



GLENN HEGAR TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

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

August 9, 2021

Michael Valencia
Superintendent
McCamey Independent School District
112 E. 11th Street
P.O. Box 1069
McCamey, TX 79752

Re: Certificate for Limitation on Appraised Value of Property for School District Maintenance and Operations taxes by and between McCamey Independent School District and King Mountain Solar, LLC, Application 1581

Dear Superintendent Valencia:

On June 2, 2021, the Comptroller issued written notice that King Mountain Solar, LLC (applicant) submitted a completed application (Application 1581) for a limitation on appraised value under the provisions of Tax Code Chapter 313.¹ This application was originally submitted on March 31, 2021, to the McCamey 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 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)

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 1581.

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 C.

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).

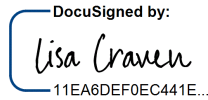
The Comptroller's review of the application assumes the accuracy and completeness of the statements in the application. If the application is approved by the school district, the applicant shall perform according to the provisions of the Texas Economic Development Act Agreement (Form 50-826) executed 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 by December 31, 2021.

Note that any building or improvement existing as of the application review start date of June 2, 2021, 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,

DocuSigned by:

11EA6DEF0EC441E...

Lisa Craven
Deputy Comptroller

Enclosure

cc: Will Counihan

Attachment A - Economic Impact Analysis

The following tables summarize the Comptroller’s economic impact analysis of King Mountain Solar, LLC (project) applying to McCamey 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 King Mountain Solar, LLC.

Applicant	King Mountain Solar, LLC
Tax Code, 313.024 Eligibility Category	Renewable Energy - Solar
School District	McCamey ISD
2019-2020 Average Daily Attendance	486
County	Upton
Proposed Total Investment in District	\$201,200,000
Proposed Qualified Investment	\$201,200,000
Limitation Amount	\$30,000,000
Qualifying Time Period (Full Years)	2022-2023
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	\$962
Minimum weekly wage required for each qualifying job by Tax Code, 313.021(5)(B)	\$962
Minimum annual wage committed to by applicant for qualified jobs	\$50,049
Minimum weekly wage required for non-qualifying jobs	\$1,564.00
Minimum annual wage required for non-qualifying jobs	\$81,328
Investment per Qualifying Job	\$100,6000,000
Estimated M&O levy without any limit (15 years)	\$13,879,192
Estimated M&O levy with Limitation (15 years)	\$5,052,087
Estimated gross M&O tax benefit (15 years)	\$8,827,105

* 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 King Mountain Solar, LLC (modeled).

Year	Employment			Personal Income		
	Direct	Indirect + Induced	Total	Direct	Indirect + Induced	Total
2022	250	273	523	\$10,000,000	\$34,678,000	\$44,678,000
2023	250	291	541.016	\$10,000,000	\$40,537,000	\$50,537,000
2024	2	27	29	\$100,098	\$7,834,902	\$7,935,000
2025	2	8	10	\$100,098	\$4,782,902	\$4,883,000
2026	2	(8)	-6	\$100,098	\$2,462,902	\$2,563,000
2027	2	(14)	-12	\$100,098	\$1,608,902	\$1,709,000
2028	2	(16)	-14	\$100,098	\$631,902	\$732,000
2029	2	(18)	-16	\$100,098	\$143,902	\$244,000
2030	2	(12)	-10	\$100,098	-\$100,098	\$0
2031	2	(12)	-10	\$100,098	-\$100,098	\$0
2032	2	(8)	-6	\$100,098	-\$344,098	-\$244,000
2033	2	(4)	-2	\$100,098	-\$100,098	\$0
2034	2	(2)	0	\$100,098	\$143,902	\$244,000
2035	2	(2)	0	\$100,098	\$143,902	\$244,000
2036	2	2	4	\$100,098	-\$100,098	\$0
2037	2	2	4	\$100,098	\$143,902	\$244,000

