

Attachment A

Application

O'HANLON, McCOLLOM & DEMERATH

ATTORNEYS AND COUNSELORS AT LAW

808 WEST AVENUE

AUSTIN, TEXAS 78701

TELEPHONE: (512) 494-9949

FACSIMILE: (512) 494-9919

KEVIN O'HANLON

CERTIFIED, CIVIL APPELLATE
CERTIFIED, CIVIL TRIAL

LESLIE McCOLLOM

CERTIFIED, CIVIL APPELLATE
CERTIFIED, LABOR AND EMPLOYMENT
TEXAS BOARD OF LEGAL SPECIALIZATION

JUSTIN DEMERATH

July 31, 2013

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

RE: Amended Application to the Glasscock County Independent School District from
CPV Rattlesnake Den Renewable Energy Company, LLC

To the Local Government Assistance & Economic Analysis Division:

In response to the deficiency letter dated July 29, 2013 from the Comptroller's Office, the Applicant CPV Rattlesnake Den Renewable Energy Company, LLC submitted an amended Application for an Appraised Value Limitation on Qualified Property. The Application has been re-determined to be complete by the school district on July 31, 2013.

The Amended Application specifically addresses all items listed in Attachment A to the deficiency letter. Specifically:

1. Page 5-The NAICS code provided was the 2012 code for Power Generation, Wind Electric. The Amended Application now also shows the 1997 NAICS for Other Electric Power Generation.
2. Attachment 3. In addition to the combined group information provided originally, the Applicant has included a copy of the Texas Franchise Tax Extension Affiliate List.
3. Attachment 7- The Applicant has provided an expanded view of the map to demonstrate the relationship of the project to the County. Also included is a Google Earth view of the project site. In addition, the Applicant has provided a map that shows an overlay of the reinvestment zone over the project site. The school district is county wide; the district boundaries and county boundaries are contiguous.
4. Attachment 10-The land description that was provided in response to the description of Qualified Property-Land has been renamed as Attachment 10.

5. Attachment 21-See No. 3 above. In addition, the Applicant has provided an expanded view of the reinvestment zone to demonstrate its location in relation to the County.
6. Attachment 24-Attached.

Please note, no construction has begun at the project site as of the date of the filing of the application and the District's determination that the application is complete. The Applicant is aware that the determination of a completed application by the Comptroller determines what property may be eligible for a value limitation agreement. There is no existing property for this project.

In addition to the items referenced in the deficiency letter, the Applicant has revised the wage information to reflect the most recent wage data available at the time of the application. The wage the Applicant has committed to paying on this project is above the required statutory minimums.

The Applicant has maintained its request to keep confidential the preliminary layout which shows the specific planned location of the turbines. Those items have been submitted separately with a letter detailing the nature of the claim of confidentiality. In order to avoid the inadvertent disclosure of those items, they have not been transmitted electronically with this letter. Please keep these materials segregated from the remainder of the application, and please do not publish these items.

A paper and electronic copy of the application and the segregated confidential materials will be hand delivered to your office. In accordance with 34 Tex. Admin Code §9.1054, a copy of the application will be submitted to the Glasscock County Appraisal District.

Please feel free to contact me with questions.

Sincerely,



Kevin O'Hanlon
School District Consultant

Cc: Chief Appraiser
Glasscock County Appraisal District

CPV Rattlesnake Den Renewable Energy Company, LLC

Johnny Tubb, Glasscock County ISD



Application for Appraised Value Limitation on Qualified Property

By: CPV Rattlesnake Den
Renewable Energy Company, LLC

To: Glasscock County
Independent School District

June 3, 2013



Application for Appraised Value Limitation on Qualified Property

(Tax Code, Chapter 313, Subchapter B or C)

Form 50-296
(Revised May 2010)

INSTRUCTIONS: This application must be completed and filed with the school district. In order for an application to be processed, the governing body (school board) must elect to consider an application, but — by Comptroller rule — the school board may elect to consider the application only after the school district has received a completed application. Texas Tax Code, Section 313.025 requires that any completed application and any supplemental materials received by the school district must be forwarded within seven days to the Comptroller of Public Accounts.

If the school board elects to consider the application, the school district must:

- notify the Comptroller that the school board has elected to consider the application.

This notice must include:

- the date on which the school district received the application;
- the date the school district determined that the application was complete;
- the date the school board decided to consider the application; and
- a request that the comptroller prepare an economic impact analysis of the application;
- provide a copy of the notice to the appraisal district;
- must complete the sections of the application reserved for the school district and provide information required in the Comptroller rules located at 34 Texas Administrative Code (TAC) Section 9.1054; and
- forward the original completed application to the Comptroller in a three-ring binder with tabs separating each section of the documents, in addition to an electronic copy on CD. See 34 TAC Chapter 9, Subchapter F.

The governing body may, at its discretion, allow the applicant to supplement or amend the application after the filing date, subject to the restrictions in 34 TAC Chapter 9, Subchapter F.

When the Comptroller receives the notice and required information from the school district, the Comptroller will publish all submitted application materials on its Web site. The Comptroller is authorized to treat some application information as confidential and withhold it from publication on the Internet. To do so, however, the information must be segregated and comply with the other requirements set out in the Comptroller rules as explained in the Confidentiality Notice below.

