

Chapter 313 Annual Eligibility Report Form

SECTION 1: Applicant and District Information

1. Tax year covered by this report: 2016
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: 20
NOTE: You can find your application number and all agreement documents and reports on the website comptroller.texas.gov/economy/local/ch313/agreement-docs.php
3. Name of school district: Sweetwater ISD
4. Name of project on original application (or short description of facility): Sweetwater Wind 3, LLC
5. Name of applicant on original application: Sweetwater Wind, LLC
6. Name the company entering into original agreement with district: Sweetwater Wind 3, LLC
7. Amount of limitation at time of application approval: \$10,000,000 per year between SW 1-3
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.)

Sweetwater Wind 1, LLC
 Sweetwater Wind 2, LLC

SECTION 2: Current Agreement Information

1. Name of current agreement holder(s) Sweetwater Wind 3, LLC
2. Complete mailing address of current agreement holder 6688 North Central Expressway Suite 500 Dallas, TX 75206
3. Company contact person for agreement holder:
- | | |
|------------------------|--|
| <u>Jennifer Shears</u> | <u>Controller</u> |
| Name | Title |
| <u>214-515-1137</u> | <u>jennifer.shears@leewardenergy.com</u> |
| Phone | Email |
4. Texas franchise tax ID number of current agreement holder: 32014971108
5. If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity:
- | | |
|---------|---------|
| <u></u> | <u></u> |
| Name | Tax ID |
6. If the authorized company representative (same as signatory for this form) is different from the contact person listed above, complete the following:
- | | |
|--------------------------|---------|
| <u></u> | <u></u> |
| Name | Title |
| <u></u> | <u></u> |
| Complete Mailing Address | |
| <u></u> | <u></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.)

Original applicant: Sweetwater Wind Power, LLC Partial assignment of 40 turbines in Sweetwater ISD to Sweetwater Wind 3, LLC on May 10, 2005.

- 7c. If yes, how many qualifying jobs were created at the specified wage in the year covered by the report?
- 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? 26 (25.76)
- 8a. Of the qualifying job-holders last year, how many were employees of the approved applicant? 11 (10.66)
- 8b. Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? 15 (15.10)
- 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 comptroller.texas.gov/economy/local/ch313/agreement-docs.php.

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.
- 4. What is the minimum required annual wage for each qualifying job in the year covered by this report? \$ 38,867.00
- 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. 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? 26 (25.76)
- 6a. Of the qualifying job-holders last year, how many were employees of the approved applicant? 11 (10.66)
- 6b. Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? 15 (15.10)
- 6c. 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
- 7. Do the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3) and TAC 9.1051(30)? Yes No

NON-QUALIFYING JOBS

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

MISCELLANEOUS

- 11. Did the applicant rely on a determination by the Texas Workforce Commission under the provisions §313.024(3)(F) in meeting the minimum qualifying job requirements? Yes No
- 11a. If yes, attach supporting documentation to evidence that the requirements of §313.021(3)(F) were met.
- 12. 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
- 12a. 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? \$ NA
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? . . . 41,696,000.00
2. Please describe your interest in the agreement and identify all the documents creating that interest.

Original applicants: Sweetwater Wind Power LLC. Partial assignment of 40 turbines in Sweetwater ISD to Sweetwater Wind 3, LLC on May 10, 2005. **The Partial Agreement for Sweetwater Wind 3, LLC does not specifically mention the number of turbines in that phase of the project, but there are 40 turbines in Sweetwater ISD for Sweetwater 3.

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 → Jennifer Shears
Print Name (Authorized Company Representative)

sign here → 
Signature (Authorized Company Representative)

print here → _____
Print Name of Preparer (Person Who Completed the Form)

Controller
Title

11/28/17
Date

Phone



Franchise Tax Account Status

As of : 09/21/2017 16:31:40

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

SWEETWATER WIND 3 LLC	
Texas Taxpayer Number	32014971108
Mailing Address	6688 N CENTRAL EXPY STE 500 DALLAS, TX 75206-3924
Right to Transact Business In Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	05/03/2004
Texas SOS File Number	0800337522
Registered Agent Name	REGISTERED AGENT SOLUTIONS, INC.
Registered Office Street Address	1701 DIRECTORS BLVD., SUITE 300 AUSTIN, TX 78744

Information Available at Time of Application

Quarterly Employment and Wages (QCEW)

Page 1 of 1 (40 results/page)

<input type="button" value="▲▼"/> Year	<input type="button" value="▲▼"/> Period	<input type="button" value="▲▼"/> Area	<input type="button" value="▲▼"/> Ownership	<input type="button" value="▲▼"/> Division	<input type="button" value="▲▼"/> Level	<input type="button" value="▲▼"/> Ind Code	<input type="button" value="▲▼"/> Industry	<input type="button" value="▲▼"/> Avg Weekly Wages
2003	1st Qtr	Nolan County	Private	31	0	1013	Manufacturing	\$683
2003	2nd Qtr	Nolan County	Private	31	0	1013	Manufacturing	\$662

Average Salary: $672.50 * 52 \text{ weeks} * 110\% = \$38,467$