



Chapter 313 Annual Eligibility Report Form

Economic Development
and Analysis

Form 50-772-A

SECTION 1: Applicant and District Information

1. Tax year covered by this report: 2015
NOTE: This report must be completed and submitted to the school district by May 15 of every year using information from the previous tax (calendar) year.
2. Application number: #162
NOTE: You can find your application number and all agreement documents and reports on the website www.texasahead.org/tax_programs/chapter313/applicants
3. Name of school district: Taft ISD
4. Name of project on original application (or short description of facility): EC&R Papalote Creek Wind Farm, LLC
5. Name of applicant on original application: EC&R Papalote Creek Wind Farm I, LLC
6. Name the company entering into original agreement with district: EC&R Papalote Creek Wind Farm I, LLC
7. Amount of limitation at time of application approval: 10 million
8. If you are one of two or more companies originally applying for a limitation, list all other applicants here and describe their relationships. (Use attachments if necessary.)

N/A

SECTION 2: Current Agreement Information

1. Name of current agreement holder(s) Papalote Creek Wind Farm II, LLC
2. Complete mailing address of current agreement holder 701 Brazos Street Suite 1400 Austin, Texas 78701
3. Company contact person for agreement holder (same as signatory for this form):
- | | |
|-----------------------|-----------------------------|
| <u>Mark Brusius</u> | <u>Tax Manager</u> |
| Name | Title |
| <u>(312) 245-5931</u> | <u>mark.brusius@eon.com</u> |
| Phone | Email |
4. Texas franchise tax ID number of current agreement holder: 32037132662
5. If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity:
- | | |
|------------|------------|
| <u>N/A</u> | <u>N/A</u> |
| Name | Tax ID |
6. If the authorized company representative is different from the contact person listed above, complete the following:
- | | |
|--------------------------|----------------------|
| <u>same as above</u> | <u>same as above</u> |
| Name | Title |
| <u>same as above</u> | |
| Complete Mailing Address | |
| <u>same as above</u> | <u>same as above</u> |
| Phone | Email |
7. If you are a current agreement holder who was not an original applicant, please list all other current agreement holders. Please describe the chain of ownership from the original applicant to the new entities. (Use attachments if necessary.)

N/A

SECTION 3: Applicant Eligibility Information

1. Does the business entity have the right to transact business with respect to Tax Code, Chapter 171? (Attach printout from Comptroller Web site: <http://www.window.state.tx.us/taxinfo/coasintr.html>) Yes No
 2. Is the business entity current on all taxes due to the State of Texas? Yes No
 3. Is the business activity of the project an eligible business activity under Section 313.024(b)? Yes No
- 3a. Please identify business activity: Renewable Wind Energy Generation

SECTION 4: Qualified Property Information

1. Market value from previous tax year: \$ 146,808,350.00
2. I&S taxable value from previous tax year: \$ 146,808,350.00
3. M&O taxable value from previous tax year: \$ 10,000,000.00

SECTION 5A: Wage and Employment Information for Applications Prior to Jan. 1, 2014 (#1 Through 999)

ONLY COMPLETE THE WAGE SECTION (5A or 5B) THAT APPLIES TO YOUR APPLICATION. You can find your application number on the website at www.texasahead.org/tax_programs/chapter313/applicants.

NOTE: All statutory references in Section 5A are for statute as it existed prior to Jan. 1, 2014. 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.

1. How many new jobs were based on the qualified property in the year covered by this report? (See note above) 9
2. 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
3. Did the applicant request that the governing body waive the minimum job requirement, as provided under Tax Code §313.025(f-1)? Yes No
- 3a. If yes, how many new jobs must the approved applicant create under the waiver? 6
4. Calculate 80 percent of new jobs (0.80 x number of new jobs based on the qualified property in the year covered by this report.) 7.2
5. What is the minimum required annual wage for each qualifying job in the year covered by the report? \$ 51,740.70
6. Identify which of the four Tax Code sections is used to determine the wage standard required by the agreement:
 §313.021(5)(A) or §313.021(5)(B) or §313.021(3)(E)(ii) or §313.051(b)
- 6a. Attach calculations and cite exact Texas Workforce Commission data source as defined in TAC §9.1051.
7. Does the agreement require the applicant to provide a specified number of jobs at a specified wage? Yes No
- 7a. If yes, how many qualifying jobs did the approved applicant commit to create in the year covered by the report? 0
- 7b. If yes, what annual wage did the approved applicant commit to pay in the year covered by the report? \$ 0.00
- 7c. If yes, how many qualifying jobs were created at the specified wage in the year covered by the report? 0
8. 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? 9
- 8a. Of the qualifying job-holders last year, how many were employees of the approved applicant? 3
- 8b. Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? 6
- 8c. 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? Yes No N/A

