



March 2, 2022

Wink-Loving Independent School District  
ATT: Mr. Scotty Carman  
200 North Rosey Dodd Avenue  
Wink, Texas 79789

**RE: App #1710-Wink-Loving ISD-ETC Texas Pipeline, LTD-Supplement One**

Mr. Carman:

Please find attached supplement one for Application #1710-Wink-Loving ISD-ETC Texas Pipeline, LTD. We kindly request you review and consider the following changes:

- Section 3: Fees and Payment, Date Transaction was Processed Updated to February 7, 2022
- Section 10: The Property, Q4. Tax Rates for Wink-Loving ISD M&O, and Wink-Loving ISD O&M Updated
- Section 14: Wage Information, Q4a. Wages Updated to Reflect Release of 3Q 2021 Wages
- Tab 13: Calculation 1 Updated to Reflect Release of 3Q 2021 Wages
- Tab 16: Letter of Intent Provided

If you have any questions or would like to request further information, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink that reads "Mike Fry". The signature is written in a cursive, flowing style.

Mike Fry-Director, Energy Services  
[mfry@keatax.com](mailto:mfry@keatax.com)



## SECTION 2: Applicant Information (continued)

### 4. Authorized Company Consultant (If Applicable)

Mike	Fry
First Name	Last Name
Director-Energy Transfer	
Title	
KE Andrews	
Firm Name	
469-298-1618	469-298-1617
Phone Number	Fax Number
mfry@keatax.com	
Business Email Address	

## SECTION 3: Fees and Payments

1. Has an application fee been paid to the school district? ☒ Yes ☐ No

The total fee shall be paid at the same time the application is submitted to the school district. Any fees not accompanying the original application shall be considered supplemental payments.

- 1a. If yes, include all transaction information below. Include proof of application fee paid to the school district in **Tab 2**. Any confidential banking information provided will not be publicly posted.

\$ 75,000.00	Check
Payment Amount	Transaction Type
KE Andrews	Wink-Loving ISD
Payor	Payee
2/7/2022	
Date transaction was processed	

For the purpose of questions 2 and 3, "payments to the school district" include any and all payments or transfers of things of value made to the school district or to any person or persons in any form if such payment or transfer of thing of value being provided is in recognition of, anticipation of, or consideration for the agreement for limitation on appraised value.

2. Will any "payments to the school district" that you may make in order to receive a property tax value limitation agreement result in payments that are not in compliance with Tax Code §313.027(i)? ☐ Yes ☒ No ☐ N/A
3. If "payments to the school district" will only be determined by a formula or methodology without a specific amount being specified, could such method result in "payments to the school district" that are not in compliance with Tax Code §313.027(i)? ☐ Yes ☒ No ☐ N/A

## SECTION 4: Business Applicant Information

1. What is the legal name of the applicant under which this application is made? ETC Texas Pipeline, LTD
2. Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (11 digits) 10505324664
3. Parent Company Name N/A
4. Parent Company Tax ID N/A
5. NAICS code 325110
6. Is the applicant a party to any other pending or active Chapter 313 agreements? ☒ Yes ☐ No
- 6a. If yes, please list application number, name of school district and year of agreement  
#1080;#1044; #225;#1032;#379;#234;#1310;#1160;#1240;#1362

## SECTION 5: Applicant Business Structure

1. Business Organization of Applicant (corporation, limited liability corporation, etc) LTD
2. Is applicant a combined group, or comprised of members of a combined group, as defined by Tax Code §171.0001(7)? ☒ Yes ☐ No
- 2a. If yes, attach in **Tab 3** a copy of the most recently submitted Texas Comptroller Franchise Tax Form No. 05-165, No. 05-166, or any other documentation from the Franchise Tax Division to demonstrate the applicant's combined group membership and contact information.

## 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 July 1, 2022
  2. Estimated commencement of construction August 1, 2022
  3. Beginning of qualifying time period (MM/DD/YYYY) January 1, 2023
  4. First year of limitation (YYYY) January 1, 2023
- 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, 2022

## SECTION 10: The Property

1. County or counties in which the proposed project will be located Winkler County
2. Central Appraisal District (CAD) that will be responsible for appraising the property Winkler 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>Wink-Loving,.9095;100%</u> <small>(Name, tax rate and percent of project)</small>	I&S (ISD): <u>Wink-Loving,.1250;100%</u> <small>(Name, tax rate and percent of project)</small>
County: <u>Winkler,.4515;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>Winkler,.269624;100%</u> <small>(Name, tax rate and percent of project)</small>	Water District: <u>N/A</u> <small>(Name, tax rate and percent of project)</small>
Other (describe): <u>FC &amp; LR,.0485;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>

