



GLENN HEGAR TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

P.O. Box 13528 • Austin, TX 78711-3528

September 18, 2019

Angie Smetana
Superintendent
Grape Creek Independent School District
8207 US Hwy. 87 North
San Angelo, Texas 76901

Re: Certificate for Limitation on Appraised Value of Property for School District Maintenance and Operations taxes by and between Grape Creek Independent School District and Angelo Solar, LLC, Application 1376

Dear Superintendent Smetana:

On July 19, 2019, the Comptroller issued written notice that Angelo Solar, LLC (applicant) submitted a completed application (Application 1376) for a limitation on appraised value under the provisions of Tax Code Chapter 313.¹ This application was originally submitted on May 13, 2019, to the Grape Creek Independent School District (school district) by the applicant.

This presents the results of the Comptroller's review of the application and determinations required:

- 1) under Section 313.025(h) to determine if the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter B; and
- 2) under Section 313.025(d), to issue a certificate for a limitation on appraised value of the property and provide the certificate to the governing body of the school district or provide the governing body a written explanation of the Comptroller's decision not to issue a certificate, using the criteria set out in Section 313.026.

Determination required by 313.025(h)

Sec. 313.024(a) Applicant is subject to tax imposed by Chapter 171.
Sec. 313.024(b) Applicant is proposing to use the property for an eligible project.

¹ All Statutory references are to the Texas Tax Code, unless otherwise noted.

Sec. 313.024(d) Applicant has requested a waiver to create the required number of new qualifying jobs and pay all jobs created that are not qualifying jobs a wage that exceeds the county average weekly wage for all jobs in the county where the jobs are located.

Sec. 313.024(d-2) Not applicable to Application 1376.

Based on the information provided by the applicant, the Comptroller has determined that the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter B.

Certificate decision required by 313.025(d)

Determination required by 313.026(c)(1)

The Comptroller has determined that the project proposed by the applicant is reasonably likely to generate tax revenue in an amount sufficient to offset the school district's maintenance and operations *ad valorem tax* revenue lost as a result of the agreement before the 25th anniversary of the beginning of the limitation period, see Attachment B.

Determination required by 313.026(c)(2)

The Comptroller has determined that the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in this state, see Attachment C.

Based on these determinations, the Comptroller issues a certificate for a limitation on appraised value. This certificate is contingent on the school district's receipt and acceptance of the Texas Education Agency's determination per 313.025(b-1).

The Comptroller's review of the application assumes the accuracy and completeness of the statements in the application. If the application is approved by the school district, the applicant shall perform according to the provisions of the Texas Economic Development Act Agreement (Form 50-826) executed with the school district. The school district shall comply with and enforce the stipulations, provisions, terms, and conditions of the agreement, applicable Texas Administrative Code and Chapter 313, per TAC 9.1054(i)(3).

This certificate is no longer valid if the application is modified, the information presented in the application changes, or the limitation agreement does not conform to the application. Additionally, this certificate is contingent on the school district approving and executing the agreement within a year from the date of this letter.

Note that any building or improvement existing as of the application review start date of July 19, 2019, or any tangible personal property placed in service prior to that date may not become "Qualified Property" as defined by 313.021(2) and the Texas Administrative Code.

Should you have any questions, please contact Will Counihan, Director, Data Analysis & Transparency, by email at will.counihan@cpa.texas.gov or by phone toll-free at 1-800-531-5441, ext. 6-0758, or at 512-936-0758.

Sincerely,

A handwritten signature in blue ink that reads "Lisa Craven". The signature is fluid and cursive, with the first name "Lisa" and last name "Craven" clearly legible.

Lisa Craven
Deputy Comptroller

Enclosure

cc: Will Counihan

Attachment A – Economic Impact Analysis

The following tables summarize the Comptroller’s economic impact analysis of Angelo Solar, LLC (project) applying to Grape Creek Independent School District (district), as required by Tax Code, 313.026 and Texas Administrative Code 9.1055(d)(2).

Table 1 is a summary of investment, employment and tax impact of Angelo Solar, LLC.

