# Chapter 313 Annual Eligibility Report Form

**Form 50-772**
(May 2010)

2009
Tax Year covered in this report

Hermleigh ISD
School district name

0.3500
I&S Tax Rate

1.04
M&O Tax Rate

Snyder Wind Farm
Project Name

SNYDER WIND FARM, LLC
Company Name

c/o Enel North America, Inc., One Tech Drive, Suite 220, Andover MA, 01810
Company Address

Stephen Pike
Company Contact Information

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.

SNYDER WIND FARM, LLC
Texas Taxpayer ID of Applicant

32014289303
Texas Taxpayer ID Reporting Entity (if appropriate)

October 18, 2005
Date of Agreement Approval

WINDKRAFT NORD TEXAS, L.L.C.
Original Applicant Name

2006
First complete tax year of the qualifying time period

2007
Last tax year of the qualifying time period

2008
First tax year of the limitation

5 Million
Amount of the limitation at the time of application approval

## QUALIFIED PROPERTY INFORMATION

72,450,000
Market Value

72,450,000
I&S Taxable Value

5,000,000
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: Renewable Energy Electric Generation

What was the application review start date for your application (the date your application was determined to be complete)? N/A
(This question must only be answered for projects with applications approved after June 1, 2010.)

How many new jobs were based on the qualified property in the year covered by this report? (See note on page 3.) 1

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? N/A

80 percent of New Jobs (0.80 x number of new jobs based on the qualified property in the year covered by this report.) 0.8

What is the minimum required annual wage for each qualifying job in the year covered by the report? ..... 26655.20

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. ..... $466*52weeks*110%

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? ..... 6

Of the qualifying job-holders last year, how many were employees of the approved applicant? ..... 2

Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? ..... 4

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? ..... N/a

At what annual wage? ..... _____

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

**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? ..... N/a

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? ..... N/a

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

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_____

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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

Stephen Pike

Printed name of authorized company representative

Vice President - Operations

Title

8/11/10

Date

## CONTACT INFORMATION FOR AUTHORIZED REPRESENTATIVE

One Tech Drive, Suite 220, Andover, MA 01810

Address

978-296-6819

Phone

stephen.pike@enel.com

E-mail

To put this project's economic impact into perspective, the following table compares WKN Texas' salary and investment projections per job with Scurry County averages.

**Table 5: WKN Texas' Investment vs. Scurry County Average**

| | Scurry County | WKN Texas, LLC*** |
|---|---|---|
| Average Weekly Manufacturing Wage* | $466 | $680 |
| Investment Per Job** | $199,443 | $3,383,602 |

* Texas Workforce Commission - Quarterly Census of Employment and Wages
** Investment per job for Scurry County = Total Scurry County Certified Taxable Value / Total Scurry County Employment
*** The WKN Texas, LLC 10 year average wage has been used in this calculation.
Source: TXP, WKN Texas"

Note: Since this economic and fiscal impact analysis is conducted prior to negotiations of value limitations, it should be noted that the tax revenue figures shown for each school district and other taxing jurisdictions reflect the projected tax collections based on the anticipated value of the project, in the absence of the requested limitation on value, state school financing legislation, or any other type of favorable tax treatment from any public sector jurisdiction.

**Table 6: Estimated Real Tax Impact of WKN Texas 2006 - 2015**

| Year | Taxable Value | Estimated Tax Revenue | Scurry County | Western Texas College | Scurry County | Scurry County | Total Tax Revenue |
|---|---|---|---|---|---|---|---|
| 2006 | $45,900,000 | $688,500 | $205,081 | $99,970 | $11,937 | $4,252 | $1,009,740 |
| 2007 | $42,687,000 | $640,305 | $190,726 | $92,972 | $11,937 | $4,252 | $940,191 |
| 2008 | $39,698,900 | $595,484 | $177,375 | $86,464 | $11,937 | $4,252 | $875,511 |
| 2009 | $36,920,000 | $553,800 | $164,959 | $80,412 | $11,937 | $4,252 | $815,359 |
| 2010 | $34,335,600 | $515,034 | $153,411 | $74,783 | $11,937 | $4,252 | $759,417 |
| 2011 | $31,932,100 | $478,982 | $142,673 | $69,548 | $11,937 | $4,252 | $707,391 |
| 2012 | $29,696,800 | $445,452 | $132,685 | $64,680 | $11,937 | $4,252 | $659,006 |
| 2013 | $27,618,100 | $414,272 | $123,398 | $60,152 | $11,937 | $4,252 | $614,010 |
| 2014 | $25,684,800 | $385,272 | $114,760 | $55,941 | $11,937 | $4,252 | $572,162 |
| 2015 | $23,886,900 | $358,304 | $106,727 | $52,026 | $11,937 | $4,252 | $533,245 |
| TOTALS | | $5,075,403 | $1,511,793 | $736,949 | $119,366 | $42,521 | $7,486,032 |

Source: TXP, WKN Texas

TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

SUSAN COMBS • COMPTROLLER • AUSTIN, TEXAS 78774

August 11, 2010

# CERTIFICATE OF ACCOUNT STATUS

THE STATE OF TEXAS
COUNTY OF TRAVIS

I, Susan Combs, Comptroller of Public Accounts of the State of Texas, DO HEREBY CERTIFY that according to the records of this office

**SNYDER WIND FARM, LLC**

is, as of this date, in good standing with this office having no franchise tax reports or payments due at this time. This certificate is valid through the date that the next franchise tax report will be due November 15, 2010.

This certificate does not make a representation as to the status of the entity's registration, if any, with the Texas Secretary of State.

This certificate is valid for the purpose of conversion when the converted entity is subject to franchise tax as required by law. This certificate is not valid for any other filing with the Texas Secretary of State.

GIVEN UNDER MY HAND AND
SEAL OF OFFICE in the City of
Austin, this 11th day of
August 2010 A.D.

Susan Combs
Texas Comptroller

Taxpayer number: 32014289303
File number: 0800298104

Form 05-304 (Rev. 12-07/17)