARLOTTE, NC 28202

November 16, 2018

Mr. Duane Hyde
Superintendent
Highland Independent School District

RE: Job Requirement Waiver Request – Maryneal Windpower, LLC

Dear Superintendent Hyde:

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

As background information on the creation of full-time jobs for wind energy projects, these projects create a large number of temporary full-time jobs during the construction phase, but require only a small number of highly skilled employees to operate and maintain the facility once construction ends and commercial operations begin. The permanent employees of a wind energy facility maintain and service wind turbines, underground electrical connections, substations and other related infrastructure associated with the safe and reliable operation of the facility. Additionally, there are also asset managers who supervise, monitor and support wind operations from offsite locations.

Wind industry standard for the number of permanent qualifying jobs necessary for the operation and maintenance of a wind energy facility is less than the minimum new qualifying jobs requirement. Industry standard is that an average wind energy facility will employ approximately one (1) new permanent employee for every fifteen (15) wind turbines installed. Therefore, in line with wind industry standards and based on the anticipated needs of this facility, Maryneal Windpower, LLC is committed to creating 3 new qualifying jobs.

Maryneal Windpower, LLC respectfully requests that the Highland ISD Board of Trustees waive the new qualifying job creation requirement for its application and find that industry standard for the number of employees reasonably necessary for the operation and maintenance of the facility is less than the minimum new job creation requirement.

Sincerely,

A handwritten signature in blue ink that reads "Janet M. Bridges".

Janet M. Bridges
Vice President
Maryneal Windpower, LLC



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM #13

Calculation of three possible wage requirements with TWC documentation.

See attached.

Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2017	1st Qtr	Nolan County	Total All	00	0	10	Total, all industries	\$798
2018	1st Qtr	Nolan County	Total All	00	0	10	Total, all industries	\$849
2017	2nd Qtr	Nolan County	Total All	00	0	10	Total, all industries	\$777
2018	2nd Qtr	Nolan County	Total All	00	0	10	Total, all industries	\$821
2017	3rd Qtr	Nolan County	Total All	00	0	10	Total, all industries	\$793
2017	4th Qtr	Nolan County	Total All	00	0	10	Total, all industries	\$837

Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2017	1st Qtr	Nolan County	Private	31	2	31-33	Manufacturing	\$1,156
2018	1st Qtr	Nolan County	Private	31	2	31-33	Manufacturing	\$1,203
2017	2nd Qtr	Nolan County	Private	31	2	31-33	Manufacturing	\$1,047
2018	2nd Qtr	Nolan County	Private	31	2	31-33	Manufacturing	\$1,116
2017	3rd Qtr	Nolan County	Private	31	2	31-33	Manufacturing	\$1,064
2017	4th Qtr	Nolan County	Private	31	2	31-33	Manufacturing	\$1,125

Total All, Total all industries		
2018 Qtr 1	\$	849.00
2018 Qtr 2	\$	821.00
2017 Qtr 3	\$	793.00
2017 Qtr 4	\$	837.00
Total	\$	3,300.00
Average	\$	825.00

#7 West Central Texas Council Of Governments

	21.24	\$	44,178.00
	110	\$	48,595.80
Monthly		\$	934.53

Private, Manufacturing		
2018 Qtr 1	\$	1,203.00
2017 Qtr 2	\$	1,116.00
2017 Qtr 3	\$	1,064.00
2017 Qtr 4	\$	1,125.00
Total	\$	4,508.00
Average	\$	1,127.00
	110% \$	1,239.70
Annual Wage	\$	64,464.40

**2017 Manufacturing Average Wages by Council of Government Region
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
Texas	\$26.24	\$54,587
<u>1. Panhandle Regional Planning Commission</u>	\$23.65	\$49,190
<u>2. South Plains Association of Governments</u>	\$19.36	\$40,262
<u>3. NORTEX Regional Planning Commission</u>	\$23.46	\$48,789
<u>4. North Central Texas Council of Governments</u>	\$26.80	\$55,747
<u>5. Ark-Tex Council of Governments</u>	\$18.59	\$38,663
<u>6. East Texas Council of Governments</u>	\$21.07	\$43,827
<u>7. West Central Texas Council of Governments</u>	\$21.24	\$44,178
<u>8. Rio Grande Council of Governments</u>	\$18.44	\$38,351
<u>9. Permian Basin Regional Planning Commission</u>	\$26.24	\$54,576
<u>10. Concho Valley Council of Governments</u>	\$19.67	\$40,924
<u>11. Heart of Texas Council of Governments</u>	\$21.53	\$44,781
<u>12. Capital Area Council of Governments</u>	\$31.49	\$65,497
<u>13. Brazos Valley Council of Governments</u>	\$17.76	\$39,931
<u>14. Deep East Texas Council of Governments</u>	\$17.99	\$37,428
<u>15. South East Texas Regional Planning Commission</u>	\$34.98	\$72,755
<u>16. Houston-Galveston Area Council</u>	\$28.94	\$60,202
<u>17. Golden Crescent Regional Planning Commission</u>	\$26.94	\$56,042
<u>18. Alamo Area Council of Governments</u>	\$22.05	\$48,869
<u>19. South Texas Development Council</u>	\$15.07	\$31,343
<u>20. Coastal Bend Council of Governments</u>	\$28.98	\$60,276
<u>21. Lower Rio Grande Valley Development Council</u>	\$17.86	\$37,152
<u>22. Texoma Council of Governments</u>	\$21.18	\$44,060
<u>23. Central Texas Council of Governments</u>	\$19.30	\$40,146
<u>24. Middle Rio Grande Development Council</u>	\$24.07	\$50,058

Source: Texas Occupational Employment and Wages

Data published: July 2018

Data published annually, next update will be July 31, 2019

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.