Applicant	Angelo Solar, LLC
Tax Code, 313.024 Eligibility Category	Renewable Energy Electric Generation – Solar
School District	Grape Creek ISD
2017-2018 Average Daily Attendance	1,061
County	Tom Green
Proposed Total Investment in District	\$142,924,263
Proposed Qualified Investment	\$142,924,263
Limitation Amount	\$40,000,000
Qualifying Time Period (Full Years)	2021-2022
Number of new qualifying jobs committed to by applicant	2*
Number of new non-qualifying jobs estimated by applicant	0
Average weekly wage of qualifying jobs committed to by applicant	\$866
Minimum weekly wage required for each qualifying job by Tax Code, 313.021(5)(B)	\$866
Minimum annual wage committed to by applicant for qualified jobs	\$45,017
Minimum weekly wage required for non-qualifying jobs	\$828
Minimum annual wage required for non-qualifying jobs	\$43,070
Investment per Qualifying Job	\$71,462,132
Estimated M&O levy without any limit (15 years)	\$9,590,554
Estimated M&O levy with Limitation (15 years)	\$5,439,874
Estimated gross M&O tax benefit (15 years)	\$4,150,680

* Applicant is requesting district to waive requirement to create minimum number of qualifying jobs pursuant to Tax Code, 313.025 (f-1).

Table 2 is the estimated statewide economic impact of Angelo Solar, LLC (modeled).

Year	Employment			Personal Income		
	Direct	Indirect + Induced	Total	Direct	Indirect + Induced	Total
2021	120	158	278	\$7,500,000	\$14,447,000	\$21,947,000
2022	0	12	12.071	\$0	\$2,411,000	\$2,411,000
2023	2	10	12	\$90,034	\$1,907,966	\$1,998,000
2024	2	4	6	\$90,034	\$1,238,966	\$1,329,000
2025	2	1	3	\$90,034	\$838,966	\$929,000
2026	2	0	2	\$90,034	\$611,966	\$702,000
2027	2	0	2	\$90,034	\$497,966	\$588,000
2028	2	1	3	\$90,034	\$460,966	\$551,000
2029	2	1	3	\$90,034	\$461,966	\$552,000
2030	2	2	4	\$90,034	\$477,966	\$568,000
2031	2	2	4	\$90,034	\$536,966	\$627,000
2032	2	3	5	\$90,034	\$609,966	\$700,000
2033	2	4	6	\$90,034	\$681,966	\$772,000
2034	2	4	6	\$90,034	\$749,966	\$840,000
2035	2	4	6	\$90,034	\$805,966	\$896,000
2036	2	4	6	\$90,034	\$846,966	\$937,000
2037	2	4	6	\$90,034	\$856,966	\$947,000

Source: CPA REMI, Angelo Solar, LLC

Table 3 examines the estimated direct impact on ad valorem taxes to the region if all taxes are assessed.

Year	Estimated Taxable Value for I&S	Estimated Taxable Value for M&O	Tax Rate*	Grape Creek ISD I&S Tax Levy	Grape Creek ISD M&O Tax Levy	Grape Creek ISD M&O and I&S Tax Levies	Tom Green County Tax Levy	Tom Green Emergency Service Tax Levy	Lipan Kickapoo Water District Tax Levy	Estimated Total Property Taxes
				0.2060	1.0500		0.5450	0.0286	0.0103	
2023	\$133,062,489	\$133,062,489		\$274,109	\$1,397,156	\$1,671,265	\$725,191	\$38,069	\$13,705	\$2,448,230
2024	\$122,400,339	\$122,400,339		\$252,145	\$1,285,204	\$1,537,348	\$667,082	\$35,019	\$12,607	\$2,252,056
2025	\$110,894,936	\$110,894,936		\$228,444	\$1,164,397	\$1,392,840	\$604,377	\$31,727	\$11,422	\$2,040,367
2026	\$98,460,525	\$98,460,525		\$202,829	\$1,033,836	\$1,236,664	\$536,610	\$28,170	\$10,141	\$1,811,585
2027	\$85,039,936	\$85,039,936		\$175,182	\$892,919	\$1,068,102	\$463,468	\$24,330	\$8,759	\$1,564,658
2028	\$70,547,416	\$70,547,416		\$145,328	\$740,748	\$886,076	\$384,483	\$20,184	\$7,266	\$1,298,009
2029	\$54,897,209	\$54,897,209		\$113,088	\$576,421	\$689,509	\$299,190	\$15,706	\$5,654	\$1,010,059
2030	\$37,989,269	\$37,989,269		\$78,258	\$398,887	\$477,145	\$207,042	\$10,869	\$3,913	\$698,968
2031	\$28,584,853	\$28,584,853		\$58,885	\$300,141	\$359,026	\$155,787	\$8,178	\$2,944	\$525,936
2032	\$28,584,853	\$28,584,853		\$58,885	\$300,141	\$359,026	\$155,787	\$8,178	\$2,944	\$525,936
2033	\$28,584,853	\$28,584,853		\$58,885	\$300,141	\$359,026	\$155,787	\$8,178	\$2,944	\$525,936
2034	\$28,584,853	\$28,584,853		\$58,885	\$300,141	\$359,026	\$155,787	\$8,178	\$2,944	\$525,936
2035	\$28,584,853	\$28,584,853		\$58,885	\$300,141	\$359,026	\$155,787	\$8,178	\$2,944	\$525,936
2036	\$28,584,853	\$28,584,853		\$58,885	\$300,141	\$359,026	\$155,787	\$8,178	\$2,944	\$525,936
2037	\$28,584,853	\$28,584,853		\$58,885	\$300,141	\$359,026	\$155,787	\$8,178	\$2,944	\$525,936
			Total	\$1,881,575	\$9,590,554	\$11,472,129	\$4,977,954	\$261,320	\$94,079	\$16,805,482