The Comptroller will independently determine whether the application has been completed according to the Comptroller's rules (34 TAC Chapter 9, Subchapter F). If the Comptroller finds the application is not complete, the Comptroller will request additional materials from the school district. When the Comptroller determines that the application is complete, it will send the school district a notice indicating so. The Comptroller will determine the eligibility of the project, make a recommendation to the school board regarding the application and prepare an economic impact evaluation by the 90th day after the Comptroller receives a complete application—as determined by the Comptroller.

The school board must approve or disapprove the application before the 151st day after the application review start date (the date the application is finally determined to be complete), unless an extension is granted. The Comptroller and school district are authorized to request additional information from the applicant that is reasonably necessary to complete the recommendation, economic impact evaluation or consider the application at any time during the application review period.

Please visit the Comptroller's Web site to find out more about the program at <http://www.window.state.tx.us/taxinfo/proptax/hb1200/index.html>. There are links on this Web page to the Chapter 313 statute, rules and forms. Information about minimum limitation values for particular districts and wage standards may also be found at that site.

SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION

Authorized School District Representative		Date application received by district 6-10-13
First Name Johnny	Last Name Tubb	
Title Superintendent		
School District Name Glasscock County Independent School District		
Street Address PO Box 9		
Mailing Address PO Box 9		
City Garden City	State TX	ZIP 79739-0009
Phone Number (432) 354-2230	Fax Number (432) 354-2503	
Mobile Number (optional)	E-mail Address jhtubb@gckats.net	

I authorize the consultant to provide and obtain information related to this application..... ☒ Yes ☐ No

Will consultant be primary contact? ☒ Yes ☐ No



Form 50-296

Application for Appraised Value Limitation on Qualified Property

SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized School District Consultant (If Applicable)

Bob

Popinski

First Name

Last Name

Consultant

Moak Casey & Associates

400 W 15th ST, Suite 1410

400 W 15th ST, Suite 1410

Austin

TX

ZIP 78701

Phone Number (512) 485-7878

Fax Number (512) 485-7888

Mobile Number (Optional)

E-mail Address bpopinski@moakcasey.com

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.

Signature (Authorized School District Representative)

Date

06/10/13

Has the district determined this application complete? ☒ Yes ☐ No

6/14/13 redetermined complete as of 7/31/13

If yes, date determined complete.

Have you completed the school finance documents required by TAC 9.1054(c)(3)? ☒ Yes ☐ No

SCHOOL DISTRICT CHECKLIST AND REQUESTED ATTACHMENTS

	Checklist	Page X of 16	Check Completed
1	Date application received by the ISD	1 of 16	✓
2	Certification page signed and dated by authorized school district representative	2 of 16	✓
3	Date application deemed complete by ISD	2 of 16	✓
4	Certification pages signed and dated by applicant or authorized business representative of applicant	4 of 16	✓
5	Completed company checklist	12 of 16	✓
6	School finance documents described in TAC 9.1054(c)(3) (Due within 20 days of district providing notice of completed application)	2 of 16	✓

APPLICANT INFORMATION - CERTIFICATION OF APPLICATION

Authorized Business Representative (Applicant)

First Name	Robert		Last Name	Mastria	
Title	Manager				
Organization	CPV Rattlesnake Den Renewable Energy Company, LLC				
Street Address	50 Braintree Hill Office Park, Suite 300				
Mailing Address	50 Braintree Hill Office Park, Suite 300				
City	State	ZIP			
Braintree	MA	02184			
Phone Number	Fax Number				
781-952-1147	781-848-5804				
Mobile Number (optional)	Business e-mail Address				
781-635-7613	rmastria@cpv.com				

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

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

First Name	Last Name				
Title					
Organization					
Street Address					
Mailing Address					
City	State	ZIP			
Phone Number	Fax Number				
Mobile Number (optional)	E-mail Address				

I authorize the consultant to provide and obtain information related to this application.. ☐ Yes ☒ No

Will consultant be primary contact? ☐ Yes ☒ No



Form 50-296

Application for Appraised Value Limitation on Qualified Property

APPLICANT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized Company Consultant (If Applicable)

First Name

Last Name

Title

Firm Name

Street Address

Mailing Address

City

State

ZIP

Phone Number

Fax Number

Business email Address

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 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.

Signature (Authorized Business Representative (Applicant))

Date

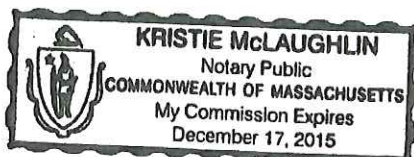
5/30/2013

GIVEN under my hand and seal of office this 30th day of May, 2013

Kristie McLaughlin

Notary Public, State of Massachusetts

(Notary Seal)



My commission expires

12/17/15

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 § 37.10.

FEES AND PAYMENTS

☒ Enclosed is proof of application fee paid to the school district.

For the purpose of this question, "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.

Please answer only either A OR B:

A. 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

B. 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

BUSINESS APPLICANT INFORMATION

Legal Name under which application is made

CPV Rattlesnake Den Renewable Energy Company, LLC

Texas Taxpayer I.D. Number of entity subject to Tax Code, Chapter 171 (11 digits)

32034811342

NAICS code

221115 (2012 NAICS) 221119 (1997 NAICS)

Is the applicant a party to any other Chapter 313 agreements? ☐ Yes ☒ No

If yes, please list name of school district and year of agreement.