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM #14

Schedules A1, A2, B, C and D completed and signed Economic Impact.

See attached.

Schedule A1: Total Investment for Economic Impact (through the Qualifying Time Period)

Date **11/19/2018**
 Applicant Name **Maryneal Windpower, LLC**
 ISD Name **Highland ISD**

Form 50-296A
 Revised May 2014

PROPERTY INVESTMENT AMOUNTS									
(Estimated Investment in each year. Do not put cumulative totals.)									
				Column A	Column B	Column C	Column D	Column E	
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	New investment (original cost) in tangible personal property placed in service during this year that will become Qualified Property	New investment made during this year in buildings or permanent nonremovable components of buildings that will become Qualified Property	Other new investment made during this year that will <u>not</u> become Qualified Property [SEE NOTE]	Other new investment made during this year that may become Qualified Property [SEE NOTE]	Total Investment (Sum of Columns A+B+C+D)	
Investment made before filing complete application with district		Year preceding the first complete tax year of the qualifying time period (assuming no deferrals of qualifying time period)	2019	Not eligible to become Qualified Property		\$ 200,000	[The only other investment made before filing complete application with district that may become Qualified Property is land.]	\$ 200,000	
Investment made after filing complete application with district, but before final board approval of application	-								
Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period				\$ 15,000,000	0	0	0	\$ 15,000,000	
Complete tax years of qualifying time period	QTP1	2020-2021	2020	\$ 160,000,000	0	0	0	\$ 160,000,000	
	QTP2	2021-2022	2021	0	0	0	0	0	
Total Investment through Qualifying Time Period [ENTER this row in Schedule A2]				\$ 175,000,000	0	\$ 200,000	0	\$ 175,200,000	
				Enter amounts from TOTAL row above in Schedule A2					
Total Qualified Investment (sum of green cells)				\$ 175,000,000					

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 A2: Total Investment for Economic Impact (including Qualified Property and other investments)

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 investment made during this year that will <u>not</u> become Qualified Property [SEE NOTE]	Column D Other investment made during this year that will become Qualified Property [SEE NOTE]	Column E Total Investment (A+B+C+D)
Total Investment from Schedule A1*	--	TOTALS FROM SCHEDULE A1		\$ 175,000,000	\$ -	\$ 200,000		\$ 175,200,000
	0	2019-2020	2019	\$ 15,000,000	\$ -	\$ -	\$ -	\$ 15,000,000
<i>Insert as many rows as necessary</i>	0	2020-2021	2020	\$ 160,000,000	\$ -	\$ -	\$ -	\$ 160,000,000
Value limitation period***	1	2021-2022	2021					
	2	2022-2023	2022					
	3	2023-2024	2023					
	4	2024-2025	2024					
	5	2025-2026	2025					
	6	2026-2027	2026					
	7	2027-2028	2027					
	8	2028-2029	2028					
	9	2029-2030	2029					
	10	2030-2031	2030					
Total Investment made through limitation				175,000,000		\$ 200,000		175,200,000
Continue to maintain viable presence	11	2031-2032	2031					
	12	2032-2033	2032					
	13	2033-2034	2033					
	14	2034-2035	2034					
	15	2035-2036	2035					
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2036-2037	2036					
	17	2037-2038	2037					
	18	2038-2039	2038					
	19	2039-2040	2039					
	20	2040-2041	2040					
	21	2041-2042	2041					
	22	2042-2043	2042					
	23	2043-2044	2043					
	24	2044-2045	2044					
	25	2045-2046	2045					

* All investments made through the qualifying time period are captured and totaled on Schedule A1 [blue box] and incorporated into this schedule in the **first row**.
 ** Only investment made during deferrals of the start of the limitation (after the end of qualifying time period but before the start of the Value Limitation Period) should be included in the "year prior to start of value limitation period" row(s). If the limitation starts at the end of the qualifying time period or the qualifying time period overlaps the limitation, no investment should be included on this line.
 *** If your qualifying time period will overlap your value limitation period, do not also include investment made during the qualifying time period in years 1 and/or 2 of the value limitation period, depending on the overlap. Only include investments/years that were **not** captured on Schedule A1.
 For All Columns: List amount invested each year, not cumulative totals. Only include investments in the remaining rows of Schedule A2 that were not captured on Schedule A1.
 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.

Schedule B: Estimated Market And Taxable Value (of Qualified Property Only)

Date **11/19/2018**
 Applicant Name **Maryneal Windpower, LLC**
 ISD Name **Highland ISD**