Source: CPA, Angelo Solar, LLC

*Tax Rate per \$100 Valuation

Table 4 examines the estimated direct impact on ad valorem taxes to the school district and Tom Green County, with all property tax incentives sought being granted using estimated market value from the application. The project has applied for a value limitation under Chapter 313, Tax Code.

The difference noted in the last line is the difference between the totals in Table 3 and Table 4.

Year	Estimated Taxable Value for I&S	Estimated Taxable Value for M&O	Tax Rate*	Grape Creek ISD I&S Tax Levy	Grape Creek ISD M&O Tax Levy	Grape Creek ISD M&O and I&S Tax Levies	Tom Green County Tax Levy	Tom Green Emergency Service Tax Levy	Lipan Kickapoo Water District Tax Levy	Estimated Total Property Taxes
				0.2060	1.0500		0.5450	0.0286	0.0103	
2023	\$133,062,489	\$40,000,000		\$274,109	\$420,000	\$694,109	\$725,191	\$38,069	\$13,705	\$1,471,074
2024	\$122,400,339	\$40,000,000		\$252,145	\$420,000	\$672,145	\$667,082	\$35,019	\$12,607	\$1,386,853
2025	\$110,894,936	\$40,000,000		\$228,444	\$420,000	\$648,444	\$604,377	\$31,727	\$11,422	\$1,295,970
2026	\$98,460,525	\$40,000,000		\$202,829	\$420,000	\$622,829	\$536,610	\$28,170	\$10,141	\$1,197,750
2027	\$85,039,936	\$40,000,000		\$175,182	\$420,000	\$595,182	\$463,468	\$24,330	\$8,759	\$1,091,739
2028	\$70,547,416	\$40,000,000		\$145,328	\$420,000	\$565,328	\$384,483	\$20,184	\$7,266	\$977,261
2029	\$54,897,209	\$40,000,000		\$113,088	\$420,000	\$533,088	\$299,190	\$15,706	\$5,654	\$853,639
2030	\$37,989,269	\$37,989,269		\$78,258	\$398,887	\$477,145	\$207,042	\$10,869	\$3,913	\$698,968
2031	\$28,584,853	\$28,584,853		\$58,885	\$300,141	\$359,026	\$155,787	\$8,178	\$2,944	\$525,936
2032	\$28,584,853	\$28,584,853		\$58,885	\$300,141	\$359,026	\$155,787	\$8,178	\$2,944	\$525,936
2033	\$28,584,853	\$28,584,853		\$58,885	\$300,141	\$359,026	\$155,787	\$8,178	\$2,944	\$525,936
2034	\$28,584,853	\$28,584,853		\$58,885	\$300,141	\$359,026	\$155,787	\$8,178	\$2,944	\$525,936
2035	\$28,584,853	\$28,584,853		\$58,885	\$300,141	\$359,026	\$155,787	\$8,178	\$2,944	\$525,936
2036	\$28,584,853	\$28,584,853		\$58,885	\$300,141	\$359,026	\$155,787	\$8,178	\$2,944	\$525,936
2037	\$28,584,853	\$28,584,853		\$58,885	\$300,141	\$359,026	\$155,787	\$8,178	\$2,944	\$525,936
			Total	\$1,881,575	\$5,439,874	\$7,321,449	\$4,977,954	\$261,320	\$94,079	\$12,654,802
			Diff	\$0	\$4,150,680	\$4,150,680	\$0	\$0	\$0	\$4,150,680