APPLICANT BUSINESS STRUCTURE

Registered to do business in Texas with the Texas Secretary of State? ☒ Yes ☐ No

Identify business organization of applicant (corporation, limited liability corporation, etc.)

Limited Liability Company

1. Is the applicant a combined group, or comprised of members of a combined group, as defined by Texas Tax Code Chapter 171.0001(7)? ☒ Yes ☐ No
If so, please attach documentation of the combined group membership and contact information.

2. Is the applicant current on all tax payments due to the State of Texas? ☒ Yes ☐ No

3. Are all applicant members of the combined group current on all tax payments due to the State of Texas? ☐ NA ☒ Yes ☐ No

If the answer to either question is no, please explain and/or disclose any history of default, delinquencies and/or any material litigation, including litigation involving the State of Texas. (Use attachment if necessary.)

**ELIGIBILITY UNDER TAX CODE CHAPTER 313.024**Are you an entity to which Tax Code, Chapter 171 applies? ☒ Yes ☐ No

The property will be used as an integral part, or as a necessary auxiliary part, in one of the following activities:

- (1) manufacturing ☐ Yes ☒ No
- (2) research and development ☐ Yes ☒ No
- (3) a clean coal project, as defined by Section 5.001, Water Code ☐ Yes ☒ No
- (4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code ☐ Yes ☒ No
- (5) renewable energy electric generation ☒ Yes ☐ No
- (6) electric power generation using integrated gasification combined cycle technology ☐ Yes ☒ No
- (7) nuclear electric power generation ☐ Yes ☒ No
- (8) a computer center that is used as an integral part or as a necessary auxiliary part for the activity conducted by applicant in one or more activities described by Subdivisions (1) through (7) ☐ Yes ☒ No

Are you requesting that any of the land be classified as qualified investment? ☐ Yes ☒ NoWill any of the proposed qualified investment be leased under a capitalized lease? ☐ Yes ☒ NoWill any of the proposed qualified investment be leased under an operating lease? ☐ Yes ☒ NoAre you including property that is owned by a person other than the applicant? ☐ Yes ☒ NoWill any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment? ☐ Yes ☒ No**PROJECT DESCRIPTION**

Provide a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information. (Use attachments as necessary)

Please see Checklist Item 4 attachment

Describe the ability of your company to locate or relocate in another state or another region of the state.

Please see Checklist Item 4 attachment

PROJECT CHARACTERISTICS (CHECK ALL THAT APPLY)

- ☒ New Jobs ☒ Construct New Facility ☐ New Business / Start-up ☐ Expand Existing Facility
- ☐ Relocation from Out-of-State ☐ Expansion ☒ Purchase Machinery & Equipment
- ☐ Consolidation ☐ Relocation within Texas

PROJECTED TIMELINE

Begin Construction Fourth Quarter 2013 Begin Hiring New Employees Second Quarter 2014

Construction Complete Fourth Quarter 2014 Fully Operational Fourth Quarter 2014

Purchase Machinery & Equipment Third Quarter 2013

Do you propose to construct a new building or to erect or affix a new improvement after your application review start date (date your application is finally determined to be complete)? ☒ Yes ☐ No**Note:** Improvements made before that time may not be considered qualified property.When do you anticipate the new buildings or improvements will be placed in service? Second Quarter 2014

ECONOMIC INCENTIVES

Identify state programs the project will apply for:

State Source

Amount

_____	_____
_____	_____
_____	_____
Total	_____

Will other incentives be offered by local units of government? ☒ Yes ☐ No

Please use the following box for additional details regarding incentives. (Use attachments if necessary.)

CPV Rattlesnake Den Renewable Energy Company, LLC has executed a Tax Abatement Agreement with Glasscock County. Please refer to Schedule D: Other Tax Information for tax abatement percentages.

THE PROPERTYIdentify county or counties in which the proposed project will be located Glasscock CountyCentral Appraisal District (CAD) that will be responsible for appraising the property Glasscock County Appraisal DistrictWill this CAD be acting on behalf of another CAD to appraise this property? ☐ Yes ☒ No

List all taxing entities that have jurisdiction for the property and the portion of project within each entity

County: Glasscock County (100%)

(Name and percent of project)

City: _____

(Name and percent of project)

Hospital District: _____

(Name and percent of project)

Water District: Glasscock Groundwater Conservation District (100%)

(Name and percent of project)

Other (describe): Glasscock County ISD (100%)

(Name and percent of project)

Other (describe): _____

(Name and percent of project)

Is the project located entirely within this ISD? ☒ Yes ☐ No

If not, please provide additional information on the project scope and size to assist in the economic analysis.

**INVESTMENT**

NOTE: The minimum amount of qualified investment required to qualify for an appraised value limitation and the minimum amount of appraised value limitation vary depending on whether the school district is classified as rural, and the taxable value of the property within the school district. For assistance in determining estimates of these minimums, access the Comptroller's Web site at www.window.state.tx.us/taxinfo/proptax/hb1200/values.html.