Form 50-296A

Revised May 2014

	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Qualified Property			Estimated Taxable Value		
				Estimated Market Value of Land	Estimated Total Market Value of new buildings or other new improvements	Estimated Total Market Value of tangible personal property in the new buildings or "in or on the new improvements"	Market Value less any exemptions (such as pollution control) and before limitation	Final taxable value for I&S after all reductions	Final taxable value for M&O after all reductions
	0	2019-2020	2019						
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2020-2021	2020			7,500,000	7,500,000	7,500,000	7,500,000
Value Limitation Period	1	2021-2022	2021			164,500,000	164,500,000	164,500,000	30,000,000
	2	2022-2023	2022			154,630,000	154,630,000	154,630,000	30,000,000
	3	2023-2024	2023			145,352,200	145,352,200	145,352,200	30,000,000
	4	2024-2025	2024			136,631,068	136,631,068	136,631,068	30,000,000
	5	2025-2026	2025			128,433,204	128,433,204	128,433,204	30,000,000
	6	2026-2027	2026			120,727,212	120,727,212	120,727,212	30,000,000
	7	2027-2028	2027			113,483,579	113,483,579	113,483,579	30,000,000
	8	2028-2029	2028			106,674,564	106,674,564	106,674,564	30,000,000
	9	2029-2030	2029			100,274,090	100,274,090	100,274,090	30,000,000
	10	2030-2031	2030			94,257,645	94,257,645	94,257,645	30,000,000
Continue to maintain viable presence	11	2031-2032	2031			88,602,186	88,602,186	88,602,186	88,602,186
	12	2032-2033	2032			83,286,055	83,286,055	83,286,055	83,286,055
	13	2033-2034	2033			78,288,892	78,288,892	78,288,892	78,288,892
	14	2034-2035	2034			73,591,558	73,591,558	73,591,558	73,591,558
	15	2035-2036	2035			69,176,065	69,176,065	69,176,065	69,176,065
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2036-2037	2036			65,025,501	65,025,501	65,025,501	65,025,501
	17	2037-2038	2037			61,123,971	61,123,971	61,123,971	61,123,971
	18	2038-2039	2038			57,456,533	57,456,533	57,456,533	57,456,533
	19	2039-2040	2039			54,009,141	54,009,141	54,009,141	54,009,141
	20	2040-2041	2040			50,768,592	50,768,592	50,768,592	50,768,592
	21	2041-2042	2041			47,722,477	47,722,477	47,722,477	47,722,477
	22	2042-2043	2042			44,859,128	44,859,128	44,859,128	44,859,128
	23	2043-2044	2043			42,167,580	42,167,580	42,167,580	42,167,580
	24	2044-2045	2044			39,637,526	39,637,526	39,637,526	39,637,526
	25	2045-2046	2045			37,259,274	37,259,274	37,259,274	37,259,274

Notes: Market value in future years is good faith estimate of future taxable value for the purposes of property taxation.
 Only include market value for eligible property on this schedule.

Schedule C: Employment Information

Date

11/19/2018

Applicant Name

Maryneal Windpower, LLC

Form 50-296A

ISD Name

Highland ISD

Revised May 2014

	Year	School Year (YYYY-YYYY)	Tax Year (Actual tax year) YYYY	Construction		Non-Qualifying Jobs	Qualifying Jobs	
				Column A Number of Construction FTE's or man-hours (specify)	Column B Average annual wage rates for construction workers	Column C Number of non-qualifying jobs applicant estimates it will create (cumulative)	Column D Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column E Average annual wage of new qualifying jobs
	0	2019-2020	2019	150 FTE	\$50,000	0	0	\$0
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	0	2020-2021	2020	150 FTE	\$50,000	0	0	\$0
Value Limitation Period <i>The qualifying time period could overlap the value limitation period.</i>	1	2021-2022	2021			0	3	\$48,596
	2	2022-2023	2022			0	3	\$48,596
	3	2023-2024	2023			0	3	\$48,596
	4	2024-2025	2024			0	3	\$48,596
	5	2025-2026	2025			0	3	\$48,596
	6	2026-2027	2026			0	3	\$48,596
	7	2027-2028	2027			0	3	\$48,596
	8	2028-2029	2028			0	3	\$48,596
	9	2029-2030	2029			0	3	\$48,596
	10							
Years Following Value Limitation Period	11 through 25	2030-2031	2030			0	3	\$48,596
		2031-2046	2031-2045			0	3	\$48,596

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? (25 qualifying jobs in Subchapter B) 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

Schedule D: Other Incentives (Estimated)

Date
 Applicant Name
 ISD Name

11/19/2018

Maryneal Windpower, LLC
 Highland ISD

Form 50-296A
 Revised May 2014

State and Local Incentives for which the Applicant intends to apply (Estimated)						
Incentive Description	Taxing Entity (as applicable)	Beginning Year of Benefit	Duration of Benefit	Annual Tax Levy without Incentive	Annual Incentive	Annual Net Tax Levy
Tax Code Chapter 311	County:					
	City:					
	Other:					
Tax Code Chapter 312	County: Nolan County	2021	10 Years	775,210	75%	193,802
	City:					
	Other: Rolling Plains Memorial Hospital District	2021	10 Years	664,531	75%	166,133
Local Government Code Chapters 380/381	County:					
	City:					
	Other:					
Freeport Exemptions						
Non-Annexation Agreements						
Enterprise Zone/Project						
Economic Development Corporation						
Texas Enterprise Fund						
Employee Recruitment						
Skills Development Fund						
Training Facility Space and Equipment						
Infrastructure Incentives						
Permitting Assistance						
Other:						
Other:						
Other:						
Other:						
TOTAL				1,439,740	75%	359,935

Additional information on incentives for this project:



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM #15

Economic Impact Analysis, other payments made in the state or other economic information.



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM #16

Description of Reinvestment or Enterprise Zone.

1. Evidence that the area qualifies as an enterprise zone as defined by the Governor's Office
2. Legal description of reinvestment zone
3. Order, resolution or ordinance establishing the reinvestment zone
4. Guidelines and criteria for creating the zone

See attached executed order from Nolan County order establishing *Maryneal Reinvestment Zone Number One*.

