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September 30, 2024

Local Government Assistance & Economic Analysis
Texas Comptroller of Public Accounts
P.O. Box 13528
Austin, Texas 78711-3528

RE: 1758 Amendment3 Execution 2 of the Application to the Newcastle Independent School District from Plug Power Limestone, LLC

To the Local Government Assistance & Economic Analysis Division:

Enclosed. Please find Amendment3 Execution 2 of the Application to the Newcastle Independent School District from Plug Power Limestone, LLC. The following changes have been made:

1. Section 2, Questions 1 and 2 updated on the amended application.
2. Section 4, Questions 1 and 2: updated entity name and tax id on amended application
3. Section 9, Question 4, updated Limitation start time to January 1, 2028
4. Section 9, Question 5, updated Commencement of Commercial Operations to Q4 2027.
5. Updated Schedules A1 – C with new timeline
6. New signature page

A copy of the application will be submitted to the Young County Appraisal District.

Sincerely,



Kevin O'Hanlon
School District Consultant

Cc: Young CAD
Plug Power Limestone, LLC



May 7, 2024

Mr. Shane Mallory
Superintendent
Newcastle ISD
P.O. Box 12
Newcastle, Texas 76372

RE: 1758-newcastleplugpower-post execution amend 01-05072024

Dear Mr. Mallory:

Please find the Amendments for 1758 Newcastle ISD, Plug Project Holdings Co, LLC, Young County Application. The changes made and documented are as follows:

1. **Section 2, 1,2:** Updated the entity name and contact for Plug Power as amended previously.
2. **Section 4, 1,2:** Updated entity name and taxpayer number.
3. **Section 9,4:** Added gap years between QTP2 and LP 1.
4. **Section 9,5:** Changed timing for commencement of commercial operations.
5. **Schedules A1, A2, B, C:** Update dates and timing of expenditures to match the gap years inserted in Section 9. Also updated current cost for same equipment and capacity.
6. **Tab 17,** A new signature page is included.

Attached are the Assignee Form and the Amendment 1 document, changing the entity name for the agreement dated August 28, 2023. the change was filed with the Comptroller's Office at the time but does not appear on the Chapter 313 website for 1758. We have also included the 2024 property tax rendition filed with Young CAD to verify the minimum spend requirement has been met. You will note the cost to build the facility has been increased in the application. This is related to the change in cost, not additional assets or capacity has been added.

Thank you for your attention in this matter. If we can be of any assistance, please let us know.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Fredrickson'.

Daron Fredrickson Partner, EVP

Texas Comptroller of Public Accounts

SECTION 1: School District Information *(continued)*3. Authorized School District Consultant *(If Applicable)*

Kathy	Mathias
First Name	Last Name
Associate	
Title	
Moak, Casey & Associates	
Firm Name	
512-485-7878	512-485-7888
Phone Number	Fax Number
NA	kmathias@moakcasey.com
Mobile Number <i>(optional)</i>	Email Address

4. On what date did the district determine this application complete? March 30, 2022

SECTION 2: Applicant Information

1. Authorized Company Representative *(Applicant)*

Brenor	Brophy
First Name	Last Name
VP-Project Development	Plug Power Limestone, LLC
Title	Organization
968 Albany Shaker Road	
Street Address	
968 Albany Shaker Road	
Mailing Address	
Latham	NY
City	State
518-782-7700	NA
Phone Number	Fax Number
NA	bbrophy@plugpower.com
Mobile Number <i>(optional)</i>	Business Email Address

2. Will a company official other than the authorized company representative be responsible for responding to future information requests? ☒ Yes ☐ No

2a. If yes, please fill out contact information for that person.

Andrew	Temple
First Name	Last Name
Director of Government Affairs	Plug Power Limestone LLC
Title	Organization
968 Albany Shaker Road	
Street Address	
968 Albany Shaker Road	
Mailing Address	
Latham	NY
City	State
518-782-7700	NA
Phone Number	Fax Number
NA	atemple@plugpower.com
Mobile Number <i>(optional)</i>	Business Email Address

3. Does the applicant authorize the consultant to provide and obtain information related to this application? ☒ Yes ☐ No

Texas Comptroller of Public Accounts

SECTION 2: Applicant Information (*continued*)4. Authorized Company Consultant (*If Applicable*)