At the time of application, what is the estimated minimum qualified investment required for this school district? \$30,000,000.00

What is the amount of appraised value limitation for which you are applying? \$30,000,000.00

What is your total estimated *qualified* investment? \$310,000,000.00

NOTE: See 313.021(1) for full definition. Generally, Qualified Investment is the sum of the investment in tangible personal property and buildings and new improvements made between beginning of the qualifying time period (date of application final approval by the school district) and the end of the second complete tax year.

What is the anticipated date of application approval? December, 2013

What is the anticipated date of the beginning of the qualifying time period? December, 2013

What is the total estimated investment for this project for the period from the time of application submission to the end of the limitation period? \$310,000,000.00

Describe the qualified investment. [See 313.021(1).]

Attach the following items to this application:

- (1) a specific and detailed description of the qualified investment you propose to make on the property for which you are requesting an appraised value limitation as defined by Tax Code §313.021,
- (2) a description of any new buildings, proposed improvements or personal property which you intend to include as part of your minimum qualified investment and
- (3) a map of the qualified investment showing location of new buildings or new improvements with vicinity map.

Do you intend to make at least the minimum qualified investment required by Tax Code §313.023 (or 313.053 for rural school districts) for the relevant school district category during the qualifying time period? ☒ Yes ☐ No

Except for new equipment described in Tax Code §151.318(q) or (q-1), is the proposed tangible personal property to be placed in service for the first time:

- (1) in or on the new building or other new improvement for which you are applying? ☒ Yes ☐ No
- (2) if not in or on the new building or other new improvement for which you are applying for an appraised value limitation, is the personal property necessary and ancillary to the business conducted in the new building or other new improvement? ☒ Yes ☐ No
- (3) on the same parcel of land as the building for which you are applying for an appraised value limitation? ☒ Yes ☐ No

("First placed in service" means the first use of the property by the taxpayer.)

Will the investment in real or personal property you propose be counted toward the minimum qualified investment required by Tax Code §313.023, (or 313.053 for rural school districts) be first placed in service in this state during the applicable qualifying time period? ☒ Yes ☐ No

Does the investment in tangible personal property meet the requirements of Tax Code §313.021(1)? ☒ Yes ☐ No

If the proposed investment includes a building or a permanent, non-removable component of a building, does it house tangible personal property? ☒ Yes ☐ No

QUALIFIED PROPERTY

Describe the qualified property. [See 313.021(2)] (If qualified investment describes qualified property exactly you may skip items (1), (2) and (3) below.)

Attach the following items to this application:

- (1) a specific and detailed description of the qualified property for which you are requesting an appraised value limitation as defined by Tax Code §313.021,
- (2) a description of any new buildings, proposed improvements or personal property which you intend to include as part of your qualified property and
- (3) a map of the qualified property showing location of new buildings or new improvements – with vicinity map.

Land

Is the land on which you propose new construction or improvements currently located in an area designated as a reinvestment zone under Tax Code Chapter 311 or 312 or as an enterprise zone under Government Code Chapter 2303? ☐ Yes ☒ No

If you answered "no" to the question above, what is the anticipated date on which you will submit proof of a reinvestment zone with boundaries encompassing the land on which you propose new construction or improvements? See Attachment Qualified Property - Land

Will the applicant own the land by the date of agreement execution? ☐ Yes ☒ No

Will the project be on leased land? ☐ Yes ☒ No *

* - The Project will be located on land in which we have a possessory interest in the form of an easement.

QUALIFIED PROPERTY (CONTINUED)

If the land upon which the new building or new improvement is to be built is part of the qualified property described by §313.021(2)(A), please attach complete documentation, including:

1. Legal description of the land
2. Each existing appraisal parcel number of the land on which the improvements will be constructed, regardless of whether or not all of the land described in the current parcel will become qualified property
3. Owner
4. The current taxable value of the land. Attach estimate if land is part of larger parcel.
5. A detailed map (with a vicinity map) showing the location of the land

Attach a map of the reinvestment zone boundaries, certified to be accurate by either the governmental entity creating the zone, the local appraisal district, or a licensed surveyor. (With vicinity map)

Attach the order, resolution or ordinance establishing the zone, and the guidelines and criteria for creating the zone, if applicable.

Miscellaneous

Is the proposed project a building or new improvement to an existing facility? ☐ Yes ☒ No

Attach a description of any existing improvements and include existing appraisal district account numbers.

List current market value of existing property at site as of most recent tax year. N/A (Market Value) (Tax Year)

Is any of the existing property subject to a value limitation agreement under Tax Code 313? ☐ Yes ☒ No

Will all of the property for which you are requesting an appraised value limitation be free of a tax abatement agreement entered into by a school district for the duration of the limitation? ☒ Yes ☐ No

WAGE AND EMPLOYMENT INFORMATION

What is the estimated number of permanent jobs (more than 1,600 hours a year), with the applicant or a contractor of the applicant, on the proposed qualified property during the last complete quarter before the application review start date (date your application is finally determined to be complete)? Zero

The last complete calendar quarter before application review start date is the:

☒ First Quarter ☐ Second Quarter ☐ Third Quarter ☐ Fourth Quarter of 2013 (year)

What were the number of permanent jobs (more than 1,600 hours a year) this applicant had in Texas during the most recent quarter reported to the TWC? Zero