Source: CPA REMI, King Mountain 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*	McCamey ISD I&S Tax Levy	McCamey ISD M&O Tax Levy	McCamey ISD M&O and I&S Tax Levies	Upton County Tax Levy	Upton County Waterl District Tax Levy	McCamey Hospital District Tax Levy	Upton County Emergency Service District #2 Tax Levy	Estimated Total Property Taxes
			0.2253	0.9303			0.2600	0.0034	0.6430	0.5305	
2024	\$201,200,000	\$201,200,000		\$453,304	\$1,871,764	\$2,325,067	\$523,120	\$6,923	\$1,293,798	\$1,067,326	\$5,216,235
2025	\$185,129,000	\$185,129,000		\$417,096	\$1,722,255	\$2,139,351	\$481,335	\$6,370	\$1,190,455	\$982,072	\$4,799,584
2026	\$167,056,000	\$167,056,000		\$376,377	\$1,554,122	\$1,930,499	\$434,346	\$5,748	\$1,074,239	\$886,199	\$4,331,030
2027	\$150,990,000	\$150,990,000		\$340,180	\$1,404,660	\$1,744,840	\$392,574	\$5,196	\$970,928	\$800,972	\$3,914,509
2028	\$132,917,000	\$132,917,000		\$299,462	\$1,236,527	\$1,535,989	\$345,584	\$4,574	\$854,711	\$705,098	\$3,445,956
2029	\$116,851,000	\$116,851,000		\$263,265	\$1,087,065	\$1,350,330	\$303,813	\$4,021	\$751,400	\$619,871	\$3,029,435
2030	\$98,778,000	\$98,778,000		\$222,547	\$918,932	\$1,141,479	\$256,823	\$3,399	\$635,183	\$523,998	\$2,560,881
2031	\$82,712,000	\$82,712,000		\$186,350	\$769,470	\$955,820	\$215,051	\$2,846	\$531,872	\$438,771	\$2,144,360
2032	\$64,639,000	\$64,639,000		\$145,632	\$601,337	\$746,968	\$168,061	\$2,224	\$415,655	\$342,897	\$1,675,806
2033	\$48,573,000	\$48,573,000		\$109,435	\$451,875	\$561,310	\$126,290	\$1,671	\$312,344	\$257,670	\$1,259,285
2034	\$40,535,000	\$40,535,000		\$91,325	\$377,097	\$468,422	\$105,391	\$1,395	\$260,657	\$215,030	\$1,050,895
2035	\$40,525,000	\$40,525,000		\$91,303	\$377,004	\$468,307	\$105,365	\$1,394	\$260,592	\$214,977	\$1,050,636
2036	\$40,515,000	\$40,515,000		\$91,280	\$376,911	\$468,191	\$105,339	\$1,394	\$260,528	\$214,924	\$1,050,376
2037	\$40,505,000	\$40,505,000		\$91,258	\$376,818	\$468,076	\$105,313	\$1,394	\$260,464	\$214,871	\$1,050,117
2038	\$40,495,000	\$40,495,000		\$91,235	\$376,725	\$467,960	\$105,287	\$1,393	\$260,399	\$214,818	\$1,049,858
2039	\$40,485,000	\$40,485,000		\$91,213	\$376,632	\$467,845	\$105,261	\$1,393	\$260,335	\$214,765	\$1,049,599
			Total	\$3,361,262	\$13,879,192	\$17,240,454	\$3,878,953	\$51,336	\$9,593,561	\$7,914,258	\$38,678,562

Source: CPA, King Mountain Solar, LLC

*Tax Rate per \$100 Valuation

Table 4 examines the estimated direct impact on ad valorem taxes to the school district and Upton 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 and tax abatement with the county.