Daron	Fredrickson
First Name	Last Name
Partner	
Title	
Merit Advisors, LLC	
Firm Name	
940-665-6452	940-612-3921
Phone Number	Fax Number
dfredrickson@meritadvisor.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
Plug Power	Newcastle ISD
Payor	Payee
February 17, 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? Plug Power Limestone LLC
2. Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (*11 digits*) 32085832320
3. Parent Company Name Plug Power Inc
4. Parent Company Tax ID 12236723776
5. NAICS code 325120
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

SECTION 5: Applicant Business Structure

1. Business Organization of Applicant (*corporation, limited liability corporation, etc*) Limited Liability Corporation
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 Q3, 2022
 2. Estimated commencement of construction Q3, 2022
 3. Beginning of qualifying time period (MM/DD/YYYY) September 1, 2022
 4. First year of limitation (YYYY) 2028
- 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 Q4 2027

SECTION 10: The Property

1. County or counties in which the proposed project will be located Young County
2. Central Appraisal District (CAD) that will be responsible for appraising the property Young 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>Newcastle ISD, 1.0517, 100%</u> <small>(Name, tax rate and percent of project)</small>	I&S (ISD): <u>Newcastle ISD, .42, 100%</u> <small>(Name, tax rate and percent of project)</small>
County: <u>Young County, .693585, 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>N/A</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>N/A</u> <small>(Name, tax rate and percent of project)</small>	Other (describe): <u>NA</u> <small>(Name, tax rate and percent of project)</small>

Date5/7/2024Applicant NamePlug Power Limestone LLCISD NameNewcastle ISD

1758-Newcastle-Plug Power Limestone-Amendment 3 Execution 2September 30, 2024

Form 50-296ARevised October 2020

PROPERTY INVESTMENT AMOUNTS								
(Estimated Investment in each year. Do not put cumulative totals.)								
				Column A	Column B	Column C	Column D	Column E
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	New investment (original cost) in tangible personal property placed in service during this year that will become Qualified Property	New investment made during this year in buildings or permanent nonremovable components of buildings that will become Qualified Property	Other new investment made during this year that will <u>not</u> become Qualified Property [SEE NOTE]	Other new investment made during this year that may become Qualified Property [SEE NOTE]	Total Investment (Sum of Columns A+B+C+D)
Investment made before filing complete application with district	--	Year preceding the first complete tax year of the qualifying time period (assuming no deferrals of qualifying time period)	2022	Not eligible to become Qualified Property			[The only other investment made before filing complete application with district that may become Qualified Property is land.]	
Investment made after filing complete application with district, but before final board approval of application								
Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period				-	-	-	-	
Complete tax years of qualifying time period	QTP1	2023-2024	2023	-	-	-		-
	QTP2	2024-2025	2024	5,000,000	-	-		5,000,000
Total Investment through Qualifying Time Period [ENTER this row in Schedule A2]				5,000,000	-	-	-	5,000,000
				Enter amounts from TOTAL row above in Schedule A2				
Total Qualified Investment (sum of green cells)				5,000,000				

For All Columns: List amount invested each year, not cumulative totals.

Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application.
Only tangible personal property that is specifically described in the application can become qualified property.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.

Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that will not become qualified property include investment meeting the definition of 313.021(1) but not creating a new improvement as defined by TAC 9.1051. This is proposed property that functionally replaces existing property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property—described in SECTION 13, question #5 of the application.

Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.

Total Investment: Add together each cell in a column and enter the sum in the blue total investment row. Enter the data from this row into the first row in Schedule A2.

Qualified Investment: For the green qualified investment cell, enter the sum of all the green-shaded cells.

PROPERTY INVESTMENT AMOUNTS								
(Estimated Investment in each year. Do not put cumulative totals.)								
				Column A	Column B	Column C	Column D	Column E
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	New investment (original cost) in tangible personal property placed in service during this year that will become Qualified Property	New investment made during this year in buildings or permanent nonremovable components of buildings that will become Qualified Property	Other investment made during this year that will <u>not</u> become Qualified Property [SEE NOTE]	Other investment made during this year that will become Qualified Property [SEE NOTE]	Total Investment (A+B+C+D)
Total Investment from Schedule A1*	--	TOTALS FROM SCHEDULE A1		Enter amounts from TOTAL row in Schedule A1 in the row below				
				5,000,000	-			5,000,000
Each year prior to start of value limitation period** <i>Insert as many rows as necessary</i>	QTP1	2023-2024	2023	-				-
	QTP2	2024-2025	2024	5,000,000	-			5,000,000
	Gap Year	2025-2026	2025	-	-	0	0	-
	Gap Year	2026-2027	2026	50,000,000	-	0	0	0
	Gap Year	2027-2028	2027	337,125,000	-	0	0	337,125,000
Value limitation period***	1	2028-2029	2028		-			
	2	2029-2030	2029					
	3	2030-2031	2030					
	4	2031-2032	2031					
	5	2032-2033	2032					
	6	2033-2034	2033					
	7	2034-2035	2034					
	8	2035-2036	2035					
	9	2036-2037	2036					
	10	2037-2038	2037					
Total Investment made through limitation				392,125,000	-			342,125,000
Continue to maintain viable presence	11	2038-2039	2038					
	12	2039-2040	2039					
	13	2040-2041	2040					
	14	2041-2042	2041					
	15	2042-2043	2042					
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2043-2044	2043					
	17	2044-2045	2044					
	18	2045-2046	2045					
	19	2046-2047	2046					
	20	2047-2048	2047					
	21	2048-2049	2048					
	22	2049-2050	2049					
	23	2050-2051	2050					
	24	2051-2052	2051					
	25	2052-2053	2052					