SECTION 5B: Wage and Employment Information for Applications After Jan. 1, 2014 (#1000 and Above)

ONLY COMPLETE THE WAGE SECTION (5A or 5B) THAT APPLIES TO YOUR APPLICATION. You can find your application number on the website at www.texasahead.org/tax_programs/chapter313/applicants.

NOTE: For job definitions see TAC §9.1051(14) and Tax Code, §313.021(3).

QUALIFYING JOBS

1. What is the number of new qualifying jobs the applicant committed to create in the year covered by this report? N/A
2. Did the applicant request that the governing body waive the minimum qualifying job requirement, as provided under Tax Code §313.025(f-1)? Yes No
- 2a. If yes, how many new qualifying jobs must the approved applicant create under the waiver? N/A
3. Which Tax Code section are you using to determine the wage standard required for this project? §313.021(5)(A) or §313.021(5)(B)
- 3a. Attach calculations and cite exact Texas Workforce Commission data sources as defined in TAC §9.1051. N/A
4. What is the minimum required annual wage for each qualifying job in the year covered by this report? \$ N/A
5. What is the annual wage the applicant committed to pay for each of the qualifying jobs in the year covered by this report? \$ N/A
6. Do the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? Yes No

NON-QUALIFYING JOBS

7. What is the number of non-qualifying jobs the applicant had on Dec. 31 of the year covered by this report? N/A
8. What was the average wage you were paying for non-qualifying jobs on Dec. 31 of the year covered by this report? .. \$ N/A
9. What is the county average weekly wage for non-qualifying jobs, as defined in TAC §9.1051? \$ N/A

MISCELLANEOUS

10. Did the applicant rely on a determination by the Texas Workforce Commission under the provisions §313.024(3)(F) in meeting the qualifying job requirements? Yes No
- 10a. If yes, attach supporting documentation to evidence that the requirements of §313.021(3)(F) were met.
11. Are you part of a Single Unified Project (SUP) and relying on the provisions in Tax Code §313.024(d-2) to meet the qualifying job requirements? Yes No
- 11a. If yes, attach supporting documentation from the Texas Economic Development and Tourism Office including a list of the other school district(s) and the qualifying jobs located in each.

SECTION 6: Qualified Investment During Qualified Time Period

ENTITIES ARE NOT REQUIRED TO COMPLETE THIS SECTION IF THE YEAR COVERED BY THE REPORT IS AFTER THE QUALIFYING TIME PERIOD OF THEIR AGREEMENT.

1. 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? \$ N/A
2. Was any of the land classified as qualified investment? Yes No
3. Was any of the qualified Investment leased under a capitalized lease? Yes No
4. Was any of the qualified Investment leased under an operating lease? Yes No
5. Was any property not owned by the applicant part of the qualified investment? Yes No



SECTION 7: Partial Interest

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

- 1. What was your limitation amount (or portion of original limitation amount) during the year covered by this report? 10,000,000.00
- 2. Please describe your interest in the agreement and identify all the documents creating that interest.

N/A

SECTION 8: 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."

print here →	<i>Mark Busius</i>	<i>Tax Manager</i>
	<small>Print Name (Authorized Company Representative)</small>	<small>Title</small>
sign here →	<i>[Signature]</i>	<i>6.11.16</i>
	<small>Signature (Authorized Company Representative)</small>	<small>Date</small>
print here →	Mike Fry	
	<small>Print Name of Preparer (Person Who Completed the Form)</small>	

Step 3 Question 6(a)

