



GLENN HEGAR TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

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

November 23, 2022

Lonnie Hise
Superintendent
Haskell Consolidated Independent School District
605 N Ave E
Haskell, TX 79521

Re: Certificate for Limitation on Appraised Value of Property for School District
Maintenance and Operations taxes by and between Haskell Consolidated
Independent School District and Brazos Fork Solar, LLC, Application 1906

Dear Superintendent Hise:

On September 12, 2022, the Comptroller issued written notice that Brazos Fork Solar, LLC (applicant) submitted a completed application (Application 1906) for a limitation on appraised value under the provisions of Tax Code Chapter 313.¹ This application was originally submitted on May 17, 2022, to the Haskell Consolidated 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 1906.

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, 2022**.

Note that any building or improvement existing as of the application review start date of September 12, 2022, 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 Brazos Fork Solar, LLC (project) applying to Haskell Consolidated 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 Brazos Fork Solar, LLC.

Applicant	Brazos Fork Solar, LLC
Tax Code, 313.024 Eligibility Category	Renewable Energy - Solar
School District	Haskell CISD
2020-2021 Average Daily Attendance	500
County	Haskell
Proposed Total Investment in District	\$240,000,000
Proposed Qualified Investment	\$240,000,000
Limitation Amount	\$30,000,000
Qualifying Time Period (Full Years)	2026-2027
Number of new qualifying jobs committed to by applicant	1*
Number of new non-qualifying jobs estimated by applicant	0
Average weekly wage of qualifying jobs committed to by applicant	\$906
Minimum weekly wage required for each qualifying job by Tax Code, 313.021(5) (B)	\$906
Minimum annual wage committed to by applicant for qualified jobs	\$47,109
Minimum weekly wage required for non-qualifying jobs	\$790.75
Minimum annual wage required for non-qualifying jobs	\$41,119
Investment per Qualifying Job	\$240,000,000
Estimated M&O levy without any limit (15 years)	\$10,434,762
Estimated M&O levy with Limitation (15 years)	\$4,535,397
Estimated gross M&O tax benefit (15 years)	\$5,899,365

* 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 Brazos Fork Solar, LLC (modeled).

Year	Employment			Personal Income		
	Direct	Indirect + Induced	Total	Direct	Indirect + Induced	Total
2027	250	280	530	\$13,750,000	\$35,360,000	\$49,110,000
2028	1	25	26	\$47,109	\$6,982,891	\$7,030,000
2029	1	13	14	\$47,109	\$4,682,891	\$4,730,000
2030	1	(2)	-1	\$47,109	\$2,522,891	\$2,570,000
2031	1	(8)	-7	\$47,109	\$1,242,891	\$1,290,000
2032	1	(10)	-9	\$47,109	\$552,891	\$600,000
2033	1	(9)	-8	\$47,109	\$272,891	\$320,000
2034	1	(7)	-6	\$47,109	\$262,891	\$310,000
2035	1	(4)	-3	\$47,109	\$382,891	\$430,000
2036	1	(1)	0	\$47,109	\$562,891	\$610,000
2037	1	1	2	\$47,109	\$792,891	\$840,000
2038	1	3	4	\$47,109	\$1,032,891	\$1,080,000
2039	1	4	5	\$47,109	\$1,252,891	\$1,300,000
2040	1	5	6	\$47,109	\$1,432,891	\$1,480,000
2041	1	6	7	\$47,109	\$1,552,891	\$1,600,000
2042	1	6	7	\$47,109	\$1,612,891	\$1,660,000
2043	1	5	6	\$47,109	\$1,592,891	\$1,640,000