## SECTION 14: Wage and Employment Information

1. What is the number of new qualifying jobs you are committing to create? ..... 10
2. What is the number of new non-qualifying jobs you are estimating you will create? (See TAC 9.1051(14)) ..... 0
3. Do you intend to request that the governing body waive the minimum new qualifying job creation requirement, as provided under Tax Code §313.025(f-1)? ..... ☐ Yes ☒ No
  - 3a. If yes, attach evidence of industry standard in **Tab 12** documenting that the new qualifying job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards.
4. Attach in **Tab 13** the four most recent quarters of data for each wage calculation below, including documentation from the Texas Workforce Commission website. The final actual statutory minimum annual wage requirement for the applicant for each qualifying job — which may differ slightly from this estimate — will be based on information available at the time of the application review start date (date of a completed application). See TAC §9.1051(21) and (22). **Note:** If a more recent quarter of information becomes available before the application is deemed complete, updated wage information will be required.
  - a. Non-qualified job wages  
 - average weekly wage for all jobs (all industries) in the county is ..... \$ 1,354.75
  - b. Qualifying job wage minimum option §313.021(5)(A)  
 -110% of the average weekly wage for manufacturing jobs in the county is ..... NO DATA AVAILABLE
  - c. Qualifying job wage minimum option §313.021(5)(B)  
 -110% of the average weekly wage for manufacturing jobs in the region is ..... \$ 993.07
5. Which Tax Code section are you using to estimate the qualifying job wage standard required for this project? ..... ☐ §313.021(5)(A) or ☒ §313.021(5)(B)
6. What is the minimum required annual wage for each qualifying job based on the qualified property? ..... \$ 51,639.50
7. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? ..... \$ 51,639.50
8. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? ..... ☒ Yes ☐ No
9. Do you intend to satisfy the minimum qualifying job requirement through a determination of cumulative economic benefits to the state as provided by §313.021(3)(F)? ..... ☐ Yes ☒ No
  - 9a. If yes, attach in **Tab 13** supporting documentation from the TWC, pursuant to §313.021(3)(F).
10. Do you intend to rely on the project being part of a single unified project, as allowed in §313.024(d-2), in meeting the qualifying job requirements? ..... ☐ Yes ☒ No
  - 10a. If yes, attach in **Tab 6** supporting documentation including a list of qualifying jobs in the other school district(s).

## SECTION 15: Economic Impact

1. Complete and attach Schedules A1, A2, B, and C in **Tab 14**. **Note:** Excel spreadsheet versions of schedules are available for download and printing at URL listed below.
2. Attach an Economic Impact Analysis, if supplied by an entity other than the Comptroller's office, in **Tab 15**. *(not required)*
3. If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, attach a separate schedule showing the amount for each year affected, including an explanation, in **Tab 15**.

### *Tab 13: Calculation of Three Possible Wage Requirements and Supporting Information (if applicable)*

#### *Calculation 1: Winkler County Average Weekly Wage: \$1,354.75*

<i>Quarter</i>	<i>Area</i>	<i>Ownership</i>	<i>Industry</i>	<i>Average Weekly Wage</i>
<i>Q4 2020</i>	<i>Winkler County, TX</i>	<i>Total All</i>	<i>All Industries</i>	<i>\$1,427.00</i>
<i>Q1 2021</i>	<i>Winkler County, TX</i>	<i>Total All</i>	<i>All Industries</i>	<i>\$1,353.00</i>
<i>Q2 2021</i>	<i>Winkler County, TX</i>	<i>Total All</i>	<i>All Industries</i>	<i>\$1,280.00</i>
<i>Q3 2021</i>	<i>Winkler County, TX</i>	<i>Total All</i>	<i>All Industries</i>	<i>\$1,359.00</i>

#### Quarterly Census of Employment and Wages (QCEW) Report

[Customize the report/Help with Accessibility](#)

Drag a column header and drop it here to group by that column						
Year	Period	Area	Ownership	Industry	Average Weekly Wage	
2020	01	Winkler	Total All	Total, All Industries	1,453	
2020	02	Winkler	Total All	Total, All Industries	1,265	
2020	03	Winkler	Total All	Total, All Industries	1,308	
2020	04	Winkler	Total All	Total, All Industries	1,427	
2021	01	Winkler	Total All	Total, All Industries	1,353	
2021	02	Winkler	Total All	Total, All Industries	1,280	
2021	03	Winkler	Total All	Total, All Industries	1,359	

#### *Calculation 2: MANUFACTURING DATA NOT AVAILABLE*

## *Tab 16: Description of Reinvestment or Enterprise Zone*

Currently, it is anticipated that Wink-Loving Independent School District will create the reinvestment zone prior to the execution of the agreement. Please find attached their letter of intent.





# Wink-Loving I.S.D.

P.O. Box 637 • 200 North Rosey Dodd Ave. • Wink, Texas 79789  
Office (432) 527-3880 Fax (432) 527-3505

## ADMINISTRATION

March 2, 2022

Mr. Scotty Carman  
Superintendent

Mrs. Kittie Gibson  
Jr. High/High School/  
Director of Curriculum

Mr. Lance Wineinger  
Elementary Principal

Mr. Brian Gibson  
Athletic Director

Mrs. Geanna Coker  
Business Manager

Mr. Michael Dawkins  
Technology Director

Mrs. Sarah Wilkinson  
Tax Assessor-Collector  
Board Secretary

## BOARD OF EDUCATION

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President

Mr. Eddie Brewer  
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Mrs. Melissa Halterman  
Asst. Secretary

Mr. Larry Antley

Mr. Jerome Dewberry

Mr. Raymond Dodd

Mr. Clayton Hawkins

*Via Electronic Mail: Ch313.apps@cpa.texas.gov*  
Local Government Assistance & Economic Analysis  
Texas Comptroller of Public Accounts  
111 E. 17<sup>th</sup> Street  
Austin, Texas 78774

Re: Reinvestment Zone for Application for a Chapter 313 Value Limitation  
Agreement between the Wink-Loving Independent School District  
and ETC Texas Pipeline, LTD

Dear Local Government Assistance and Economic Analysis Division:

The Wink-Loving Independent School District Board of Trustees accepted an Application for Appraised Value Limitation on Qualified Property at a duly called meeting held on February 17, 2022. The District intends to create the "ETC Texas Pipeline Reinvestment Zone" for the portion of the ETC Texas Pipeline, LTD project that is located within the boundaries of Wink-Loving ISD. The Reinvestment Zone will be created before the District approves the Agreement for Value Limitation between the District and ETC Texas Pipeline, LTD. When the reinvestment zone is created, the final board resolution, reinvestment zone legal description and maps will be provided to your office.

Thank you for your attention to this matter.

Sincerely,

Mr. Scotty Carman