Note: For job definitions see TAC §9.1051(14) and Tax Code 313.021(3). If the applicant intends to apply a definition for "new job" other than TAC §9.1051(14)(C), then please provide the definition of "new job" as used in this application. N/A

Total number of new jobs that will have been created when fully operational 10

Do you plan to create at least 25 new jobs (at least 10 new jobs for rural school districts) on the land and in connection with the new building or other improvement? ☒ Yes ☐ No

Do you intend to request that the governing body waive the minimum new job creation requirement, as provided under Tax Code §313.025(f-1)? ☐ Yes ☒ No

If you answered "yes" to the question above, attach evidence documenting that the new job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards. **Note: Even if a minimum new job waiver is provided, 80% of all new jobs must be qualifying jobs pursuant to Texas Tax Code, §313.024(d).**

What is the maximum number of qualifying jobs meeting all criteria of §313.021(3) you are committing to create? 8

If this project creates more than 1,000 new jobs, the minimum required wage for this project is 110% of the average county weekly wage for all jobs as described by 313.021(3)(E)(ii).

If this project creates less than 1,000 new jobs, does this district have territory in a county that meets the demographic characteristics of 313.051(2)? (see table of information showing this district characteristic at <http://www.window.state.tx.us/taxinfo/proptax/hb1200/values.html>)

If yes, the applicant must meet wage standard described in 313.051(b) (110% of the regional average weekly wage for manufacturing)

If no, the applicant shall designate one of the wage standards set out in §§313.021(5)(A) or 313.021(5)(B).

**WAGE AND EMPLOYMENT INFORMATION (CONTINUED)**

For the following three wage calculations please include on an attachment the four most recent quarters of data for each wage calculation. Show the average and the 110% calculation. Include documentation from TWC Web site. 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 from the four quarterly periods for which data were available at the time of the application review start date (date of a completed application). See TAC §9.1051(7).

110% of the county average weekly wage for all jobs (all industries) in the county is \$689.43

110% of the county average weekly wage for manufacturing jobs in the county is no data available

110% of the county average weekly wage for manufacturing jobs in the region is \$965.12

Please identify which Tax Code section you are using to estimate the wage standard required for this project:

☐ §313.021(5)(A) or ☐ §313.021(5)(B) or ☐ §313.021(3)(E)(ii), or ☒ §313.051(b)?

What is the estimated minimum required annual wage for each qualifying job based on the qualified property? \$50,186.40

What is the estimated minimum required annual wage you are committing to pay for each of the qualifying jobs you create on the qualified property? \$50,186.40

Will 80% of all new jobs created by the owner be qualifying jobs as defined by 313.021(3)? ☒ Yes ☐ No

Will each qualifying job require at least 1,600 of work a year? ☒ Yes ☐ No

Will any of the qualifying jobs be jobs transferred from one area of the state to another? ☐ Yes ☒ No

Will any of the qualifying jobs be retained jobs? ☐ Yes ☒ No

Will any of the qualifying jobs be created to replace a previous employee? ☐ Yes ☒ No

Will any required qualifying jobs be filled by employees of contractors? ☒ Yes ☐ No

If yes, what percent? 100%

Does the applicant or contractor of the applicant offer to pay at least 80% of the employee's health insurance premium for each qualifying job? ☒ Yes ☐ No

Describe each type of benefits to be offered to qualifying jobholders. (Use attachments as necessary.)

Please see Checklist Item 15 attachment

ECONOMIC IMPACT

Is an Economic Impact Analysis attached (If supplied by other than the Comptroller's office)? ☐ Yes ☒ No

Is Schedule A completed and signed for all years and attached? ☒ Yes ☐ No

Is Schedule B completed and signed for all years and attached? ☒ Yes ☐ No

Is Schedule C (Application) completed and signed for all years and attached? ☒ Yes ☐ No

Is Schedule D completed and signed for all years and attached? ☒ Yes ☐ No

Note: Excel spreadsheet versions of schedules are available for download and printing at URL listed below.

If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, please attach a separate schedule showing the amount for each year affected, including an explanation.

CONFIDENTIALITY NOTICE

Property Tax Limitation Agreement Applications
Texas Government Code Chapter 313
Confidential Information Submitted to the Comptroller

Generally, an application for property tax value limitation, the information provided therein, and documents submitted in support thereof, are considered public information subject to release under the Texas Public Information Act.

There is an exception, outlined below, by which information will be withheld from disclosure.

The Comptroller's office will withhold information from public release if:

- 1) it describes the specific processes or business activities to be conducted or the specific tangible personal property to be located on real property covered by the application;
- 2) the information has been segregated in the application from other information in the application; and
- 3) the party requesting confidentiality provides the Comptroller's office a list of the documents for which confidentiality is sought and for each document lists the specific reasons, including any relevant legal authority, stating why the material is believed to be confidential.

All applications and parts of applications which are not segregated and marked as confidential as outlined above will be considered public information and will be posted on the internet.

Such information properly identified as confidential will be withheld from public release unless and until the governing body of the school district acts on the application, or we are directed to do so by a ruling from the Attorney General.