Assumes School Value Limitation.
 Source: CPA, Angelo Solar, LLC
 *Tax Rate per \$100 Valuation

Disclaimer: This examination is based on information from the application submitted to the school district and forwarded to the comptroller. It is intended to meet the statutory requirement of Chapter 313 of the Tax Code and is not intended for any other purpose.

Attachment B – Tax Revenue before 25th Anniversary of Limitation Start

This represents the Comptroller’s determination that Angelo Solar, LLC (project) is reasonably likely to generate, before the 25th anniversary of the beginning of the limitation period, tax revenue in an amount sufficient to offset the school district maintenance and operations ad valorem tax revenue lost as a result of the agreement. This evaluation is based on an analysis of the estimated M&O portion of the school district property tax levy directly related to this project, using estimated taxable values provided in the application.

	Tax Year	Estimated ISD M&O Tax Levy Generated (Annual)	Estimated ISD M&O Tax Levy Generated (Cumulative)	Estimated ISD M&O Tax Levy Loss as Result of Agreement (Annual)	Estimated ISD M&O Tax Levy Loss as Result of Agreement (Cumulative)
Limitation Pre-Years	2020	\$0	\$0	\$0	\$0
	2021	\$1,125,529	\$1,125,529	\$0	\$0
	2022	\$1,500,705	\$2,626,233	\$0	\$0
Limitation Period (10 Years)	2023	\$420,000	\$3,046,233	\$977,156	\$977,156
	2024	\$420,000	\$3,466,233	\$865,204	\$1,842,360
	2025	\$420,000	\$3,886,233	\$744,397	\$2,586,757
	2026	\$420,000	\$4,306,233	\$613,836	\$3,200,592
	2027	\$420,000	\$4,726,233	\$472,919	\$3,673,511
	2028	\$420,000	\$5,146,233	\$320,748	\$3,994,259
	2029	\$420,000	\$5,566,233	\$156,421	\$4,150,680
	2030	\$398,887	\$5,965,121	\$0	\$4,150,680
	2031	\$300,141	\$6,265,262	\$0	\$4,150,680
	2032	\$300,141	\$6,565,403	\$0	\$4,150,680
Maintain Viable Presence (5 Years)	2033	\$300,141	\$6,865,544	\$0	\$4,150,680
	2034	\$300,141	\$7,165,684	\$0	\$4,150,680
	2035	\$300,141	\$7,465,825	\$0	\$4,150,680
	2036	\$300,141	\$7,765,966	\$0	\$4,150,680
	2037	\$300,141	\$8,066,107	\$0	\$4,150,680
Additional Years as Required by 313.026(c)(1) (10 Years)	2038	\$300,141	\$8,366,248	\$0	\$4,150,680
	2039	\$300,141	\$8,666,389	\$0	\$4,150,680
	2040	\$300,141	\$8,966,530	\$0	\$4,150,680
	2041	\$300,141	\$9,266,671	\$0	\$4,150,680
	2042	\$300,141	\$9,566,812	\$0	\$4,150,680
	2043	\$300,141	\$9,866,953	\$0	\$4,150,680
	2044	\$300,141	\$10,167,094	\$0	\$4,150,680
	2045	\$300,141	\$10,467,235	\$0	\$4,150,680
	2046	\$300,141	\$10,767,376	\$0	\$4,150,680
	2047	\$300,141	\$11,067,517	\$0	\$4,150,680

\$11,067,517

is greater than

\$4,150,680

Analysis Summary	
Is the project reasonably likely to generate tax revenue in an amount sufficient to offset the M&O levy loss as a result of the limitation agreement?	Yes

NOTE: The analysis above only takes into account this project’s estimated impact on the M&O portion of the school district property tax levy directly related to this project.