**RESOLUTION OF THE COMMISSIONERS COURT
OF NOLAN COUNTY, TEXAS**

**A RESOLUTION ELECTING TO PARTICIPATE IN TAX ABATEMENTS,
DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR A
COMMERCIAL/INDUSTRIAL TAX ABATEMENT IN NOLAN COUNTY, TEXAS,
ESTABLISHING THE BOUNDARIES THEREOF, AND PROVIDING FOR AN
EFFECTIVE DATE**

WHEREAS, the Commissioners Court of Nolan County, Texas (the “County Commissioners Court”, Nolan County, the “County”, and Nolan County Farm to Market Road District, the “Road District”) desires to promote the development of a certain contiguous geographic area within its jurisdiction and to participate in certain tax abatements in accordance with applicable laws and in accordance with the Nolan County Tax Abatement Guidelines and Criteria adopted on June 11, 2018 (the “Guidelines”);

WHEREAS, on this date, a hearing before the County Commissioners Court was held, such date being at least seven (7) days after (i) the date of publication of the notice of such public hearing in the local newspaper of general circulation in Nolan County (the “County”) of the adoption of the proposed reinvestment zone and the boundaries thereof, and (ii) the delivery of written notice to the respective presiding officers of such hearing, to each taxing entity that includes within its boundaries real property that is to be included in the proposed reinvestment zone;

WHEREAS, the County posted a notice of such meeting and the agenda items thereof as required by law;

WHEREAS, the County Commissioners Court at such public hearing invited any interested person to appear and speak for or against the creation of the reinvestment zone and whether all or part of the territory described should be included in the proposed reinvestment zone; and

WHEREAS, none of the area, Described in **EXHIBITS 1 and 2**, below, for which application for the creation of a reinvestment zone has been made, is within the taxing jurisdiction of any municipality; and,

BE IT RESOLVED BY THE COMMISSIONERS COURT OF NOLAN COUNTY, TEXAS:

SECTION 1. That the facts and recitations contained in the preamble of this Order are hereby found and declared to be true and correct.

SECTION 2. That the Commissioners Court of Nolan County, Texas, after having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

- (a) That the County hereby elects to become eligible to participate in the abatement of taxes in accordance with Texas Tax Code §§ 312.001 et seq. on certain qualifying property located in reinvestment zones adopted by Nolan County, Texas;
- (b) That the public hearing on adoption of the *Maryneal Reinvestment Zone Number One* (the “Reinvestment Zone”) has been properly called, held and conducted and that notice of such hearing has been published as required by law and mailed to the respective presiding officers of the governing bodies of all taxing units overlapping the territory inside the proposed reinvestment zone; and
- (c) That the boundaries of the Reinvestment Zone should be the area depicted in the plat map indicating the boundaries thereof, attached hereto as **EXHIBIT 1**, and further described in the legal description of the boundaries described in **EXHIBIT 2**, both of which are incorporated herein by reference for all intents and purposes; and,
- (d) That creation of the Reinvestment Zone with boundaries as described in **EXHIBITS 1 and 2** will result in benefits to the Nolan County, Texas and to land included in the zone and that the improvements sought are feasible and practical; and
- (e) The Reinvestment Zone meets the criteria set forth in Chapter 312 of the Texas Tax Code for the creation of a reinvestment zone as set forth in the Property Redevelopment and Tax Abatement Act, as amended, and the Guidelines, in that it is reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract investment in the zone that would be a benefit to the property and that would contribute to the economic development of the County, and that the entire tract of land is located entirely within an unincorporated area of Nolan County, Texas.

SECTION 3. That pursuant to the Property Redevelopment and Tax Abatement Act, as amended, and the Guidelines, the County Commissioners Court hereby creates *Maryneal Reinvestment Zone Number One*, a reinvestment zone for commercial-industrial tax abatement encompassing only the area within the boundaries described in **EXHIBITS 1 and 2**, and such reinvestment zone is hereby designated and shall hereafter be referred to as *Maryneal Reinvestment Zone Number One*.

SECTION 4. *Maryneal Reinvestment Zone Number One* shall take effect on the date of this Resolution and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of designation, and may be renewed for an additional five (5) year period thereafter.

SECTION 5. That if any section, paragraph, clause or provision of this Order shall for

any reason beheld to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Order.

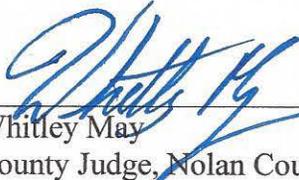
SECTION 6. That it is hereby found, determined and declared that a sufficient notice of the date, hour, place and subject, of the meeting of the Nolan County Commissioners Court at which this Order was adopted was posted at a place convenient and readily accessible at all times as required by the Texas Open Government Act, Texas Government Code, Chapter 551, as amended, and that a public hearing was held prior to the designation of such reinvestment zone and that proper notice of the hearing was published in the official newspaper of general circulation within the County, and furthermore, such notice was in fact delivered to the presiding officer of any affected taxing entity as prescribed by the Property Redevelopment and Tax Abatement Act.

PASSED, APPROVED AND ADOPTED on this 13th day of November 2018.

Approved for signature of Whitley May, County Judge, in the Commissioners Court of Nolan County, Texas, sitting as the governing body of Nolan County on November 13, 2018 on the motion of Commissioner White, second by Commissioner Willman

