



# Chapter 313 Annual Eligibility Report Form

**Form 50-772**  
(May 2010)

2010

Tax Year covered in this report

**Panhandle ISD**

School district name

**0.44**

I&S Tax Rate

**1.04**

M&O Tax Rate

**High Majestic Wind Energy Center**

Project Name

**High Majestic Wind Energy Center, LLC**

Company Name

**700 Universe Blvd CTX/JB, Juno Beach, FL 33408**

Company Address

**(561) 691-2943**

Company Contact Information

NOTE: This form must be completed by an authorized representative of each approved applicant and each entity with property subject to the limitation agreement. It must be submitted to the school district by May 15th of every year using information from the previous tax (calendar) year. For limitation agreements where there are multiple company entities that receive a part of the limitation provided by the agreement: 1) each business entity not having a full interest in the agreement should complete a separate form for their proportionate share of required employment and investment information; and, 2) separately, the school district is required to complete an Annual Eligibility Report that provides for each question in this form a sum of the individual answers from reports submitted by each entity so that there is a cumulative Annual Eligibility Report reflecting the entire agreement.

**32040257860**

Texas Taxpayer ID of Applicant

**32002608134**

Texas Taxpayer ID Reporting Entity (if appropriate)

**October 22, 2008**

Date of Agreement Approval

**Babcock & Brown Renewable Holdings, Inc.**

Original Applicant Name

**2009**

First complete tax year of the qualifying time period

**2010**

Last tax year of the qualifying time period

**2011**

First tax year of the limitation

**\$10,000,000**

Amount of the limitation at the time of application approval

### QUALIFIED PROPERTY INFORMATION

**\$137,853,170**

Market Value

**\$137,853,170**

I&S Taxable Value

**\$10,000,000**

M&O Taxable Value

Is the business entity in good standing with respect to Tax Code, Chapter 171?

(Attach printout from Comptroller Web site: <http://www.window.state.tx.us/taxinfo/coasintr.html>)

Yes  No

Is the business entity current on all taxes due to the State of Texas?

Yes  No

Is the business activity of the project an eligible business activity under Section 313.024(b)?

Yes  No

Please identify business activity: Renewable energy electric generation

What was the application review start date for your application (the date your application was determined to be complete)?  
(This question must only be answered for projects with applications approved after June 1, 2010.)

N/A

How many new jobs were based on the qualified property in the year covered by this report? (See note on page 3.)

5

What is the number of new jobs required for a project in this school district according to 313.021(2)(A)(iv)(b), 313.051(b), as appropriate?

10

If the applicant requested a waiver of minimum jobs requirement, how many new jobs must the approved applicant create under the waiver?

Approx 3-5

80 percent of New Jobs (0.80 x number of new jobs based on the qualified property in the year covered by this report.)

4



What is the minimum required annual wage for each qualifying job in the year covered by the report? ..... Avg \$40,017

For agreements executed prior to June 19, 2009, please identify which of the two Tax Code sections is used to determine the wage standard required by the agreement: §313.021(5)(A) or §313.051(b). For agreements executed after June 19, 2009, please identify which of the four Tax Code sections is used to determine the wage standard required by the agreement: §313.021(5)(A), §313.021(5)(B), §313.021(3)(E)(ii), or §313.051(b). ..... 313.051(b)

Attach calculations and cite (or attach) exact Texas Workforce Commission data sources. .... See attached

How many qualifying jobs (employees of this entity and employees of a contractor with this entity) were based on the qualified property in the year covered by the report? ..... 5

Of the qualifying job-holders last year, how many were employees of the approved applicant? ..... 5

Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? ..... 0

If any qualifying job-holders were employees of an entity contracting with the applicant, does the approved applicant or assignee have documentation from the contractor supporting the conclusion that those jobs are qualifying jobs? .....  NA  Yes  No