Source: CPA, Angelo Solar, LLC

Disclaimer: This examination is based on information from the application submitted to the school district and forwarded to the comptroller. It is intended to meet the statutory requirement of Chapter 313 of the Tax Code and is not intended for any other purpose.

Attachment C – Limitation as a Determining Factor

Tax Code 313.026 states that the Comptroller may not issue a certificate for a limitation on appraised value under this chapter for property described in an application unless the comptroller determines that “the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in this state.” This represents the basis for the Comptroller’s determination.

Methodology

Texas Administrative Code 9.1055(d) states the Comptroller shall review any information available to the Comptroller including:

- the application, including the responses to the questions in Section 8 (Limitation as a Determining Factor);
- public documents or statements by the applicant concerning business operations or site location issues or in which the applicant is a subject;
- statements by officials of the applicant, public documents or statements by governmental or industry officials concerning business operations or site location issues;
- existing investment and operations at or near the site or in the state that may impact the proposed project;
- announced real estate transactions, utility records, permit requests, industry publications or other sources that may provide information helpful in making the determination; and
- market information, raw materials or other production inputs, availability, existing facility locations, committed incentives, infrastructure issues, utility issues, location of buyers, nature of market, supply chains, other known sites under consideration.

Determination

The Comptroller has determined that the limitation on appraised value is a determining factor in the Angelo Solar, LLC’s decision to invest capital and construct the project in this state. This is based on information available, including information provided by the applicant. Specifically, the comptroller notes the following:

- Per Angelo Solar, LLC in Tab 5 of their Application for a Limitation on Appraised Value:
 - A. “Apex, the ultimate parent company of Angelo Solar, LLC, has been in the renewable energy sector for over nine years and has capabilities in the development, financing, construction and operation of over 14,000 MW of independent power assets throughout the United States, of which over 1000 MW have the opportunity to be developed in Texas.”
 - B. “The Project is in the middle stages of development as of the date of this application. This Project was selected as a candidate to explore for development because of the abundant solar resource and investment made in Tom Green County, access to the ERCOT market, and the favorable property tax incentives under the Tax Code, including the potential availability of tax abatement agreements under Tax Code Chapter 312 and a value limitation agreement under Tax Code Chapter 313.”
 - C. “Apex has publicly announced the Project by listing it on Apex Clean Energy’s website as a project in development. At the time that the initial Project land leases were executed with landowners, the Project was known by the name “Concho Solar, LLC.” The Project filed its initial application with ERCOT using this name, but ERCOT notified Apex that the proposed name conflicted with another pending application. At that time, the Project changed its name to Angelo Solar, LLC. The Project applied to ERCOT on September 6, 2018, and its GINR number is 19INR0203.”
 - D. “The only agreements that Applicant has entered into for this Project are written lease agreements with landowners that permit the installation of solar energy project facilities on the land. The written leases may be terminated by Applicant if it elects not to construct the Project.”
 - E. “The approval of the Project’s application for a Chapter 313 Appraised Value Limitation remains an essential factor in the Project being selected for development by Apex. A myriad of variables remain undetermined at this early stage, and Apex could elect to allocate resources to other developable counties and/or states competing for similar projects where Apex has land interests.”