Nolan County

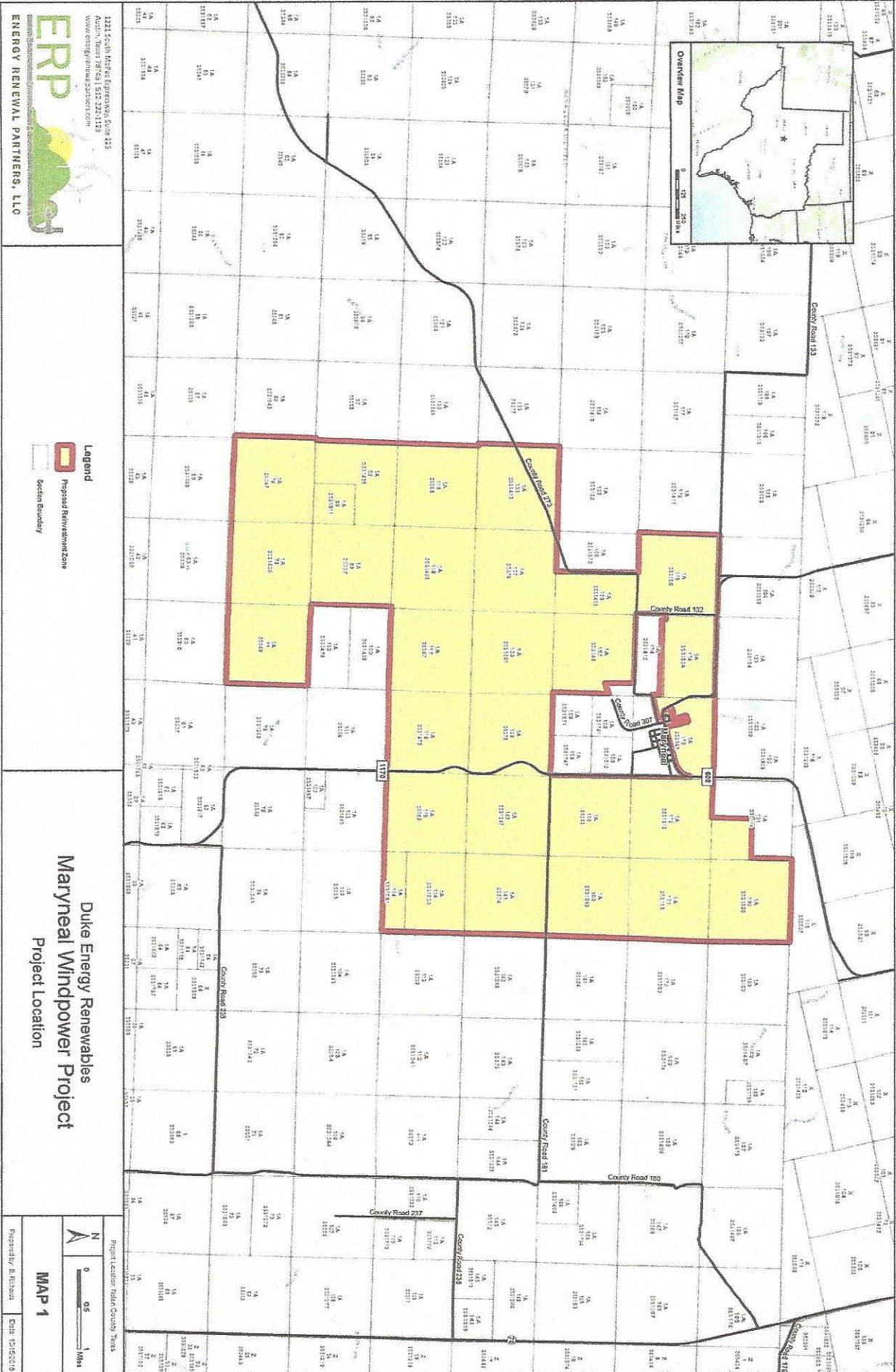
Approved as to Form:


Whitley May
County Judge, Nolan County


Lisa L. Peterson
Nolan County Attorney

Date: November 13, 2018

Attest: 
Sharla Keith
Nolan County Clerk





 1311 South Pacific Expressway, Suite 215

 Austin, Texas 78746 | 512.221.1175

 www.energyrenewpartners.com

ENERGY RENEWAL PARTNERS, LLC

Legend

 Proposed Revetment Zone

 Section Boundary

Duke Energy Renewables

Maryneal Windpower Project

 Project Location

Project Location: Nolan County, Texas





MAP 1

 Prepared by: B. Richards Date: 10/26/2018

Maryneal Reinvestment Zone Property Legal Description

- The SE/4 of Section 191, Abstract 174
- Section 190, Abstract 1586
- Section 175, Abstract 156
- Section 174, Abstract 1804
- Approximately 350 acres in the northern part of Section 173, Abstract 145
- Section 172, Abstract 1513
- Section 171, Abstract 155
- Section 160, Abstract 1349
- Section 159, Abstract 83
- Most of Section 157, Abstract 144
- Section 156, Abstract 1409
- Section 136, Abstract 1410
- Section 137, Abstract 76
- Section 138, Abstract 1581
- Section 139, Abstract 75
- Section 140, Abstract 1347
- Section 141, Abstract 74
- Section 114, Abstracts 1850 and 1591
- Section 115, Abstract 68
- Section 116, Abstract 1475
- Section 117, Abstract 67
- Section 118, Abstract 1498
- Section 119, Abstract 66
- Section 98, Abstracts 1495 and 1811
- Section 99, Abstract 57
- Section 79, Abstract 47
- Section 78, Abstract 1606
- Section 77, Abstract 48

All in Block 1A, Nolan County, Texas

Nolan County State of Texas

Tax Abatement Guidelines and Criteria

The purpose of this document is to establish guidelines, and a uniform policy of tax abatement for owners or lessees of eligible facilities willing to execute tax abatement contracts designed to provide long term significant positive economic impact to the community by utilizing the area contractors and work force to the maximum extent feasible, and by developing, redeveloping, and improving property. Except as otherwise provided, all contracts will be identical.

In order to be eligible for designation as a reinvestment zone and receive tax abatement, the planned improvement:

1. Must be reasonably expected to have an increase in positive net economic benefit to Nolan County of at least \$1,000,000.00 over the life of the abatement, computed to include (but not limited to) new sustaining payroll and /or capital improvement. The creation of (number and type) new jobs will also factor into the decision to grant an abatement; and
2. Must not be expected to solely or primarily have the effect of transferring employment from one part of Nolan County to another.