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		McCamey ISD I&S Tax Levy	McCamey ISD M&O Tax Levy	McCamey ISD M&O and I&S Tax Levies	Upton County Tax Levy	Upton County Waterl District Tax Levy	McCamey Hospital District Tax Levy	Upton County Emergency Service District #2 Tax Levy	Estimated Total Property Taxes
			Tax Rate*	0.2253	0.9303		0.2600	0.0034	0.6430	0.5305	
2024	\$201,200,000	\$30,000,000		\$453,304	\$279,090	\$732,394	\$156,936	\$6,923	\$388,140	\$1,067,326	\$2,351,718
2025	\$185,129,000	\$30,000,000		\$417,096	\$279,090	\$696,186	\$144,401	\$6,370	\$357,137	\$982,072	\$2,186,165
2026	\$167,056,000	\$30,000,000		\$376,377	\$279,090	\$655,467	\$130,304	\$5,748	\$322,272	\$886,199	\$1,999,989
2027	\$150,990,000	\$30,000,000		\$340,180	\$279,090	\$619,270	\$117,772	\$5,196	\$291,278	\$800,972	\$1,834,488
2028	\$132,917,000	\$30,000,000		\$299,462	\$279,090	\$578,552	\$103,675	\$4,574	\$256,413	\$705,098	\$1,648,312
2029	\$116,851,000	\$30,000,000		\$263,265	\$279,090	\$542,355	\$91,144	\$4,021	\$225,420	\$619,871	\$1,482,811
2030	\$98,778,000	\$30,000,000		\$222,547	\$279,090	\$501,637	\$77,047	\$3,399	\$190,555	\$523,998	\$1,296,635
2031	\$82,712,000	\$30,000,000		\$186,350	\$279,090	\$465,440	\$64,515	\$2,846	\$159,562	\$438,771	\$1,131,134
2032	\$64,639,000	\$30,000,000		\$145,632	\$279,090	\$424,722	\$50,418	\$2,224	\$124,697	\$342,897	\$944,958
2033	\$48,573,000	\$30,000,000		\$109,435	\$279,090	\$388,525	\$37,887	\$1,671	\$93,703	\$257,670	\$779,457
2034	\$40,535,000	\$40,535,000		\$91,325	\$377,097	\$468,422	\$105,391	\$1,395	\$260,657	\$215,030	\$1,050,895
2035	\$40,525,000	\$40,525,000		\$91,303	\$377,004	\$468,307	\$105,365	\$1,394	\$260,592	\$214,977	\$1,050,636
2036	\$40,515,000	\$40,515,000		\$91,280	\$376,911	\$468,191	\$105,339	\$1,394	\$260,528	\$214,924	\$1,050,376
2037	\$40,505,000	\$40,505,000		\$91,258	\$376,818	\$468,076	\$105,313	\$1,394	\$260,464	\$214,871	\$1,050,117
2038	\$40,495,000	\$40,495,000		\$91,235	\$376,725	\$467,960	\$105,287	\$1,393	\$260,399	\$214,818	\$1,049,858
2039	\$40,485,000	\$40,485,000		\$91,213	\$376,632	\$467,845	\$105,261	\$1,393	\$260,335	\$214,765	\$1,049,599
			Total	\$3,361,262	\$5,052,087	\$8,413,349	\$1,606,055	\$51,336	\$3,972,151	\$7,914,258	\$21,957,149
			Diff	\$0	\$8,827,105	\$8,827,105	\$2,272,898	\$0	\$5,621,410	\$0	\$16,721,413

Assumes School Value Limitation and Tax Abatements with the County.

Source: CPA, King Mountain 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 King Mountain 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 and direct, indirect and induced tax effects from project employment 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	2021	\$0	\$0	\$0	\$0
	2022	\$0	\$0	\$0	\$0
	2023	\$55,818	\$55,818	\$0	\$0
Limitation Period (10 Years)	2024	\$279,090	\$334,908	\$1,592,674	\$1,592,674
	2025	\$279,090	\$613,998	\$1,443,165	\$3,035,839
	2026	\$279,090	\$893,088	\$1,275,032	\$4,310,871
	2027	\$279,090	\$1,172,178	\$1,125,570	\$5,436,441
	2028	\$279,090	\$1,451,268	\$957,437	\$6,393,877
	2029	\$279,090	\$1,730,358	\$807,975	\$7,201,852
	2030	\$279,090	\$2,009,448	\$639,842	\$7,841,694
	2031	\$279,090	\$2,288,538	\$490,380	\$8,332,074
	2032	\$279,090	\$2,567,628	\$322,247	\$8,654,320
	2033	\$279,090	\$2,846,718	\$172,785	\$8,827,105
Maintain Viable Presence (5 Years)	2034	\$377,097	\$3,223,815	\$0	\$8,827,105
	2035	\$377,004	\$3,600,819	\$0	\$8,827,105
	2036	\$376,911	\$3,977,730	\$0	\$8,827,105
	2037	\$376,818	\$4,354,548	\$0	\$8,827,105
	2038	\$376,725	\$4,731,273	\$0	\$8,827,105
Additional Years as Required by 313.026(c)(1) (10 Years)	2039	\$376,632	\$5,107,905	\$0	\$8,827,105
	2040	\$376,539	\$5,484,444	\$0	\$8,827,105
	2041	\$376,446	\$5,860,890	\$0	\$8,827,105
	2042	\$376,353	\$6,237,243	\$0	\$8,827,105
	2043	\$376,260	\$6,613,503	\$0	\$8,827,105
	2044	\$376,167	\$6,989,670	\$0	\$8,827,105
	2045	\$376,074	\$7,365,743	\$0	\$8,827,105
	2046	\$375,981	\$7,741,724	\$0	\$8,827,105
	2047	\$375,888	\$8,117,612	\$0	\$8,827,105
	2048	\$375,795	\$8,493,406	\$0	\$8,827,105

\$8,493,406

is less than

\$8,827,105

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?