Source: CPA REMI, Brazos Fork 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		Haskell CISD I&S Tax Levy	Haskell CISD M&O Tax Levy	Haskell CISD M&O and I&S Tax Levies	Haskell County Tax Levy	Haskell County Hospital District Tax Levy	Water District #1 Tax Levy	Rolling Plains GCD Tax Levy	Estimated Total Property Taxes
			Tax Rate*	0.3315	0.9634		0.4921	0.1948	0.1688	0.0270	
2028	\$157,158,000	\$157,158,000		\$520,979	\$1,514,060	\$2,035,039	\$773,354	\$306,205	\$265,336	\$42,433	\$3,422,367
2029	\$144,606,500	\$144,606,500		\$479,371	\$1,393,139	\$1,872,510	\$711,590	\$281,750	\$244,145	\$39,044	\$3,149,038
2030	\$131,064,200	\$131,064,200		\$434,478	\$1,262,673	\$1,697,150	\$644,950	\$255,364	\$221,281	\$35,387	\$2,854,133
2031	\$116,430,400	\$116,430,400		\$385,967	\$1,121,690	\$1,507,657	\$572,939	\$226,852	\$196,574	\$31,436	\$2,535,458
2032	\$100,637,800	\$100,637,800		\$333,614	\$969,545	\$1,303,159	\$495,226	\$196,082	\$169,911	\$27,172	\$2,191,549
2033	\$83,585,700	\$83,585,700		\$277,087	\$805,265	\$1,082,351	\$411,314	\$162,858	\$141,121	\$22,568	\$1,820,212
2034	\$65,173,200	\$65,173,200		\$216,049	\$627,879	\$843,928	\$320,709	\$126,983	\$110,035	\$17,597	\$1,419,251
2035	\$45,282,700	\$45,282,700		\$150,112	\$436,254	\$586,366	\$222,830	\$88,228	\$76,453	\$12,226	\$986,103
2036	\$34,212,600	\$34,212,600		\$113,415	\$329,604	\$443,019	\$168,356	\$66,659	\$57,763	\$9,237	\$745,034
2037	\$34,197,300	\$34,197,300		\$113,364	\$329,457	\$442,821	\$168,280	\$66,630	\$57,737	\$9,233	\$744,701
2038	\$34,182,400	\$34,182,400		\$113,315	\$329,313	\$442,628	\$168,207	\$66,601	\$57,712	\$9,229	\$744,376
2039	\$34,167,800	\$34,167,800		\$113,266	\$329,173	\$442,439	\$168,135	\$66,572	\$57,687	\$9,225	\$744,059
2040	\$34,153,600	\$34,153,600		\$113,219	\$329,036	\$442,255	\$168,065	\$66,545	\$57,663	\$9,221	\$743,749
2041	\$34,139,800	\$34,139,800		\$113,173	\$328,903	\$442,076	\$167,998	\$66,518	\$57,640	\$9,218	\$743,449
2042	\$34,126,300	\$34,126,300		\$113,129	\$328,773	\$441,901	\$167,931	\$66,491	\$57,617	\$9,214	\$743,155
			Total	\$3,590,537	\$10,434,762	\$14,025,299	\$5,329,884	\$2,110,337	\$1,828,672	\$292,442	\$23,586,634

Source: CPA, Brazos Fork Solar, LLC

*Tax Rate per \$100 Valuation

Table 4 examines the estimated direct impact on ad valorem taxes to the school district and Haskell 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		Haskell CISD I&S Tax Levy	Haskell CISD M&O Tax Levy	Haskell CISD M&O and I&S Tax Levies	Haskell County Tax Levy	Haskell County Hospital District Tax Levy	Water District #1 Tax Levy	Rolling Plains GCD Tax Levy	Estimated Total Property Taxes
			Tax Rate*	0.3315	0.9634		0.4921	0.1948	0.1688	0.0270	
2028	\$157,158,000	\$30,000,000		\$520,979	\$289,020	\$809,999	\$0	\$0	\$265,336	\$42,433	\$1,117,768
2029	\$144,606,500	\$30,000,000		\$479,371	\$289,020	\$768,391	\$0	\$0	\$244,145	\$39,044	\$1,051,579
2030	\$131,064,200	\$30,000,000		\$434,478	\$289,020	\$723,498	\$0	\$0	\$221,281	\$35,387	\$980,166
2031	\$116,430,400	\$30,000,000		\$385,967	\$289,020	\$674,987	\$0	\$0	\$196,574	\$31,436	\$902,997
2032	\$100,637,800	\$30,000,000		\$333,614	\$289,020	\$622,634	\$0	\$0	\$169,911	\$27,172	\$819,717
2033	\$83,585,700	\$30,000,000		\$277,087	\$289,020	\$566,107	\$0	\$0	\$141,121	\$22,568	\$729,796
2034	\$65,173,200	\$30,000,000		\$216,049	\$289,020	\$505,069	\$0	\$0	\$110,035	\$17,597	\$632,700
2035	\$45,282,700	\$30,000,000		\$150,112	\$289,020	\$439,132	\$0	\$0	\$76,453	\$12,226	\$527,811
2036	\$34,212,600	\$30,000,000		\$113,415	\$289,020	\$402,435	\$0	\$0	\$57,763	\$9,237	\$469,435
2037	\$34,197,300	\$30,000,000		\$113,364	\$289,020	\$402,384	\$0	\$0	\$57,737	\$9,233	\$469,354
2038	\$34,182,400	\$34,182,400		\$113,315	\$329,313	\$442,628	\$168,207	\$66,601	\$57,712	\$9,229	\$744,376
2039	\$34,167,800	\$34,167,800		\$113,266	\$329,173	\$442,439	\$168,135	\$66,572	\$57,687	\$9,225	\$744,059
2040	\$34,153,600	\$34,153,600		\$113,219	\$329,036	\$442,255	\$168,065	\$66,545	\$57,663	\$9,221	\$743,749
2041	\$34,139,800	\$34,139,800		\$113,173	\$328,903	\$442,076	\$167,998	\$66,518	\$57,640	\$9,218	\$743,449
2042	\$34,126,300	\$34,126,300		\$113,129	\$328,773	\$441,901	\$167,931	\$66,491	\$57,617	\$9,214	\$743,155
			Total	\$3,590,537	\$4,535,397	\$8,125,934	\$840,336	\$332,726	\$1,828,672	\$292,442	\$11,420,111
			Diff	\$0	\$5,899,364	\$5,899,364	\$4,489,548	\$1,777,610	\$0	\$0	\$12,166,523
Assumes School Value Limitation and Tax Abatements with the County.											