In addition to the criteria set forth above, the Nolan County Commissioners Court reserves the right to negotiate a tax abatement agreement in order to compete favorably with other communities.

Only that increase in the fair market value of the property directly resultant from the development, redevelopment, and improvement specified in the contract will be eligible for abatement and then only to the extent that such increase exceeds any reduction in the fair market value of the other property of the Applicant located within the jurisdiction creating the reinvestment zone.

All abatement contracts will be for a term no longer than allowed by law.

It is the goal of Nolan County to grant tax abatements on the same terms and conditions as the other taxing units having jurisdiction of the property. However, nothing herein shall limit the discretion of the Nolan County Commissioners Court to consider, adopt, modify or decline any tax abatement request.

This policy is effective as of February 12, 2009 and shall at all times be kept current with regard to the needs of Nolan County and reflective of the official views of the County Commissioners Court and shall be reviewed every two years.

The adoption of these guidelines and criteria by the Nolan County Commissioners Court does not:

1. Limit the discretion of the governing body to decide whether or not to enter into a specific tax abatement agreement;
2. Limit the discretion of the governing body to delegate to its employees the authority to determine whether or not the governing body should consider a particular application or request for tax abatement;
3. Create any property, contract, or other legal right in any person to have the governing body consider or grant a specific application or request for tax abatement;

Section 1 Definitions

- A. “Abatement” means the full or partial exemption from ad valorem taxes of certain property in a reinvestment zone designated by Nolan County or the City of Sweetwater for economic development purposes.
- B. “Agreement” means a contractual agreement between a property owner and / or Lessee and Nolan County.
- C. “Base year value” means the assessed value on the eligible property as of January 1 preceding the execution of the agreement.
- D. “Deferred maintenance” means improvements necessary for continued operation which do not improve productivity or alter the process technology.
- E. “Eligible facilities” means new, expanded, or modernized buildings and structures, including fixed machinery and equipment, which is reasonably likely as a result of granting abatement to contribute to the retention or expansion of primary employment or to attract major investment in the reinvestment zone that would be a benefit to the property and that would contribute to the economic development of Nolan County, but does not include facilities which are intended to be primarily to provide goods or services to residents for existing businesses located in Nolan County, such as, but not limited to, restaurants and retail sales establishments, eligible facilities may include, but shall not be limited to hotels and office buildings.
- F. “Expansion” means the addition of building structures, machinery, equipment, or payroll for purposes of increasing production capacity.
- G. “Facility” means property improvement completed or in process of construction which together comprise an interregional whole.
- H. “Modernization” means a complete or partial demolition of facilities and the complete or partial reconstruction or installation of a facility of similar or expanded production capacity. Modernization may result from the construction,

alteration, or installation of buildings, structures, machinery, or equipment, or both.

- I. “New facility” means property previously undeveloped which is placed into service by means other than or in conjunction with expansion or modernization.
- J. “Productive life” means the number of years a property improvement is expected to be in service in a facility.

Section 2 Abatement Authorized

- A. Eligible facilities Upon application, eligible facilities shall be considered for tax abatement as hereinafter provided.
- B. Creation of New Values Abatement may only be granted for the additional value of eligible property improvements made subsequent to and specified in an abatement agreement between Nolan County and the property owner or Lessee, subject to such limitations as Nolan County may require.
- C. New and existing facilities Abatement may be granted for the additional value of eligible property improvements made subsequent to and specified in an abatement agreement between Nolan County and the property owner or Lessee, subject to such limitations as Nolan County may require.
- D. Eligible property Abatement may be extended to the value of buildings, structures, fixed machinery and equipment, site improvements and related fixed improvements necessary to the operation and administration of the facility.
- E. Ineligible Property The following types of property shall be fully taxable and ineligible for tax abatement: land, supplies, tools, furnishings, and other forms of movable personal property, housing, deferred maintenance, property to be rented or leased except as provided in Section 2 F, property which has a productive life of less than ten years.
- F. Owned / leased facilities If a leased facility is granted abatement, the agreement shall be executed with the Lessor and the Lessee.
- G. Economic Qualifications In order to be eligible for designation as a reinvestment zone and receive tax abatement, the planned improvement:
 - 1. Must be reasonably expected to have an increase in positive net benefit to Nolan County of at least \$1,000,000.00 over the life of the abatement, computed to include (but not limited to) new sustaining payroll and / or capital improvement. The creation of (number and type) new jobs will also factor into the decision to grant an abatement; and

2. Must not be expected to solely or primarily have the effect of transferring employment from Nolan County to another.

H. Standards for Tax Abatement The following factors, among others, shall be considered in determining whether to grant tax abatement:

1. Value of existing improvements, if any;
2. Type and value of proposed improvements;
3. Productive life of proposed improvements;
4. Number of existing jobs to be retained by proposed improvements;
5. Number and type of new jobs to be created by proposed improvements;
6. Amount of local payroll to be created;
7. Whether the new jobs to be created will be filled by persons residing or projected to reside within affected taxing jurisdiction;
8. Amount which property tax base valuation will be increased during term of abatement and after abatement, which shall include a definitive commitment that such valuation shall not, in any case, be less than \$1,000,000.00
9. The costs to be incurred by Nolan County to provide facilities directly resulting from the new improvements;
10. The amount of ad valorem taxes to be paid to Nolan County during the abatement period considering:
 - a. the existing values;
 - b. the percentage of new value abated;
 - c. the abatement period; and
 - d. the value after expiration of the abatement period.
11. The population growth of Nolan County that occurs directly as a result of new improvements;
12. The types and values of public improvements, if any, to be made by Applicant seeking abatement;
13. Whether the proposed improvements compete with existing businesses to the detriment of the local economy;
14. The impact on the business opportunities of existing businesses;
15. The attraction of other new businesses to the area;
16. The overall compatibility with the zoning ordinances and comprehensive plan for the area;
17. Whether the project obtains all necessary permits from the applicable environmental agencies.