Other information in the custody of a school district or the comptroller submitted in connection with the application, including information related to the economic impact of a project or the essential elements of eligibility under Texas Tax Code, Chapter 313, such as

the nature and amount of the projected investment, employment, wages, and benefits, will not be considered confidential business information and will be posted on the internet.

All documents submitted to the Comptroller, as well as all information in the application once the school district acts thereon, are subject to public release unless specific parts of the application or documents submitted with the application are identified as confidential. Any person seeking to limit disclosure of such submitted records is advised to consult with their legal counsel regarding disclosure issues and also to take the appropriate precautions to safeguard copyrighted material, trade secrets, or any other proprietary information. The Comptroller assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by respondents. A person seeking to limit disclosure of information must submit in writing specific detailed reasons, including any relevant legal authority, stating why that person believes the material to be confidential.

The following outlines how the Comptroller's office will handle requests for information submitted under the Texas Public Information Act for application portions and submitted records appropriately identified as confidential.

- This office shall forward the request for records and a copy of the documents at issue to the Texas Attorney General's office for an opinion on whether such information may be withheld from disclosure under the Texas Public Information Act.
- The Comptroller will notify the person who submitted the application/documents when the information is forwarded to the Attorney General's office.
- Please be aware that this Office is obligated to comply with an Attorney General's decision, including release of information ruled public even if it was marked confidential.



COMPANY CHECKLIST AND REQUESTED ATTACHMENTS

	Checklist	Page X of 16	Check Completed
1	Certification pages signed and dated by Authorized Business Representative (applicant)	4 of 16	✓
2	Proof of Payment of Application Fee (Attachment)	5 of 16	✓
3	For applicant members, documentation of Combined Group membership under Texas Tax Code 171.0001(7) (if Applicable) (Attachment)	5 of 16	✓
4	Detailed description of the project	6 of 16	✓
5	If project is located in more than one district, name other districts and list percentage in each district (Attachment)	7 of 16	N/A
6	Description of Qualified Investment (Attachment)	8 of 16	✓
7	Map of qualified investment showing location of new buildings or new improvements with vicinity map.	8 of 16	✓
8	Description of Qualified Property (Attachment)	8 of 16	See 06
9	Map of qualified property showing location of new buildings or new improvements with vicinity map	8 of 16	See 07
10	Description of Land (Attachment)	9 of 16	N/A
11	A detailed map showing location of the land with vicinity map.	9 of 16	See 07
12	A description of all existing (if any) improvements (Attachment)	9 of 16	N/A
13	Request for Waiver of Job Creation Requirement (if applicable) (Attachment)	9 of 16	N/A
14	Calculation of three possible wage requirements with TWC documentation. (Attachment)	10 of 16	✓
15	Description of Benefits	10 of 16	✓
16	Economic Impact (if applicable)	10 of 16	N/A
17	Schedule A completed and signed	13 of 16	✓
18	Schedule B completed and signed	14 of 16	✓
19	Schedule C (Application) completed and signed	15 of 16	✓
20	Schedule D completed and signed	16 of 16	✓
21	Map of Reinvestment Zone (Attachment) (Showing the actual or proposed boundaries and size, Certified to be accurate by either the government entity creating the zone, the local appraisal district, or a licensed surveyor, with vicinity map)*	9 of 16	✓
22	Order, Resolution, or Ordinance Establishing the Zone (Attachment)*	9 of 16	✓
23	Legal Description of Reinvestment Zone (Attachment)*	9 of 16	✓
24	Guidelines and Criteria for Reinvestment Zone(Attachment)*	9 of 16	✓

*To be submitted with application or before date of final application approval by school board.

Schedule A (Rev. Jan. 2010): Investment

PROPERTY INVESTMENT AMOUNTS

(Estimated Investment in each year. Do not put cumulative totals.)

		Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	Column A: Tangible Personal Property The amount of new investment (original cost) placed in service during this year	Column B: Building or Permanent Nonremovable Component of Building (annual amount only)	Column C: Sum of A and B Qualifying Investment (during the qualify- ing time period)	Column D: Other investment that is not qualified investment but investment affecting economic impact and total value	Column E: Total Investment (A+B+D)
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)	Investment made before filing complete appli- cation with district (neither qualified property nor eligible to become qualified investment)								
	Investment made after filing complete appli- cation with district, but before final board approval of application (eligible to become qualified property)								
	Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period (qualified investment and eligible to become qualified property)								
	Complete tax years of qualifying time period	1							
		2							
Tax Credit Period (with 50% cap on credit)	Value Limitation Period	3							
		4							
		5							
		6							
		7							
		8							
		9							
		10							
Credit Settle-Up Period	Continue to Maintain Viable Presence	11							
		12							
		13							
Post- Settle-Up Period		14							
Post- Settle-Up Period		15							

Qualifying Time Period usually begins with the final board approval of the application and extends generally for the following two complete tax years.

Column A: This represents the total dollar amount of planned investment in tangible personal property the applicant considers qualified investment- as defined in Tax Code §313.021(1)(A)-(D). For the purposes of investment, please list amount invested each year, not cumulative totals.

[For the years outside the qualifying time period, this number should simply represent the planned investment in tangible personal property].