* All investments made through the qualifying time period are captured and totaled on Schedule A1 [blue box] and incorporated into this schedule in the **first row**.

** Only investment made during deferrals of the start of the limitation (after the end of qualifying time period but before the start of the Value Limitation Period) should be included in the "year prior to start of value limitation period" row(s). If the limitation starts at the end of the qualifying time period or the qualifying time period overlaps the limitation, no investment should be included on this line.

*** If your qualifying time period will overlap your value limitation period, do not also include investment made during the qualifying time period in years 1 and/or 2 of the value limitation period, depending on the overlap. Only include investments/years that were **not** captured on Schedule A1.

For All Columns: List amount invested each year, not cumulative totals. Only include investments in the remaining rows of Schedule A2 that were not captured on Schedule A1.

Column A: This represents the total dollar amount of planned investment in tangible personal property. Only include estimates of investment for "replacement" property if the property is specifically described in the application.

Only tangible personal property that is specifically described in the application can become qualified property.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings.

Column C: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that will not become qualified property include investment meeting the definition of 313.021(1) but not creating a new improvement as defined by TAC 9.1051. This is proposed property that functionally replaces existing property; is used to maintain, refurbish, renovate, modify or upgrade existing property; or is affixed to existing property—described in SECTION 13, question #5 of the application.

Column D: Dollar value of other investment that may affect economic impact and total value. Examples of other investment that may result in qualified property are land or professional services.

Schedule B: Estimated Market And Taxable Value (of Qualified Property Only)

Date 5/7/2024
Applicant Name Plug Power Limestone LLC
ISD Name Newcastle ISD

1758-Newcastle-Plug Power Limestone-Amendment 3 Execution 2
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Revised October 2020

				Qualified Property			Estimated Taxable Value		
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Estimated Market Value of Land	Estimated Total Market Value of new buildings or other new improvements	Estimated Total Market Value of tangible personal property in the new buildings or "in or on the new improvements"	Market Value less any exemptions (such as pollution control) and before limitation	Final taxable value for I&S after all reductions	Final taxable value for M&O after all reductions
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	QTP1	2023-2024	2023						
	QTP2	2024-2025	2024						
	Gap Year	2025-2026	2025			\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000
	Gap Year	2026-2027	2026						
	Gap Year	2027-2028	2027			\$ 50,000,000	\$ 50,000,000	\$ 50,000,000	\$ 50,000,000
Value Limitation Period	1	2028-2029	2028	-	-	\$ 375,436,328	\$ 375,436,328	\$ 375,436,328	\$ 15,000,000
	2	2029-2030	2029	-	-	\$ 348,181,148	\$ 348,181,148	\$ 348,181,148	\$ 15,000,000
	3	2030-2031	2030	-	-	\$ 318,718,651	\$ 318,718,651	\$ 318,718,651	\$ 15,000,000
	4	2031-2032	2031	-	-	\$ 286,921,954	\$ 286,921,954	\$ 286,921,954	\$ 15,000,000
	5	2032-2033	2032	-	-	\$ 252,561,619	\$ 252,561,619	\$ 252,561,619	\$ 15,000,000
	6	2033-2034	2033	-	-	\$ 215,474,549	\$ 215,474,549	\$ 215,474,549	\$ 15,000,000
	7	2034-2035	2034	-	-	\$ 175,425,224	\$ 175,425,224	\$ 175,425,224	\$ 15,000,000
	8	2035-2036	2035	-	-	\$ 132,175,082	\$ 132,175,082	\$ 132,175,082	\$ 15,000,000
	9	2036-2037	2036	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 15,000,000
	10	2037-2038	2037	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 15,000,000
Continue to maintain viable presence	11	2038-2039	2038	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918
	12	2039-2040	2039	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918
	13	2040-2041	2040	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918
	14	2041-2042	2041	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918
	15	2042-2043	2042	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918
Additional years for 25 year economic impact as required by 313.026(c)(1)	16	2043-2044	2043	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918
	17	2044-2045	2044	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918
	18	2045-2046	2045	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918
	19	2046-2047	2046	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918
	20	2047-2048	2047	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918
	21	2048-2049	2048	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918
	22	2049-2050	2049	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918
	23	2050-2051	2050	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918
	24	2051-2052	2051	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918
	25	2052-2053	2052	-	-	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918	\$ 63,506,918