- F. "Apex would like to develop and build its proposed project, but given the number of undetermined variables at this early stage, a Chapter 313 Appraised Value Limitation Agreement is necessary to make the economics of the project viable by providing relief for the greatest operational cost of the project. If Apex cannot secure a Chapter 313 Appraised Value Limitation Agreement, resources will be likely reallocated to other developable counties and/or states competing for similar projects where Apex has land interests. Apex is currently developing the following facilities that are competing for investment capital with the proposed project in Tom Green County: A large Solar farm in Texas known internally as "Wilmeth Solar"; "A large Solar farm in Texas known internally as "Desert Rose"; "A large Solar farm in Virginia known internally as "Carvers Creek"; A large Solar farm in North Carolina known internally as "Island Creek"; A large wind farm in Texas known internally as "Young Wind"; A large wind farm in Texas known internally as "Black Angus Wind"; A large wind farm in Illinois known internally as "Lincoln Land"; A large wind farm in Minnesota known internally as "Big Bend"; A large wind farm in Indiana known internally as "Roaming Bison"; A large wind farm in Colorado known internally as "Antelope Creek"; and a large wind farm in New Mexico known internally as "Grady Martin" A large wind farm in Kansas known internally as "Jayhawk."
- According to a Regular Meeting of the Board of Trustees of Grape Creek ISD dated May 14, 2019, "Discuss and Consider Action: APEX Clean Energy Application for an Appraised Value Limitation on Property; to authorize Superintendent to review and submit Application to Comptroller, and to enter into agreements to extend deadlines for Board beyond 150 days, subject to Board ratification."
 - Supplemental information provided by the applicant indicated the following:
 - A. "The project was previously registered as Concho Solar, LLC, until ERCOT required a name change. This name was in conversations between Apex developers and the project landowners, Queen Bees, LTD."
 - B. "19INR0203--- Issued at start of screening study 11/20/2018."

Supporting Information

- a) Section 8 of the Application for a Limitation on Appraised Value
- b) Attachments provided in Tab 5 of the Application for a Limitation on Appraised Value
- c) Additional information provided by the Applicant or located by the Comptroller

Disclaimer: This examination is based on information from the application submitted to the school district and forwarded to the comptroller. It is intended to meet the statutory requirement of Chapter 313 of the Tax Code and is not intended for any other purpose.

Supporting Information

Section 8 of the Application for
a Limitation on Appraised Value

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 checked="" type="checkbox"/> Land has no existing improvements	<input 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.

Supporting Information

**Attachments provided in Tab 5
of the Application for a
Limitation on Appraised Value**

Tab 5

Documentation to assist in determining if limitation is a determining factor

Apex, the ultimate parent company of Angelo Solar, LLC, has been in the renewable energy sector for over nine years and has capabilities in the development, financing, construction and operation of over 14,000 MW of independent power assets throughout the United States, of which over 1000 MW have the opportunity to be developed in Texas.

The Project is in the middle stages of development as of the date of this application. This Project was selected as a candidate to explore for development because of the abundant solar resource and investment made in Tom Green County, access to the ERCOT market, and the favorable property tax incentives under the Tax Code, including the potential availability of tax abatement agreements under Tax Code Chapter 312 and a value limitation agreement under Tax Code Chapter 313.

Apex has publicly announced the Project by listing it on Apex Clean Energy's website as a project in development. At the time that the initial Project land leases were executed with landowners, the Project was known by the name "Concho Solar, LLC." The Project filed its initial application with ERCOT using this name, but ERCOT notified Apex that the proposed name conflicted with another pending application. At that time, the Project changed its name to Angelo Solar, LLC. The Project applied to ERCOT on September 6, 2018, and its GINR number is 19INR0203.

The only agreements that Applicant has entered into for this Project are written lease agreements with landowners that permit the installation of solar energy project facilities on the land. The written leases may be terminated by Applicant if it elects not to construct the Project.

The approval of the Project's application for a Chapter 313 Appraised Value Limitation remains an essential factor in the Project being selected for development by Apex. A myriad of variables remain undetermined at this early stage, and Apex could elect to allocate resources to other developable counties and/or states competing for similar projects where Apex has land interests.

Apex would like to develop and build its proposed project, but given the number of undetermined variables at this early stage, a Chapter 313 Appraised Value Limitation Agreement is necessary to make the economics of the project viable by providing relief for the greatest operational cost of the project. If Apex cannot secure a Chapter 313 Appraised Value Limitation Agreement, resources will be likely reallocated to other developable counties and/or states competing for similar projects where Apex has land interests. Apex is currently developing the following facilities that are competing for investment capital with the proposed project in Tom Green County:

- a. A large Solar farm in Texas known internally as "Wilmeth Solar;"
- b. A large Solar farm in Texas known internally as "Desert Rose;"
- c. A large Solar farm in Virginia known internally as "Carvers Creek";
- d. A large Solar farm in North Carolina known internally as "Island Creek";
- e. A large wind farm in Texas known internally as "Young Wind";
- f. A large wind farm in Texas known internally as "Black Angus Wind";
- g. A large wind farm in Illinois known internally as "Lincoln Land";

- h. A large wind farm in Minnesota known internally as "Big Bend";
- i. A large wind farm in Indiana known internally as "Roaming Bison";
- j. A large wind farm in Colorado known internally as "Antelope Creek"; and
- k. A large wind farm in New Mexico known internally as "Grady Martin"
- l. A large wind farm in Kansas known internally as "Jayhawk."

