



Chapter 313 Annual Eligibility Report Form

Form 50-772

(May 2010)

2011

Tax Year covered in this report

Vega ISD

School district name

Spinning Spur Wind Ranch

Project Name

823 Congress Ave, Ste 500 Austin, TX 78701

Company Address

0.1375

I&S Tax Rate

Spinning Spur Wind LLC

Company Name

Melissa Miller

Company Contact Information

1.04

M&O Tax Rate

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.

32040632831

Texas Taxpayer ID of Applicant

December 14, 2010

Date of Agreement Approval

2013

First complete tax year of the qualifying time period

2013

First tax year of the limitation

Texas Taxpayer ID Reporting Entity (if appropriate)

Spinning Spur Wind LLC

Original Applicant Name

2012

Last tax year of the qualifying time period

\$10 Million

Amount of the limitation at the time of application approval

QUALIFIED PROPERTY INFORMATION

NA- Not constructed

Market Value

I&S Taxable Value

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:

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.)

2/24/10

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?

8

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

5



What is the minimum required annual wage for each qualifying job in the year covered by the report? \$37,916

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. 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? NA

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

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

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? NA

At what annual wage?..... NA

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

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?

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?

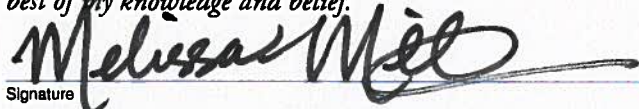
Please describe your interest in the agreement and identify all the documents creating that interest.

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

Melissa Miller

Printed name of authorized company representative

VP Texas Development

Title

7/6/2012

Date

CONTACT INFORMATION FOR AUTHORIZED REPRESENTATIVE

823 Congress Ave, Ste 500 Austin, TX 78701

Address

512-440-0305

Phone

mmiller@cielowind.com

E-mail



Exhibit E

Step 3, Question 7 (a)

February 9, 2010

Ms. Margo Knox, Superintendent
Vega Independent School District
200 Longhorn Dr.
Vega, Texas 79092

823 Congress Avenue
Fifth Floor
Austin, Texas 78701
TEL: 512.440.0305
FAX: 512.440.0277
www.cielowind.com

Re: Chapter 313 Job Waiver Request

Dear Ms. Knox,

This letter is to advise you that Spinning Spur Wind LLC is amending its Chapter 313 Application for Appraised Value Limitation on Qualified Property by requesting a waiver of the requirement to create ten full time jobs. House Bill 1470 altered the jobs requirement by adding Section 313.025 (f-l) 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 the 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.

Spinning Spur Wind LLC requests that the Vega ISD's Board of Trustees make such a finding and waive the job creation requirement for ten (10) permanent jobs. Based on the industry standard, the size and scope of this project will require five (5) permanent jobs.

As background information on the creation of full-time jobs by a wind projects, wind projects create a large number of full-time, temporary jobs during the construction phase (1st year), but require a small number of highly skilled technicians to operate a wind project once construction operations cease 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. The industry standard for permanent employment is one full-time employee for every fifteen-twenty (15 – 20) turbines, although this number varies depending on the turbines selected as well as 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.

Sincerely,

A handwritten signature in green ink that reads 'Melissa Miller'.

Melissa Miller

Project Manager. Cielo Wind Services Inc.



**Temporary Addendum to Application for Appraised Value Limitation on
Qualified Property - July 2009**

The 81st Legislature passed HB 3676, which made changes to Texas Tax Code, Chapter 313¹, including more information required to be analyzed in the Comptroller's economic impact evaluation (§313.026(a)). In order to facilitate completion of the evaluation, please provide the following, including temporary supplemental schedules A, B & C to collect information needed for HB 3676. The information on this addendum and additional schedules is required pursuant to the provisions of HB 3676, 81st Legislature, effective June 19, 2009. Additionally, the Comptroller is authorized by 34 TAC § 9.1057(b) to request information from the school district or applicant that is reasonably necessary to complete the recommendation or economic impact evaluation at any time during the application review period. (Note: Should the applicant anticipate the need to keep any of the requested information in the application, addendum or supplemental schedules confidential, please read the attachment entitled 'Confidential Information submitted to the Comptroller' at the end of this addendum.)

1. Applicant name Spinning Spur Wind LLC
2. ISD Name Vega ISD
3. Please describe the general nature of the applicant's investment: renewable energy (wind) electricity generation

4. Taxing entities that have jurisdiction for the property:
 - a. County Oldham
Are you seeking property tax abatements or other favorable tax treatment from this entity? If so, please describe the request (typically the percentage abatement and the length of time the abatement would be in effect).
Yes, an abatement will be sought but the percentage of abatement is unknown at this time

 - b. City N/A
Are you seeking property tax abatements or other favorable tax treatment from this entity? If so, please describe the request (typically the percentage abatement and the length of time the abatement would be in effect).

¹ All § references are to Texas Tax Code, Chapter 313 as amended by HB 3676, 81st Legislature, unless otherwise noted.

Applicant name:

ISD Name:

c. Hospital District N/A

Are you seeking property tax abatements or other favorable tax treatment from this entity? If so, please describe the request (typically the percentage abatement and the length of time the abatement would be in effect).