Include estimates of investment for "replacement" property-property that is part of original agreement but scheduled for probable replacement during limitation period.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings that the applicant considers qualified investment under Tax Code §313.021(1)(E). For the years outside the qualifying time period, this number should simply represent the planned investment in new buildings or nonremovable components of buildings.**Column D:** Dollar value of other investment that may not be qualified investment but that may affect economic impact and total value – for planning, construction and operation of the facility. The most significant example for many projects would be land. Other examples may be items such as professional services, etc.

Note: Land can be listed as part of investment during the "pre-year 1" time period. It cannot be part of qualifying investment.

Notes: For advanced clean energy projects, nuclear projects, projects with deferred qualifying time periods, and projects with lengthy application review periods, insert additional rows as needed.

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE



Schedule B (Rev. Jan. 2010): Estimated Market and Taxable Value

Applicant Name _____

ISD Name _____

					Qualified Property		Reductions From Market Value	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 building or "in or on the new improvement"	Exempted Value	Final taxable value for I&S - after all reductions	Final taxable value for M&O - after all reductions
		pre- year 1								
	Complete tax years of qualifying time period	1								
		2								
Tax Credit Period (with 50% cap on credit)	Value Limitation Period	3								
		4								
		5								
		6								
		7								
		8								
		9								
		10								
Credit Settle-Up period	Continue to Maintain Viable Presence	11								
		12								
		13								
Post- Settle-Up Period		14								
Post- Settle-Up Period		15								

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

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE _____

DATE _____



Schedule C - Application: Employment Information

Applicant Name

ISD Name

				Construction		New Jobs	Qualifying Jobs			
		Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Column A: Number of Construction FTE's or man- hours (specify)	Column B: Average annual wage rates for construction workers	Column C: Number of new jobs applicant commits to create (cumulative)	Column D: Average annual wage rate for all new jobs.	Column E: Number of quali- fying jobs appli- cant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column F: Average annual wage of qualifying jobs
		pre- year 1								
	Complete tax years of qualify- ing time period	1								
		2								
		3								
Tax Credit Period (with 50% cap on credit)	Value Limitation Period	4								
		5								
		6								
		7								
		8								
		9								
		10								
Credit Settle-Up period	Continue to Maintain Viable Presence	11								
		12								
		13								
Post- Settle-Up Period		14								
Post- Settle-Up Period		15								

Notes: For job definitions see TAC §9.1051(14) and Tax Code §313.021(3).

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE



Schedule D: (Rev. Jan. 2010): Other Tax Information

Applicant Name _____

ISD Name _____

					Sales Tax Information		Franchise Tax	Other Property Tax Abatements Sought			
					Sales Taxable Expenditures		Franchise Tax	County	City	Hospital	Other
		Year	School Year (YYYY)	Tax/Calendar Year (YYYY)	Column F: Estimate of total annual expenditures* subject to state sales tax	Column G: Estimate of total annual expenditures* made in Texas NOT subject to sales tax	Column H: Estimate of Franchise tax due from (or attributable to) the applicant	Fill in percent- age exemption requested or granted in each year of the agreement	Fill in percent- age exemption requested or granted in each year of the agreement	Fill in percent- age exemption requested or granted in each year of the agreement	Fill in percent- age exemption requested or granted in each year of the agreement
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)											
	Complete tax years of qualify- ing time period	1									
		2									
	Value Limitation Period	3									
		4									
		5									
		6									
		7									
		8									
		9									
		10									
	Continue to Maintain Viable Presence	11									
		12									
		13									
Post- Settle-Up Period		14									
Post- Settle-Up Period		15									

*For planning, construction and operation of the facility.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE _____

DATE _____

Qualified Property - Land

CPV Rattlesnake Den Renewable Energy Company, LLC

Is the land on which you propose new construction or improvements currently located in an area designated as a reinvestment zone under Tax Code Chapter 311 or 321 or as an enterprise zone under Government Code Chapter 2303? **No**

If you answered "no" to the question above, what is the anticipated date on which you will submit proof of a reinvestment zone with boundaries encompassing the land on which you propose new construction or improvements?

The majority of the land on which the CPV Rattlesnake Den Project will be built is located in Glasscock County Reinvestment Zone -4 which was approved via an Order of The Commissioner's Court of Glasscock County, Texas on June 28, 2011. Reinvestment Zone -4 encompasses sixty (60) sections in Glasscock County.

The Project is working with Glasscock County to create another reinvestment zone for four (4) sections of land. The new reinvestment zone is being requested and presented at The Commissioner's Court of Glasscock County, Texas meeting on June 10, 2013 and is expected to be approved in June 2013.

Once the new reinvestment zone is approved the entire project will be located within a reinvestment zone.

The property descriptions of the land included in Reinvestment Zone -4 and currently under consideration for designation as a reinvestment zone are as follows:

T. & P. R.R. Co., Block 34, Township 4-S

Sections 31, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48

T. & P. R.R. Co., Block 34, Township 5-S

Sections 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 34, 35, 36, 37, 38, 39, 47, 48

T. & P. R.R. Co., Block 33, Township 5-S

Sections 4, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, 41, 42, 43, 44

T. & P. R.R. Co., Block 35, Township 4-S

Sections 37, 48

Proof of payment of filing fee received by the
Comptroller of Public Accounts per TAC Rule
§9.1054 (b)(5)

*(Page Inserted by Office of Texas Comptroller of Public
Accounts)*

Checklist Item 3

Combined Group Membership and Contact Information

CPV Rattlesnake Den Renewable Energy Company, LLC

Please attach documentation of the combined group membership and contact information.