Each eligible facility shall be reviewed on its merits utilizing the factors provided above. After such review, abatement may be denied entirely or may be granted to the extent deemed appropriate after full evaluation.

I. Denial of Abatement Neither a reinvestment zone nor abatement agreement shall be authorized if it is determined that:

1. There would be substantial adverse affect on the provision of government services or tax base;
 2. The applicant has insufficient financial capacity;
 3. Planned or potential use of the property would constitute a hazard to public health, safety or morals;
 4. Violation of other codes or laws; or
 5. Any other reason deemed appropriate by Nolan County.
- J. Taxability From the execution of the abatement to the end of the agreement period, taxes shall be payable as follows:
1. The value of ineligible property as provided in Section 2 E shall be fully taxable; and
 2. The base year value of existing eligible property as determined each year shall be fully taxable.

The additional value of new eligible property shall be fully taxable at the end of the abatement period.

Section 3 Application

- A. Any present or potential owner of taxable property in Nolan County may request the creation of a reinvestment zone and tax abatement by filing a written application with the County Judge.
- B. The Application shall consist of a general description of the new improvements to be undertaken, a descriptive list of the improvements for which an abatement is requested, a list of the kind, number and location of all proposed improvements of the property, a map and property description, a time schedule for undertaking and completing the proposed improvements. In the case of modernization, a statement of the assessed value of the facility separately stated for real and personal property shall be given for the tax year immediately preceding the Application. The County may require such financial and other information as deemed appropriate for evaluating the financial capacity and other factors pertaining to the Applicant, to be attached to the Application. The completed Application must be accompanied by the payment of a non-refundable application fee for administrative costs associated with the processing of the tax abatement request. All checks in payment of the administrative fee shall be made payable to Nolan County. For abatement requests for improvements with a planned value equal to or in excess of \$1,000,000.00 the fee shall be one thousand and no/100 dollars (\$1000.00), accompanied by the agreement that the Applicant shall pay reasonable consulting fees as may be incurred by Nolan County in the examination of the application as well as the preparation and negotiation of any tax abatement agreement.

- C. Nolan County shall give notice as provided by the Property Tax Code, i.e. written notice, to the presiding officer of the governing body of each taxing unit in which the property to be subject of the agreement is located not later than the seventh day before the public hearing and publication in a newspaper of general circulation within such taxing jurisdiction not later than the seventh day before the public hearing. Before acting upon Application, Nolan County shall, through public hearing, afford the Applicant and the designated representative of any governing body referenced hereinabove opportunity to show cause why the abatement should or should not be granted.
- D. If a city within Nolan County designates a reinvestment zone within its corporate limits and enters into or proposes to enter into an abatement agreement with a present or potential owner of taxable property, such present or potential owner of taxable property may request tax abatement by Nolan County by following the same application process described in Section 3 A hereof. No other notice or hearing shall be required except compliance with the Open Meetings Act, unless the Commissioners Court deems them necessary in a particular case.

Section 4 Agreement

- A. After approval, the Commissioners Court of Nolan County shall formally pass a Resolution and execute an agreement with the owner of the facility and Lessee as required which shall:
 - 1. Include a list of the kind, number, location of all proposed improvements to the property;
 - 2. Provide access to and authorize inspection of the property by the taxing unit to ensure compliance with the agreement;
 - 3. Limit the use of the property consistent with the taxing unit's developmental goals;
 - 4. Provide for recapturing property tax revenues that are lost if the owner fails to make improvements as provided by the agreement;
 - 5. Include each term that was agreed upon with the property owner and require the owner to annually certify compliance with the terms of the agreement to each taxing unit; and
 - 6. Allow the taxing unit to cancel or modify the agreement at any time if the property owner fails to comply with the terms of the agreement
- B. The owner of the facility and Lessee shall also agree to the following:
 - 1. A specified number of permanent full time jobs at facility shall be created, and the owner and Lessee shall make reasonably efforts to employ persons who are residents of Nolan County in such jobs, provided, however, that there shall be no obligation to employ residents who are not:
 - a. equally or more qualified than nonresident applicants;

- b. available for employment on terms and / or salaries comparable to those required by nonresident applicants; or
 - c. able to become qualified with 72 hours training provided by Owner.
2. Each person employed in such job shall perform a portion, if not all, of their work in Nolan County.
3. Owner shall agree that it and its contractors, if any, will use reasonably commercial efforts to maximize its use of goods and services available through Nolan County businesses in the construction, operation, and maintenance of the improvements and the project; provided, however, that there shall be no requirement to use goods and services provided by Nolan County residents that are not:
 - a. of similar quality to those provided by nonresidents; or
 - b. made available on terms and conditions (including pricing) comparable to those offered by nonresidents. Comparable price shall be defined as less than or equal to 105% of the nonresident price for equivalent quality, conditions and terms.
4. Owner or its construction contractor, if any, shall designate a coordinator of local services who will act as liaison between any individuals, businesses, and contractors residing or doing business in Nolan County who are interested in obtaining information about providing goods or services related to the construction of the project. Additionally, Owner or its construction contractor, if any, shall advertise in local newspapers in Nolan County for local contractors to perform work on the construction of the project.
5. Owner shall agree to maintain a viable presence (as below defined) within the Reinvestment Zone for a period of time, as set by the Nolan County Commissioners Court, not to exceed twenty (20) years from the date that the abatement agreement first takes effect. For purposes hereof, "Maintain a viable presence" means (i) the operation of the Eligible Facilities, as the same may from time to time be expanded, upgraded, improved, modified, changed, remodeled, repaired, restored, reconstructed, reconfigured, and / or reengineered, and (ii) the retention of not fewer than three (3) Qualifying Jobs as defined by the Texas Tax Code Section 313.021 (3)E to be located and performed within the County.
6. On May 1st of each year that the agreement shall be in effect, Owner shall certify to the County Judge of Nolan County, and to the governing body of each taxing unity, that Owner is in compliance with each applicable term set forth above.