Source: CPA, Brazos Fork 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 Brazos Fork 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 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	2025	\$0	\$0	\$0	\$0
	2024	\$0	\$0	\$0	\$0
	2027	\$0	\$0	\$0	\$0
Limitation Period (10 Years)	2028	\$289,020	\$289,020	\$1,225,040	\$1,225,040
	2029	\$289,020	\$578,040	\$1,104,119	\$2,329,159
	2030	\$289,020	\$867,060	\$973,653	\$3,302,812
	2031	\$289,020	\$1,156,080	\$832,670	\$4,135,482
	2032	\$289,020	\$1,445,100	\$680,525	\$4,816,007
	2033	\$289,020	\$1,734,120	\$516,245	\$5,332,251
	2034	\$289,020	\$2,023,140	\$338,859	\$5,671,110
	2035	\$289,020	\$2,312,160	\$147,234	\$5,818,344
	2036	\$289,020	\$2,601,180	\$40,584	\$5,858,928
	2037	\$289,020	\$2,890,200	\$40,437	\$5,899,364
Maintain Viable Presence (5 Years)	2038	\$329,313	\$3,219,513	\$0	\$5,899,364
	2039	\$329,173	\$3,548,686	\$0	\$5,899,364
	2040	\$329,036	\$3,877,722	\$0	\$5,899,364
	2041	\$328,903	\$4,206,624	\$0	\$5,899,364
	2042	\$328,773	\$4,535,397	\$0	\$5,899,364
Additional Years as Required by 313.026(c)(1) (10 Years)	2043	\$328,646	\$4,864,043	\$0	\$5,899,364
	2044	\$328,522	\$5,192,565	\$0	\$5,899,364
	2045	\$328,402	\$5,520,967	\$0	\$5,899,364
	2046	\$328,284	\$5,849,251	\$0	\$5,899,364
	2047	\$328,170	\$6,177,421	\$0	\$5,899,364
	2048	\$328,058	\$6,505,479	\$0	\$5,899,364
	2049	\$327,949	\$6,833,428	\$0	\$5,899,364
	2050	\$327,843	\$7,161,271	\$0	\$5,899,364
	2051	\$327,740	\$7,489,011	\$0	\$5,899,364
	2052	\$327,639	\$7,816,650	\$0	\$5,899,364
		\$7,816,650	is greater than	\$5,899,364	
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

Source: CPA, Brazos Fork Solar, LLC

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 Brazos Fork Solar LLC’s 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 Brazos Fork Solar LLC in Tab 5 of their Application for a Limitation on Appraised Value:
 - A. “With origins dating back to 1985, EDF Renewables has a presence worldwide having built 16 GW of operating projects with an additional 1,000MW of renewable energy projects currently under construction. EDF Renewables has developed operating power projects supplying power on the West Coast, Mid-west and Northeast portions of the US.”
 - B. “EDF Renewables is a national wind and solar developer currently evaluating a large project pipeline of approximately 24GW of wind and solar project opportunities in Washington, Oregon, California, Nevada, Utah, Arizona, Colorado Wyoming, New Mexico, Texas, Oklahoma, Kansas, Nebraska North Dakota Minnesota, Iowa, Missouri, Arkansas, Louisiana Michigan, Illinois, Indiana, Ohio Kentucky North Carolina Alabama, Georgia, Florida, New York, Maine and new Jersey as well as locations in Canada and Mexico. With both domestic U.S and international opportunities, the company has the ability to locate projects of this type in any of these states and countries where favorable wind and solar conditions exist. The Applicant is actively assessing the financial viability and potential development of this project against other projects in the development pipeline that are competing for limited investment funds.”
 - C. “Consistent with the 313 applications filed by these companies on other renewable energy projects, the successful completion of market-competitive tax incentives is a necessity that provides a level playing field for all successful utility-scale solar projects in Texas. Key development characteristics, such as securing tax abatement commercial terms for example, will determine the ultimate location of the Brazos Fork Project. Tax abatements, along with several other development variables, have a significant impact on the competitiveness of the project’s generation and ultimately likelihood for success. Therefore, EDF is continually comparing investment opportunities, rate of return, and market viability of each project based upon financial metrics.”