Notes: Market value in future years is good faith estimate of future taxable value for the purposes of property taxation.

Only include market value for eligible property on this schedule.

Schedule C: Employment Information

Date 5/7/2024
Applicant Name Plug Power Limestone LLC
ISD Name Newcastle ISD

Form 50-296A

Revised October 2020

				Construction		Non-Qualifying Jobs	Qualifying Jobs	
				Column A	Column B	Column C	Column D	Column E
	Year	School Year (YYYY-YYYY)	Tax Year (Actual tax year) YYYY	Number of Construction FTE's	Average annual wage rates for construction workers	Number of non-qualifying jobs applicant estimates it will create (cumulative)	Number of new qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Annual wage of new qualifying jobs
Each year prior to start of Value Limitation Period <i>Insert as many rows as necessary</i>	QTP1	2023-2024	2023	-	-	-	-	-
	QTP2	2024-2025	2024	-	-			
	Gap Year	2025-2026	2025	-	-	-	-	-
	Gap Year	2026-2027	2026	200	50,000			
	Gap Year	2027-2208	2027	200	50,000			
Value Limitation Period <i>The qualifying time period could overlap the value limitation period.</i>	1	2028-2029	2028	N/A	N/A	-	10	47,220.80
	2	2029-2030	2029	N/A	N/A	-	10	47,220.80
	3	2030-2031	2030	N/A	N/A	-	10	47,220.80
	4	2031-2032	2031	N/A	N/A	-	10	47,220.80
	5	2032-2033	2032	N/A	N/A	-	10	47,220.80
	6	2033-2034	2033	N/A	N/A	-	10	47,220.80
	7	2034-2035	2034	N/A	N/A	-	10	47,220.80
	8	2035-2036	2035	N/A	N/A	-	10	47,220.80
	9	2036-2037	2036	N/A	N/A	-	10	47,220.80
	10	2037-2038	2037	N/A	N/A	-	10	47,220.80
Years Following Value Limitation Period	11 through 25	2038-2052	2038-2053	N/A	N/A	-	10	47,220.80

Notes: See TAC 9.1051 for definition of non-qualifying jobs.
Only include jobs on the project site in this school district.

Texas Comptroller of Public Accounts

Data Analysis and
Transparency
Form 50-296-A

SECTION 16: Authorized Signatures and Applicant Certification

After the application and schedules are complete, an authorized representative from the school district and the business should review the application documents and complete this authorization page. Attach the completed authorization page in Tab 17.

NOTE: If you amend your application, you will need to obtain new signatures and resubmit this page, Section 16, with the amendment request.

1. Authorized School District Representative Signature

I am the authorized representative for the school district to which this application is being submitted. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code.

print
here

Michael Shane Mullony
Print Name (Authorized School District Representative)

Superintendent
Title

sign
here


Signature (Authorized School District Representative)

7-16-24
Date

2. Authorized Company Representative (Applicant) Signature and Notarization

I am the authorized representative for the business entity for the purpose of filing this application. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code. The information contained in this application and schedules is true and correct to the best of my knowledge and belief.

I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

print
here

Gerard L. Conway, Jr.
Print Name (Authorized Company Representative (Applicant))

Secretary
Title

sign
here


Signature (Authorized Company Representative (Applicant))

May 21, 2024
Date

HOLLY D. WILES-PEMBURN
Notary Public, State of New York
No. 01WI6332669
Qualified in Schenectady County
Commission Expires November 9, 2027

(Notary Seal)

GIVEN under my hand and seal of office this, the

21st day of MAY, 2024

Notary Public in and for the State of New York

My Commission expires: Nov. 9, 2027

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 Section 37.10.