**THE FOLLOWING QUESTIONS APPLY ONLY TO APPROVED APPLICANTS WITH AGREEMENTS THAT REQUIRE THE APPROVED APPLICANT TO PROVIDE A SPECIFIED NUMBER OF JOBS AT A SPECIFIED WAGE**

How many qualifying jobs did the approved applicant commit to create in the year covered by the report? ..... Approx 3-5

At what annual wage? ..... Avg \$40,017

How many qualifying jobs were created at the specified wage? ..... 5

**ENTITIES ARE NOT REQUIRED TO ANSWER THE FOLLOWING FIVE QUESTIONS IF THE YEAR COVERED BY THE REPORT IS AFTER THE QUALIFYING TIME PERIOD OF THEIR AGREEMENT.**

What is the qualified investment expended by this entity from the beginning of the qualifying time period through the end of the year covered by this report? ..... 149,681,859

Was any of the land classified as qualified investment? .....  Yes  No

Was any of the qualified investment leased under a capitalized lease? .....  Yes  No

Was any of the qualified investment leased under and operating lease? .....  Yes  No

Was any property not owned by the applicant part of the qualified investment? .....  Yes  No

**THE FOLLOWING QUESTIONS MUST BE ANSWERED BY ENTITIES HAVING A PARTIAL INTEREST IN AN AGREEMENT.**

What was your limitation amount (or portion of original limitation amount) during the year covered by this report? ..... n/a

Please describe your interest in the agreement and identify all the documents creating that interest.

---



---



---



---



---



---



---



---



---



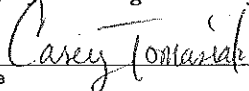
---

NOTE: For job definitions see TAC §9.1051(14) and Tax Code, §313.021(3). If the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), then please provide the definition "new job" as used in the agreement.

Notwithstanding any waiver by the district of the requirement for the creation of a minimum number of new jobs, or any other job commitment in the agreement, Tax Code 313.024(d) requires that 80 percent of all new jobs be qualifying jobs.

**APPROVAL**

*"I am the authorized representative for the Company submitting this Annual Eligibility Report. I understand that this Report is a government record as defined in Chapter 37 of the Texas Penal Code. The information I am providing on this Report is true and correct to the best of my knowledge and belief."*

  
Signature

Casey Tomasiak

Printed name of authorized company representative

Property Tax Analyst

Title

5/12/2011

Date

**CONTACT INFORMATION FOR AUTHORIZED REPRESENTATIVE**

700 Universe Blvd, Juno Beach, FL 33408

Address

(561) 691-2943

Phone

Casey.Tomasiak@fpl.com

E-mail



Taxable Entity Search Results

## Franchise Tax Certification of Account Status

### **This Certification Not Sufficient for Filings with Secretary of State**

Do **not** include a certificate from this Web site as part of a filing with the Secretary of State for dissolution, merger, withdrawal, or conversion. The Secretary of State will reject a filing that uses the certification from this site.

To obtain a certificate that is sufficient for dissolution, merger, or conversion, see Publication 98-336d, Requirements to Dissolve, Merge or Convert a Texas Entity.

Certification of Account Status

Officers And Directors Information

Entity Information:

**HIGH MAJESTIC WIND  
ENERGY CENTER, LLC  
700 UNIVERSE BLVD FEX/JB  
JUNO BEACH, FL 33408-4240**

Status:

**IN GOOD STANDING NOT FOR  
DISSOLUTION OR  
WITHDRAWAL through May 16,  
2011**

Registered Agent:

**C T CORPORATION SYSTEM  
350 N. ST. PAUL ST. STE. 2900  
DALLAS, TX 75201**

Registered Agent Resignation Date:

State of Formation:

DE

File Number:

0801167621

SOS Registration Date:

September 8, 2009

Taxpayer Number:

32040257860

texas.gov | Statewide Search from the Texas State Library | State Link Policy | Texas Homeland Security

**Susan Combs**, Texas Comptroller • Window on State Government • Contact Us  
Privacy and Security Policy | Accessibility Policy | Link Policy | Public Information Act | Compact with Texans

Wages paid to area workers are well above state levels. Over the past ten years, Carson County's workers earned about 35 percent more than the state average. In 2006, an employee earned \$60,180, compared to the Texas average of \$41,918.

