

**GLENN HEGAR TEXAS COMPTROLLER OF PUBLIC ACCOUNTS**

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

January 25, 2022

<p>AMENDED COMPLETENESS, CERTIFICATE & AGREEMENT APPROVAL</p>

Wade Callaway
Superintendent
Gruver Independent School District
601 Garrett Avenue
PO Box 650
Gruver, TX 79040

Re: Amendment Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations taxes by and between Gruver Independent School District and Great Prairie Wind II, LLC, Application 1587

Dear Superintendent Callaway:

This application (Application 1587) was originally submitted on March 22, 2021, to the Gruver Independent School District (school district) by Great Prairie Wind II, LLC (applicant) for a limitation on appraised value under the provisions of Tax Code Chapter 313.¹ On May 14, 2021, the Comptroller issued written notice that the applicant submitted a completed application; and later issued a certificate for a limitation on appraised value on June 4, 2021. The applicant and school district executed an agreement for a limitation on appraised value (agreement) on July 26, 2021.

On January 19, 2022, the Comptroller received an amendment to the agreement to assign the project to Great Prairie Wind, LLC and subsequently, determined that it includes the information necessary to be determined as complete. This presents the Comptroller's review of that amendment per Section 10.2 of the agreement 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 C; 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)

The information provided by the applicant related to eligibility has not changed and therefore, 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 C.

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

Certificate decision required by 313.025(d)

Determination required by 313.026(c)(1)

Based on the amended information provided by the applicant, 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.

Determination required by 313.026(c)(2)

The Comptroller previously 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.

Based on these determinations, the Comptroller approves changes to the certificate for a limitation on appraised value for the amendment.


The Comptroller's review of the amended application and amended agreement assumes the accuracy and completeness of the statements in the amendment. If the amendment is approved by the school district, the applicant shall perform according to the provisions of the Texas Economic Development Act Agreement (Form 50-826) and all amendments, 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 approval is no longer valid if the information presented in the amendment changes, or the amended limitation agreement does not conform to the amended application. Additionally, this approval is contingent on the school district approving and executing the amendment to the agreement **by December 31, 2022**.

This office has also been provided with the Amended Agreement for Limitation on Appraised Value. As requested, the amendment to the Agreement has been reviewed pursuant to 34 TAC 9.1055(e)(1). Based on our review, this office concludes that the agreement complies with the provisions of Tax Code, Chapter 313 and 34 TAC Chapter 9, Subchapter F.

Should you have any questions, please contact John Villarreal, Manager, Data Analysis & Transparency, by email at john.villarreal@cpa.texas.gov or by phone toll-free at 1-800-531-5441, ext. 3-5241, or at 512-463-5241.

Sincerely,

DocuSigned by:

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Will Counihan
Director
Data Analysis & Transparency

cc: Fred Stormer, Underwood Law Firm
Anthony Pedroni, NextEra Energy Resources, LLC
Dion Watson, NextEra Energy Resources, LLC
Steven Van Dyck, Cummings Westlake LLC

Amended Attachment A – Economic Impact Analysis

The following tables summarize the Comptroller’s economic impact analysis of Great Prairie Wind II, LLC (project) applying to Gruver 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 Great Prairie Wind II, LLC.

	Original	Amendment No. 1
Applicant	Great Prairie Wind II, LLC	Great Prairie Wind, LLC
Tax Code, 313.024 Eligibility Category	Renewable Energy – Wind	Renewable Energy – Wind
School District	Gruver ISD	Gruver ISD
2019-2020 Average Daily Attendance	418	418
County	Hansford	Hansford
Proposed Total Investment in District	\$145,557,103	\$145,557,103
Proposed Qualified Investment	\$145,557,103	\$145,557,103
Limitation Amount	\$23,000,000	\$23,000,000
Qualifying Time Period (Full Years)	2023-2024	2023-2024
Number of new qualifying jobs committed to by applicant	4*	4*
Number of new non-qualifying jobs estimated by applicant	0	0
Average weekly wage of qualifying jobs committed to by applicant	\$843	\$843
Minimum weekly wage required for each qualifying job by Tax Code, 313.021(5)(A)	\$843	\$843
Minimum annual wage committed to by applicant for qualified jobs	\$43,815	\$43,815
Minimum weekly wage required for non-qualifying jobs	\$925.25	\$925.25
Minimum annual wage required for non-qualifying jobs	\$48,113	\$48,113
Investment per Qualifying Job	\$36,389,276	\$36,389,276
Estimated M&O levy without any limit (15 years)	\$12,382,836	\$12,382,836
Estimated M&O levy with Limitation (15 years)	\$4,815,120	\$4,815,120
Estimated gross M&O tax benefit (15 years)	\$7,567,716	\$7,567,716

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