Such agreement shall normally be executed within sixty (60) days after the Applicant has forwarded all necessary information and documentation to the Commissioners Court.

Section 5 Recapture

- A. In the event that the company or individual:
 - 1. Allows its ad valorem taxes owed Nolan County to become delinquent and fails to timely and properly follow the legal procedures for their protest and / or contest; or
 - 2. Violates any of the terms and conditions of the abatement agreement and fails to cure during the cure period, the agreement then may be terminated and all taxes previously abated by virtue of the agreement will be recaptured and paid within thirty (30) days of the termination.

- B. Should Nolan County determine that the company or individual is in default according to the terms and conditions of its agreement, Nolan County shall notify the company or individual in writing at the address stated in the agreement, and if such is not cured within thirty (30) days from the date of such notice (cure period) then the agreement may be terminated.

Section 6 Administration

- A. The Chief Appraiser of the Nolan County Appraisal District will annually determine an assessment of the real and personal property comprising the reinvestment zone. Each year, the company or individual receiving abatement shall furnish the Appraiser with such information as may be necessary for the abatement. Once value has been established, the Chief Appraiser will notify the Commissioners Court of Nolan County of the amount of the assessment.
- B. Nolan County may execute a contract with any other jurisdictions) to inspect the facility to determine if the terms and conditions of the abatement agreement are being met. The abatement agreement shall stipulate that employees and /or designated representatives of Nolan County will have access to the reinvestment zone during the term of the abatement to inspect the facility to determine if the terms and conditions of the agreement are being met. All inspections will be made only after the giving of twenty-four (24) hours prior notice and will only be conducted in such a manner as to not unreasonably interfere with the construction and / or operation of the facility. All inspections will be made with one or more representatives of the company or individual and in accordance with its safety standards.
- C. Upon completion of construction, the designated representative of Nolan County shall annually evaluate each facility receiving abatement to insure compliance with the agreement. A formal report shall be made to the Commissioners Court.

Section 7
Assignment

Abatement may be transferred and assigned by the holder to a new owner or lessee of the same facility upon the approval by resolution of the Commissioners Court of Nolan County subject to the financial capacity of the assignee and provided that all conditions and obligations in the abatement agreement are guaranteed by the execution of a new contractual agreement with Nolan County. No assignment or transfer shall be approved if the parties to the existing agreement, the new owner or new lessee are liable to any jurisdiction for outstanding taxes or other obligations. Approval shall not be unreasonably withheld.

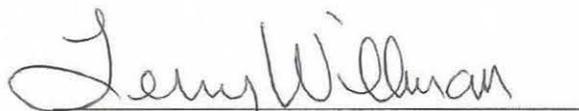
Section 8
Sunset Provision

These guidelines and criteria are effective upon the date of their adoption and will remain in force for two years unless amended by three quarters vote of the Commissioners Court of Nolan County, at which time all reinvestment zones and tax abatement agreements created pursuant to these provisions will be reviewed to determine whether the goals have been achieved. Based on the review, the guidelines and criteria will be modified, renewed, or eliminated.

ADOPTED MARCH 24, 2003; revised February 12, 2007; renewed January 12, 2009, December 12, 2011, December 23, 2013, June 27, 2016, June 11, 2018 (Motion by Commissioner Willman; Second by Commissioner Alexander)

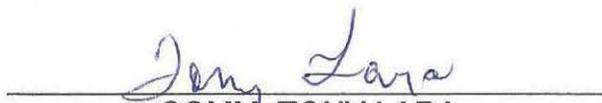
NOLAN COUNTY COMMISSIONERS' COURT


JUDGE WHITLEY MAY


COMM. TERRY WILLMAN


COMM. DOUG ALEXANDER


COMM. TOMMY WHITE


COMM. TONY LARA



Maryneal Windpower, LLC
Chapter 313 Application to Highland ISD

CHECKLIST ITEM # 17

Signature and Certification page, signed and dated by Authorized School District Representative and Authorized Company Representative.

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

Print Name (Authorized School District Representative) Duane Hyde

Title Superintendent

sign here

Signature (Authorized School District Representative)

Date 11-19-18

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

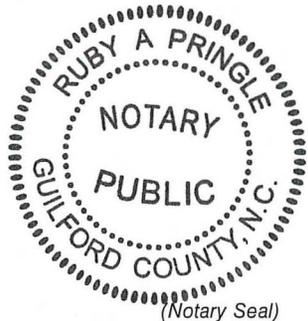
Print Name (Authorized Company Representative (Applicant)) Janet Bridges

Title Managing Director, Duke Energy Renewables

sign here

Signature (Authorized Company Representative (Applicant)) Janet Bridges

Date 11/16/2018



GIVEN under my hand and seal of office this, the

16th day of November, 2018

Notary Public in and for the State of Texas - NORTH CAROLINA Ruby A. Pringle

My Commission expires: MARCH 17, 2019 RUBYA. PRINGLE

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.