No

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, King Mountain Solar, LLC

Year	Employment			Personal Income			Revenue & Expenditure		
	Direct	Indirect + Induced	Total	Direct	Indirect + Induced	Total	Revenue	Expenditure	Net Tax Effect
2022	250	273	523	\$10,000,000	\$34,678,000	\$44,678,000	2037000	-977000	\$3,014,000
2023	250	291	541.016	\$10,000,000	\$40,537,000	\$50,537,000	2174000	-618000	\$2,792,000
2024	2	27	29	\$100,098	\$7,834,902	\$7,935,000	374000	740000	-\$366,000
2025	2	8	10	\$100,098	\$4,782,902	\$4,883,000	275000	725000	-\$450,000
2026	2	(8)	-6	\$100,098	\$2,462,902	\$2,563,000	214000	694000	-\$480,000
2027	2	(14)	-12	\$100,098	\$1,608,902	\$1,709,000	168000	648000	-\$480,000
2028	2	(16)	-14	\$100,098	\$631,902	\$732,000	145000	580000	-\$435,000
2029	2	(18)	-16	\$100,098	\$143,902	\$244,000	137000	542000	-\$405,000
2030	2	(12)	-10	\$100,098	-\$100,098	\$0	107000	465000	-\$358,000
2031	2	(12)	-10	\$100,098	-\$100,098	\$0	69000	427000	-\$358,000
2032	2	(8)	-6	\$100,098	-\$344,098	-\$244,000	61000	381000	-\$320,000
2033	2	(4)	-2	\$100,098	-\$100,098	\$0	53000	282000	-\$229,000
2034	2	(2)	0	\$100,098	\$143,902	\$244,000	-23000	229000	-\$252,000
2035	2	(2)	0	\$100,098	\$143,902	\$244,000	-46000	175000	-\$221,000
2036	2	2	4	\$100,098	-\$100,098	\$0	-53000	107000	-\$160,000
2037	2	2	4	\$100,098	\$143,902	\$244,000	-46000	69000	-\$115,000
2038	2	2	4	\$100,098	\$631,902	\$732,000	-46000	53000	-\$99,000
2039	2	4	6	\$100,098	\$1,364,902	\$1,465,000	-31000	8000	-\$39,000
2040	2	4	6	\$100,098	\$1,120,902	\$1,221,000	-46000	-76000	\$30,000
2041	2	10	12	\$100,098	\$876,902	\$977,000	-76000	-99000	\$23,000
2042	2	6	8	\$100,098	\$1,608,902	\$1,709,000	-46000	-84000	\$38,000
2043	2	2	4	\$100,098	\$876,902	\$977,000	-92000	-107000	\$15,000
2044	2	(0)	2	\$100,098	\$1,364,902	\$1,465,000	-92000	-107000	\$15,000
2045	2	2	4	\$100,098	\$1,364,902	\$1,465,000	-137000	-175000	\$38,000
2046	2	(0)	2	\$100,098	\$1,852,902	\$1,953,000	-31000	-145000	\$114,000
2047	2	4	6	\$100,098	\$2,829,902	\$2,930,000	31000	-160000	\$191,000
2048	2	10	12	\$100,098	\$2,829,902	\$2,930,000	15000	-206000	\$221,000
						Total	\$5,095,000	\$3,371,000	\$1,724,000
							\$10,217,406	is greater than	\$8,827,105
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

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 King Mountain Solar, LLC’s (parent company NextEra Energy) 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 King Mountain Solar, LLC in Tab 5 of their Application for a Limitation on Appraised Value:
 - A. “An appraised value limitation on qualified property allows developer to significantly diminish the property tax liability that composes a substantial ongoing cost of operation that directly impacts the economic rate of return for the project. In the absence of an appraised value limitation, the development of renewable energy facilities become financially uncertain as the rate of return often fails to meet the minimum return required to proceed. In the event an appraised value limitation agreement is not received by King Mountain Solar, LLC it is rather certain that the capital allotted for the development of this project will be reallocated for use in another state where either the property tax burden is lower or economic incentives can be secured namely locations where NextEra Energy is currently active including Oklahoma, Colorado, and California. Thus, an appraised value limitation agreement between King Mountain Solar, LLC and McCamey Independent School District is the determining factor in the decision to locate this facility within the state of Texas.”
 - B. Per King Mountain, LLC in Tab 4 of their Application for a Limitation on Appraised Value: “King Mountain Solar is being developed by NextEra Energy. NextEra Energy is the world’s largest producer of wind and solar energy. As a leader in the renewable energy industry, NextEra Energy is committed to investing in clear energy through its expansive portfolio of wind and solar facilities, as well as battery storage capacity. They are dedicated to shaping the future of American energy through their commitment to investing in technologies that provide clean energy and economic growth in communities across the country.”