Exhibit D

2007 Manufacturing Wages by Council of Government Region
Wages for All Occupations

COG

Texas

	Hourly	Annual
1. Panhandle Regional Planning Commission	\$ 19.80	\$ 41,184
2. South Plains Association of Governments	\$ 17.49	\$ 36,379
3. NORTEX Regional Planning Commission	\$ 14.48	\$ 30,118
4. North Central Texas Council of Governments	\$ 16.97	\$ 35,298
5. Ark-Tex Council of Governments	\$ 21.72	\$ 45,178
6. East Texas Council of Governments	\$ 15.05	\$ 31,304
7. West Central Texas Council of Governments	\$ 15.40	\$ 32,032
8. Rio Grande Council of Governments	\$ 15.35	\$ 31,928
9. Permian Basin Regional Planning Commission	\$ 14.41	\$ 29,973
10. Concho Valley Council of Governments	\$ 16.36	\$ 34,029
11. Heart of Texas Council of Governments	\$ 13.49	\$ 28,059
12. Capital Area Council of Governments	\$ 15.65	\$ 32,552
13. Brazos Valley Council of Governments	\$ 23.66	\$ 49,213
14. Deep East Texas Council of Governments	\$ 14.86	\$ 30,909
15. South East Texas Regional Planning Commission	\$ 14.86	\$ 30,909
16. Houston-Galveston Area Council	\$ 22.73	\$ 47,278
17. Golden Crescent Regional Planning Commission	\$ 21.06	\$ 43,805
18. Alamo Area Council of Governments	\$ 17.91	\$ 37,253
19. South Texas Development Council	\$ 16.09	\$ 33,467
20. Coastal Bend Council of Governments	\$ 12.37	\$ 25,730
21. Lower Rio Grande Valley Development Council	\$ 20.78	\$ 45,302
22. Texoma Council of Governments	\$ 12.66	\$ 26,333
23. Central Texas Council of Governments	\$ 18.23	\$ 37,918
24. Middle Rio Grande Development Council	\$ 15.94	\$ 33,155
	\$ 12.91	\$ 26,853

Source: Texas Occupational Employment and Wages

Data published: 9 June 2008

Data published annually, next update will be June 2009.

$$45,302 * 1.1 = 49,832.20$$

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.

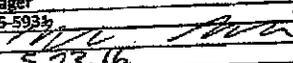


Franchise Tax Account Status

As of: 05/05/2016 03:37:20 PM

This Page is Not Sufficient for Filings with the Secretary of State

PAPALOTE CREEK II, LLC	
Texas Taxpayer Number	32037132662
Mailing Address	353 N CLARK ST FL 30 CHICAGO, IL 60654-4704
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	05/22/2008
Texas SOS File Number	0800982217
Registered Agent Name	CT CORPORATION SYSTEM
Registered Office Street Address	1999 BRYAN ST., STE. 900 DALLAS, TX 75201