- D. "Due to an extremely competitive power market in Texas, the Chapter 313 appraised value limitation agreement is a necessity for a solar project of this size, and the commercial terms associated have a significant impact on the project's likelihood for success. There are only a few developmental variables for solar project which enhance the economics (i.e., property taxes, land rental payment, geotechnical adders), and since solar projects all compete with each other within Texas, a project without an appraised value limitation agreement is not competitive and is very unlikely to reach the point of construction. Therefore, this appraised value limitation is critical to the ability of the proposed project to move forward as currently sited within the Haskell CISD."
- Supplemental Information provided by the applicant stated the following:
 - A. "This project has not been known by any other names."
 - B. "The applicant was assigned IGNR number 22INR0270 on January 6, 2020"

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**

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 December 2022
2. Estimated commencement of construction January 2027
3. Beginning of qualifying time period (MM/DD/YYYY) 01/01/2026
4. First year of limitation (YYYY) 01/01/2028

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 December 2027

SECTION 10: The Property

1. County or counties in which the proposed project will be located Haskell County
2. Central Appraisal District (CAD) that will be responsible for appraising the property Haskell 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>Haskell CISD; 100%; \$0.9634</u> <small>(Name, tax rate and percent of project)</small>	I&S (ISD): <u>Haskell CISD; 100%; \$0.3315</u> <small>(Name, tax rate and percent of project)</small>
County: <u>Haskell County; 100%; \$0.492087</u> <small>(Name, tax rate and percent of project)</small>	City: <u>NA</u> <small>(Name, tax rate and percent of project)</small>
Hospital District: <u>Haskell Cnty HD; 100%; \$0.194839</u> <small>(Name, tax rate and percent of project)</small>	Water District: <u>Water District #1; 100%; \$0.168834</u> <small>(Name, tax rate and percent of project)</small>
Other (describe): <u>Rolling Plains GCD; 100%; \$0.0270</u> <small>(Name, tax rate and percent of project)</small>	Other (describe): <u>NA</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.

With origins dating back to 1985, EDF Renewables has a presence worldwide having built 16 GW of operating projects with an additional 1,000MW of renewable energy projects currently under construction. EDF Renewables has developed operating power projects supplying power on the West Coast, Mid-west and Northeast portions of the US.

EDF Renewables is a national wind and solar developer currently evaluating a large project pipeline of approximately 24GW of wind and solar project opportunities in Washington, Oregon, California, Nevada, Utah, Arizona, Colorado Wyoming, New Mexico, Texas, Oklahoma, Kansas, Nebraska North Dakota Minnesota, Iowa, Missouri, Arkansas, Louisiana Michigan, Illinois, Indiana, Ohio Kentucky North Carolina Alabama, Georgia, Florida, New York, Maine and new Jersey as well as locations in Canada and Mexico. With both domestic U.S and international opportunities, the company has the ability to locate projects of this type in any of these states and countries where favorable wind and solar conditions exist. The Applicant is actively assessing the financial viability and potential development of this project against other projects in the development pipeline that are competing for limited investment funds.

Consistent with the 313 applications filed by these companies on other renewable energy projects, the successful completion of market-competitive tax incentives is a necessity that provides a level playing field for all successful utility-scale solar projects in Texas. Key development characteristics, such as securing tax abatement commercial terms for example, will determine the ultimate location of the Brazos Fork Project. Tax abatements, along with several other development variables, have a significant impact on the competitiveness of the project's generation and ultimately likelihood for success. Therefore, EDF is continually comparing investment opportunities, rate of return, and market viability of each project based upon financial metrics.

Due to an extremely competitive power market in Texas, the Chapter 313 appraised value limitation agreement is a necessity for a solar project of this size, and the commercial terms associated have a significant impact on the project's likelihood for success. There are only a few developmental variables for solar project which enhance the economics (i.e., property taxes, land rental payment, geotechnical adders), and since solar projects all compete with each other within Texas, a project without an appraised value limitation agreement is not competitive and is very unlikely to reach the point of construction. Therefore, this appraised value limitation is critical to the ability of the proposed project to move forward as currently sited within the Haskell CISD.

Supporting Information

Additional information
provided by the Applicant or
located by the Comptroller

COMPTROLLER QUERY RELATED TO TAX CODE CHAPTER 313.026(c)(2)
Haskell CISD – Brazos Fork Solar, LLC App. #1906

Comptroller Questions (via email on October 19, 2022):

1. *Is this project known by any specific names not otherwise mentioned in this application?*
2. *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.*
3. *Has this project applied to ERCOT at this time? If so, please provide the project's IGNR number and when was it assigned.*

Applicant Response (via email on October 26, 2022):

1. *No.*
2. *None.*
3. *22INR0270 assigned January 6, 2020.*