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

Texas Comptroller of Public Accounts

Data Analysis and
Transparency
Form 50-296-A

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

NOTE: Only construction beginning after the application review start date (the date the Texas Comptroller of Public Accounts deems the application complete) can be considered qualified property and/or qualified investment.

- 1. Estimated school board ratification of final agreement September 1, 2021
- 2. Estimated commencement of construction October 1, 2022
- 3. Beginning of qualifying time period (MM/DD/YYYY) January 1, 2022
- 4. First year of limitation (YYYY) January 1, 2024

4a. For the beginning of the limitation period, notate which **one of the following** will apply according to provision of 313.027(a-1)(2):

- A. January 1 following the application date
- B. January 1 following the end of QTP
- C. January 1 following the commencement of commercial operations

- 5. Commencement of commercial operations December 31, 2023

SECTION 10: The Property

- 1. County or counties in which the proposed project will be located Upton CAD
- 2. Central Appraisal District (CAD) that will be responsible for appraising the property Upton CAD
- 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:

M&O (ISD): <u>McCamey ISD, .9303; 100%</u> <small>(Name, tax rate and percent of project)</small>	I&S (ISD): <u>McCamey ISD, .2253; 100%</u> <small>(Name, tax rate and percent of project)</small>
County: <u>Upton County, .26; 100%</u> <small>(Name, tax rate and percent of project)</small>	City: <u>N/A</u> <small>(Name, tax rate and percent of project)</small>
Hospital District: <u>McCamey Hosp. Dist.,.643041; 100%</u> <small>(Name, tax rate and percent of project)</small>	Water District: <u>Upton County Water Dist. .003441; 100%</u> <small>(Name, tax rate and percent of project)</small>
Other (describe): <u>ESD #2, .053048; 100%</u> <small>(Name, tax rate and percent of project)</small>	Other (describe): <u>N/A</u> <small>(Name, tax rate and percent of project)</small>

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

Throughout the United States the production of renewable energy has been increasing as the cost of these systems has decreased and technological advancements have improved efficiency. In 2019, Texas ranked 4th in installed solar capacity.¹ The state's geographic position and containment of several large population centers has made Texas a favorable location for renewable energy development.

Renewable energy developers face many challenges in the determination of project location—one of these factors being the selection of an area where the greatest return on investment can be achieved. There are several factors that contribute to Texas favorability for development, one however that does not is the state's notoriously high property tax burden—ranking in the top 10 across the United States.

An appraised value limitation on qualified property allows developers to significantly diminish the property tax liability that composes a substantial ongoing cost of operation that directly impacts the economic rate of return for the project. In the absence of an appraised value limitation, the development of renewable energy facilities becomes financially uncertain as the rate of return often fails to meet the minimum return required to proceed. In the event an appraised value limitation agreement is not received by King Mountain Solar, LLC it is rather certain that the capital allotted for the development of this project will be reallocated for use in another state where either the property tax burden is lower or economic incentives can be secured namely locations where NextEra Energy is currently active including Oklahoma, Colorado, and California. Thus, an appraised value limitation agreement between King Mountain Solar, LLC and McCamey Independent School District is the determining factor in the decision to locate this facility within the state of Texas.

Please note: The IGNR# for this project is 19INR002, and this number was assigned in April 1, 2020. This project has also been known as "Grandfalls Solar."

¹ U.S. Energy Information Administration

Supporting Information

Additional information
provided by the Applicant or
located by the Comptroller

COMPTROLLER QUERY RELATED TO TAX CODE CHAPTER 313.026(c)(2)
McCamey ISD–King Mountain Solar, LLC App. #1581

Comptroller Questions (Tab 4 of application and via email on May 11, 2021 and June 16, 2021):

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

Applicant Response (Tab 4 of application and via email on May 11, 2021 and June 16, 2021):

1. *The King Mountain Project is not currently known by any other project names.*
2. *The IGNR# for this project is 19INR002, and this number was assigned in April 1, 2020.*
3. *This project has also been known as "Grandfalls Solar."*