Supporting Information

Additional information
provided by the Applicant or
located by the Comptroller

Agenda of Regular Meeting

The Board of Trustees Grape Creek ISD

A Regular Meeting of the Board of Trustees of Grape Creek ISD will be held May 14, 2019, beginning at 6:30 PM in the GCISD Community Room, 8207 US Highway 87 North, San Angelo, Texas.

The subjects to be discussed or considered or upon which any formal action may be taken are as listed below. Items do not have to be taken in the order shown on this meeting notice.

Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

- I. Call to Order
- II. Roll Call
- III. Welcome to Community Patrons and Visitors
- IV. Pledge of Allegiance
- V. Invocation
- VI. Information Items
 - A. District Goals
 - B. Superintendent's Report
 - 1. Campus Reports
 - a. STAAR Results
 - b. Student Recognition
 - (1) Special Olympics
 - (2) Intermediate DARE Essay Winners
 - (3) MS Robotics - State Qualifiers
 - (4) MS National Junior Honor Society Outstanding Achievement Awardees
 - (5) MS 8th Grade Boys Back-to-Back District Track Champions
 - (6) HS Ag Science
 - (7) HS Band
 - (8) HS UIL
 - (9) Family and Consumer Science

(10) Post-secondary Education and Military

(11) Promethean Board Presentation

C. Action Items

1. CLOSED (EXECUTIVE SESSION): There will be a closed session pursuant to the Texas Open Meetings Act for the Board to discuss or deliberate regarding commercial or financial information received from APEX Clean Energy with whom the District may be commencing economic development negotiations (Texas Gov't Code, Section 551.087).
2. Discuss and Consider Action: APEX Clean Energy Application for an Appraised Value Limitation on Property; to authorize Superintendent to review and submit Application to Comptroller, and to enter into agreements to extend deadlines for Board beyond 150 days, subject to Board ratification.
3. Discuss and Consider Action: Retain consultants, Culwell Consulting, LLC and O'Hanlon, Demerath and Castillo to assist in processing Application for Appraised Value Limitation on Qualified Property from APEX Wind Energy.

D. Information Items

1. Superintendent's Report (continued)
 - a. Enrollment Report
 - b. Fairview Report
 - c. In School Suspension (ISS) Report
 - d. Special Populations Report
 - e. Athletic Report
 - f. Transportation Report
 - g. Technology Report
 - h. Food Service Report
 - i. Maintenance Report
 - j. Review Annual School Health Advisory Committee (SHAC) Report
2. Facility Report
 - a. Phase 3 Construction - New Middle School
3. Calendar Reminders
 - a. Early Release - All Campuses and Offices - Wednesday and Thursday, May 22 and 23.
 - b. Groundbreaking for Galilee CDC home across from High School - May 22 Time TBA
 - c. Annual Employee Breakfast - 9:00 am Friday, May 24 - HS Cafetorium.
 - d. High School Graduation - 8:00 pm May 24 - ASU Junell Center (report at 7:30 in the same room as last year).
 - e. Memorial Day Holiday - May 27 - All Offices Closed.

COMPTROLLER QUERY RELATED TO TAX CODE CHAPTER 313.026(c)(2)
– Grape Creek ISD – Angelo Solar, LLC, App. #1376

Comptroller Questions (via email on August 30, 2019):

1. *Please list any other names by which this project may have known in the past--in media reports, investor presentations, or any listings with any federal or state agency.*
2. *Has this project applied to ERCOT at this time? If so, please provide the project's GINR number and when was it assigned.*

Applicant Response (via email on August 30, 2019):

1. *The project was previously registered as Concho Solar, LLC, until ERCOT required a name change. This name was in conversations between Apex developers and the project landowners, Queen Bees, LTD.*
2. *19INR0203--- Issued at start of screening study 11/20/2018.*