Other (describe) _____

Other (describe) _____

Other (describe) _____

Are you seeking property tax abatements or other favorable tax treatment from any of these entities? If so, please describe the request (typically the percentage abatement and the length of time the abatement would be in effect).


N/A

5. Are you seeking any other state or local economic development incentives? Examples could include road or public infrastructure improvements, job training grants, loan guarantees, special financing, etc.) No If yes, please describe, attaching documentation as necessary.
6. The locally collected sales tax rate is: Oldham County sales tax rate is \$.005 (outside the City of Vega)
7. Will the land upon which the new building or new improvement be built be part of the qualified property described by §313.021(2)(A)? No If yes, please attach complete documentation: legal description, parcel ID, current taxable value, owner, etc.
8. Will the project be on leased land? Yes
9. If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, please attach a separate schedule showing the amount for each year affected, including an explanation.
None
10. What is the anticipated date of application approval? June 1, 2010
11. What is the anticipated date of beginning of the qualifying time period?
June 1, 2010

Applicant name:
ISD Name:

12. What is the approximate date the proposed facility or new improvement is expected to be fully operational? December 31, 2011
13. What is the minimum required annual wage for each qualified job in this school district? [See new §§313.021(5)(A) or 313.021(5)(B) or 313.021(3)(E)(ii), or 313.051(b).] \$37,916 (see Exhibit D) Please specify method of computation and attach documentation from TWC web site. (Note that applicants to school districts subject to Subchapter C because of demographic characteristics must meet the regional wage standard described in §313.051(b).)
14. What is the minimum annual wage you will be paying for each qualified job in this school district? \$41,800
15. What is the maximum number of qualifying jobs meeting all criteria of §313.021(3) you are committing to create? (Use Schedule C-3676, Column F to indicate number of qualifying jobs in specific years.) 5 jobs

By signing this addendum, you certify that this information is true and correct to the best of your knowledge and belief.



Name of authorized company officer
Matt Hunsley, President
Signature of authorized company officer

Title
17 Feb 2012
Date

On behalf of Spinning Spur LLC

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code §37.10.

School district official sign and date application.

By signing below, I affirm that I have been delegated the authority by the school district governing body to act on its behalf with regard to this application for a limitation on appraised value.

Margo Knox, Superintendent

Name of authorized school district officer

Title

Signature of authorized school district official

Date

Name of school district Vega Independent School District

Applicant name:

ISD Name:

12. What is the approximate date the proposed facility or new improvement is expected to be fully operational? December 31, 2011
13. What is the minimum required annual wage for each qualified job in this school district? [See new §§313.021(5)(A) or 313.021(5)(B) or 313.021(3)(E)(ii), or 313.051(b).] \$37.916 (see Exhibit D) Please specify method of computation and attach documentation from TWC web site. (Note that applicants to school districts subject to Subchapter C because of demographic characteristics must meet the regional wage standard described in §313.051(b).)
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By signing this addendum, you certify that this information is true and correct to the best of your knowledge and belief.

Name of authorized company officerTitleSignature of authorized company officerDate

On behalf of Spinning Spur LLC

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code §37.10.

School district official sign and date application.

By signing below, I affirm that I have been delegated the authority by the school district governing body to act on its behalf with regard to this application for a limitation on appraised value.

Margo Knox, SuperintendentName of authorized school district officerSignature of authorized school district officialTitle2/22/2010Date

Name of school district Vega Independent School District

**2008 Manufacturing Wages by Council of Government Region
Wages for All Occupations**

	Hourly	Annual
COG		
Texas	\$20.61	\$42,872
1. Panhandle Regional Planning Commission	\$18.23	\$37,916
2. South Plains Association of Governments	\$14.81	\$30,799
3. NORTEX Regional Planning Commission	\$17.78	\$36,982
4. North Central Texas Council of Governments	\$22.60	\$47,011
5. Ark-Tex Council of Governments	\$15.50	\$32,239
6. East Texas Council of Governments	\$16.07	\$33,431
7. West Central Texas Council of Governments	\$16.30	\$33,904
8. Rio Grande Council of Governments	\$14.93	\$31,048
9. Permian Basin Regional Planning Commission	\$17.51	\$36,422
10. Concho Valley Council of Governments	\$14.07	\$29,274
11. Heart of Texas Council of Governments	\$17.19	\$35,749
12. Capital Area Council of Governments	\$24.50	\$50,969
13. Brazos Valley Council of Governments	\$14.93	\$31,052
14. Deep East Texas Council of Governments	\$15.42	\$32,066
15. South East Texas Regional Planning Commission	\$24.60	\$51,161
16. Houston-Galveston Area Council	\$21.80	\$45,353
17. Golden Crescent Regional Planning Commission	\$18.72	\$38,932
18. Alamo Area Council of Governments	\$16.50	\$34,330
19. South Texas Development Council	\$13.76	\$28,631
20. Coastal Bend Council of Governments	\$22.61	\$47,037
21. Lower Rio Grande Valley Development Council	\$13.05	\$27,145
22. Texoma Council of Governments	\$17.99	\$37,415
23. Central Texas Council of Governments	\$16.47	\$34,255
24. Middle Rio Grande Development Council	\$13.85	\$28,810

Source: Texas Occupational Employment and Wages

Data published: 9 June 2009

Data published annually, next update will be June 2010.

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.