Table 1: Carson County Employment Trends (NAICS)

Description	Employment 2002 Q3	Employment 2006 Q3	Employment 2007 Q3	Change 06-07	% Change 06-07
Natural Resources & Mining	178	132	113	-19	-14.4%
Construction	206	85	101	16	18.8%
Manufacturing	--	--	--	--	--
Trade, Transport & Utilities	237	339	359	20	5.9%
Information	--	--	7	N/A	N/A
Financial Activities	51	41	41	0	0.0%
Professional & Bus. Services	44	32	39	7	21.9%
Education & Health Services	--	75	--	N/A	N/A
Leisure & Hospitality	98	67	65	-2	-3.0%
Other Services	22	83	--	N/A	N/A
Nonclassifiable	3,315	3,291	3,538	247	7.5%
Federal Government	193	216	229	13	6.0%
State Government	39	39	45	6	15.4%
Local Government	358	389	392	3	0.8%
<b>Total Employment</b>	<b>4,741</b>	<b>4,789</b>	<b>4,920</b>	<b>140</b>	<b>2.9%</b>

Source: Texas Workforce Commission

### Board Finding Number 3.

The average salary level of qualifying jobs is expected to be at least \$41,600 per year. The review of the application by the State Comptroller's Office indicated that this amount—based on Texas Workforce Commission data—complies with the requirement that qualifying jobs must pay 110 percent of the county average manufacturing wage. Majestic Wind indicates that total employment will be approximately five (5) new jobs.

Based on Texas Workforce Commission data, the average manufacturing wage for the area covered by the Panhandle Regional Planning Commission is \$17.49 per hour or \$36,379 annually. At the 110 percent level required under Chapter 313, the minimum qualifying wage would be \$40,017. The average salary level for the Majestic Wind Project exceeds this amount by \$1,583 or about four percent.

Attachment F

Job Waiver

BABCOCK & BROWN

Babcock & Brown LP  
1719 FM 2244 • Bee Caves Road • Suite 300 • Austin TX 78738 USA  
T +1 512 371 4900 • F +1 512 371 4949 • www.babcockbrown.com



September 15, 2008

Panhandle Independent School District  
P.O. Box 1030  
Panhandle, Texas 79068

Re: Majestic Wind Power Project

Dear Board Members:

The Majestic Wind Energy Project will create at least three qualifying jobs, as that term is defined in Chapter 313.021(3). House Bill 1470 altered the jobs requirement for Chapter 313 Agreements by adding Section 313.025(f-1) to permit a school district's board of trustees to make a finding that the job requirement could be waived if the job requirement exceeds industry standard for the number of employees reasonably necessary for the operation of the Facility of the property owner that is described in the Application.

Majestic Wind Power LLC has requested that the Panhandle Independent School District's Board of Trustees make such a finding and waive the job creation requirement. Based on the industry standard, the size and scope of the project will require less than ten permanent jobs.

Wind projects create a large number of part-time jobs during the construction phase, but require a small number of highly-skilled technicians to operate a wind project once construction is completed and commercial operations start. The permanent employees of a wind project maintain and service wind turbines, underground electrical connections, substations and other infrastructure associated with the safe and reliable operation of the Project. Based on its operating procedures, Majestic Wind staffs a wind farm in the ration of one full-time employee for every 18 turbines, although this number can and does vary depending upon the turbine selected and the support and technical assistance offered by the turbine manufacturer. In addition to the onsite employees described above, there may be asset managers or technicians who supervise, monitor, and support wind project operations from offsite locations.

Thank you for your consideration of the requested waiver of the ten job requirement.

Sincerely,

Glen Hodges

Vertical text on the right margin, possibly a routing slip or stamp, containing illegible text.