Biennial Progress Report for Texas Economic Development Act Economic Development and Analysis		Form 50-773-A
SECTION 1: Applicant Information		
1. Application number	#162	
2. Name of school district	Taft ISD	
3. Name of central appraisal district (CAD) appraising the qualified property in this school district	San Patricio CAD	
4. Name of project on original application (or short description of facility)	EC&R Papalote Creek Wind Farm II, LLC	
5. Name of applicant on original application	EC&R Papalote Creek Wind Farm, LLC	
6. Name of company entering into original agreement with district	EC&R Papalote Creek Wind Farm, LLC	
7. If you are one or two or more companies originally applying for a limitation, list all other applicants here and describe their relationships. (Use attachments if necessary.)		
SECTION 2: Current Agreement Information		
1. Name of current agreement holder(s)	Papalote Creek Wind Farm II, LLC	
2. Complete mailing address of current agreement holder	701 Brazos Street Suite 1400 Austin, Texas 78701	
3. Company contact person for agreement holder:		
Name	Mark Brusius	
Title	Tax Manager	
Phone	(312) 245-5931	
Email	mark.brusius@eon.com	
4. Texas franchise tax ID number of current agreement holder:		32037132662
5. If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity:		
Name	EC&R Papalote Creek Wind Farm II, LLC	32037132662
Tax ID		221119
6. NAICS Code of current agreement holder (5 Digit)		
7. If the authorized company representative is different from the contact person listed above:		
Name	same as above	
Title		
Complete Mailing Address		
Phone		
Email		
8. If you are a current agreement holder who was not an original applicant, please list all other current agreement holders. Please describe the chain of ownership from the original applicant to the new entities. (Use attachments if necessary.)		
SECTION 3: Project Timeline		
1. Date original limitation agreement approved by school district		12/15/2009
2. First (complete) year of qualifying time period — after the date the application is approved. See Tax Code §313.021(4)		2010
3. Date commercial operations began at the site of the project		4th Quarter 2010
4. First year of property value limitation		2012
SECTION 4: Value Limitation Details		
1. Minimum limitation amount per Agreement (for entire agreement)	\$	10,000,000.00
2. Amount of qualified investment during the qualifying time period the recipient committed to spend or allocate for this project on application (not total investment)	\$	114,000,000.00
3. Total qualified investment made from the beginning of the qualifying time period through the end of the qualifying time period or the last complete tax year, if still in the qualifying time period	\$	188,495,250.00
4. Has the size and/or scope of the project changed, resulting in a material change in qualified property from that in the application?	No	
4a. If yes, please describe on an attachment how the actual qualified property — for which you are providing actual and estimated market values on subsequent pages — differs from that property described in the agreement. Include only property located in this school district.		
5. What was the number of permanent existing jobs at this facility prior to application? (See guidelines for definition of existing job.)		0
SECTION 5: Job Details		
1. For agreements before Jan. 1, 2014, does the agreement include a definition of "new job" other than TAC §9.1051(14)(C), as the rule existed at the time of application?	N/A	
1a. If yes, please provide the definition of "new job" as used in the agreement. (Use attachments if needed.)	N/A	
SECTION 6: Authorized Signature		
After this report and charts are complete, they should be reviewed and certified to be complete by a company employee authorized to sign on behalf of the company listed in Section 2.		
Wind Farm II, LLC, a current agreement holder of a limitation on appraised value who is authorized to sign on behalf of the company, I attest that the contents of this form and attachments are true and correct to the best of my knowledge and belief and have determined that the electronic copy is identical to the hard copy of this report.		
Print Name of Company Employee	Mark Brusius	
Title	Tax Manager	
Phone	(312) 245-5931	
Signature of Company Employee		5/15/2016
Date	5.13.16	
NOTE: If you amend your report, you will need to resign and resubmit this section with your forms, charts or attachments.		

**Biennial Progress Report for Texas Economic Development Act
CHART A1: Job Data for Applications 1 through 999**

App Number: #162
District Name: Tarrant ISD
Company Name: EC&R Papajolo Creek II

Project Name: EC&R Papajolo Creek
1st Yr. of Qualifying Time Period: 2010

Form 50-773A
Revised Jan 2014

Tax year (YYYY)	Qualifying Time Period												
	Year 1 2010	Year 2 2011	Year 3 2012	Year 4 2013	Year 5 2014	Year 6 2015	Year 7 2016	Year 8 2017	Year 9 2018	Year 10 2019	Year 11 2020	Year 12 2021	Year 13 2022
1. Number of qualifying jobs ¹ applicant committed to create on application (cumulative)	3	6	6	6	6	6	6	6	6	6	6	6	6
2. Number of qualifying jobs ¹ applicant actually created (cumulative)	6	6	6	6	6	6	6	6	6	6	6	6	6
3. Number of new jobs ² created (cumulative)	6	6	6	6	6	6	6	6	6	6	6	6	6
4. Median annual wage of new jobs applicant created	\$51,740.70	\$51,740.70	\$51,740.70	\$51,740.70	\$51,740.70	\$51,740.70	\$51,740.70	\$51,740.70	\$51,740.70	\$51,740.70	\$51,740.70	\$51,740.70	\$51,740.70
5. Total wages for new jobs applicant created	\$258,704	\$310,444	\$465,666	\$465,666	\$465,666	\$465,666	\$465,666	\$465,666	\$465,666	\$465,666	\$465,666	\$465,666	\$465,666

Actual and projected data. Use actual data for prior years. Estimates are required for current and future years.

- Notes:
- Jobs meeting all of the requirements of Tax Code §313.021(6) as the statute existed before Jan. 1, 2014. Do not include construction jobs in counts of qualifying jobs.
 - For new job definition see TAC §9.1051(14) as it existed before Jan. 1, 2014.

By signing below, Mark Brusius certify that I am the authorized representative of EC&R Papajolo Creek Wind Farm II, LLC a current agreement holder of a limitation on appraised value, and the contents of this form and the attached documentation are true and correct to the best of my knowledge and belief.

Authorized Official Signature: [Signature] Date: 5/14/2016
Print Name/Title: Mark Brusius, Tax Manager Phone: 817-245-5431