Entity Name	Contact Information
Competitive Power Ventures, Inc.	8403 Colesville Road, Suite 915 Silver Spring, MD 20910 (240) 723-2300
CPV Renewable Energy Company, Inc.	8403 Colesville Road, Suite 915 Silver Spring, MD 20910 (240) 723-2300
CPV Power Development, Inc.	8403 Colesville Road, Suite 915 Silver Spring, MD 20910 (240) 723-2300

Checklist Item 3

2D52B4 3.000

TX2013

Ver. 4.0

05-165

(Rev.9-11/3)

■ Tcode 13298

Texas Franchise Tax Extension Affiliate List

■ Reporting entity taxpayer number

■ Report year

Reporting entity taxpayer name

510402836

2013

COMPETITIVE POWER VENTURES, INC. AND AFFILIAT

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. CPV RENEWABLE ENERGY COMPANY, INC. ■	260325098	■ <input type="checkbox"/>
2. CPV POWER DEVELOPMENT, INC. ■	522306411	■ <input type="checkbox"/>
3. ■		■ <input type="checkbox"/>
4. ■		■ <input type="checkbox"/>
5. ■		■ <input type="checkbox"/>
6. ■		■ <input type="checkbox"/>
7. ■		■ <input type="checkbox"/>
8. ■		■ <input type="checkbox"/>
9. ■		■ <input type="checkbox"/>
10. ■		■ <input type="checkbox"/>
11. ■		■ <input type="checkbox"/>
12. ■		■ <input type="checkbox"/>
13. ■		■ <input type="checkbox"/>
14. ■		■ <input type="checkbox"/>
15. ■		■ <input type="checkbox"/>
16. ■		■ <input type="checkbox"/>
17. ■		■ <input type="checkbox"/>
18. ■		■ <input type="checkbox"/>
19. ■		■ <input type="checkbox"/>
20. ■		■ <input type="checkbox"/>
21. ■		■ <input type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

Texas Comptroller Official Use Only

VE/DE

☐

FM

☐


7001

Checklist Item 4

Project Description

CPV Rattlesnake Den Renewable Energy Company, LLC

Provide a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information.

CPV Rattlesnake Den Renewable Energy Company, LLC is developing the CPV Rattlesnake Den wind project (the "Project"). The Project will generate clean electricity from the wind and will utilize equipment such as wind turbine generators, towers, foundations, transformers, electrical collection and transmission lines, associated ancillary equipment and meteorological equipment to collect data on wind speed, wind direction, temperature, pressure and humidity which will be used to test the performance of the Project. The Project is expected to consist of up to 118 wind turbine generators with a name plate capacity of 1.7 MW each. The Project expects to commence construction in the fourth quarter of 2013 and achieve commercial operation by the end of 2014. All of the property for which the Project is applying for a limitation on appraised value will be owned by the Project.

The Project is completely located within Glasscock County and completely within the Glasscock County Independent School District which will house 100% of the qualified investment. Most of the Project is located within Reinvestment Zone – 4; however, the Project has requested that an additional reinvestment zone be established which will encompass four sections of property. Once the new reinvestment zone is established, the Project will be entirely located in reinvestment zone areas. Current land use within the Project site consists of farming, ranching and oil and gas production and associated activities.

Included with Checklist Item 4 is a preliminary map of the Project turbine layout.

Describe the ability of your company to locate or relocate in another state or another region of the state.

CPV Rattlesnake Den Renewable Energy Company, LLC is a joint venture of GE Energy ("GE") and CPV Renewable Energy Company, LLC ("CPV REC"). GE is the group within the General Electric conglomerate that focuses on the energy industry. GE is comprised of GE Oil & Gas, GE Energy Management and GE Power & Water. The renewable energy group, which is a worldwide leader in the manufacturing and installation of wind turbines, is under GE Power & Water. CPV REC is a subsidiary of Competitive Power Ventures Holdings, LLC, a leading North American electric power development and asset management company. CPV REC focuses on the development of wind and solar projects. CPV REC has been awarded 700 MW of power purchase agreements since 2008 and has caused approximately 550 MW of wind generation projects to be constructed and brought into operation.

CPV REC is currently evaluating which of its development projects it will invest in and move development/construction forward in 2013/2014. In addition to CPV Rattlesnake Den, CPV REC is in late stage development of wind projects in Kansas, Mexico and Canada. Also, CPV Power Development Inc., CPV REC's sister company that develops thermal power generation projects, is seeking investment to

Checklist Item 4

move forward with the construction of two large thermal generation projects in New Jersey and Maryland.

Obtaining an appraised value limitation on qualified property is crucial to the decision to move the Rattlesnake Den Project forward. The absence of the tax benefit from the value limitation renders the project unable to complete economically in the ERCOT market and thus unable to obtain a commercial contract. CPV requires a commercial contract to obtain financing to construct the Project.

Checklist Item 6

Description of Qualified Investment

CPV Rattlesnake Den Renewable Energy Company, LLC

Describe the qualified investment. [See 313.021(1).]

Attach the following items to this application:

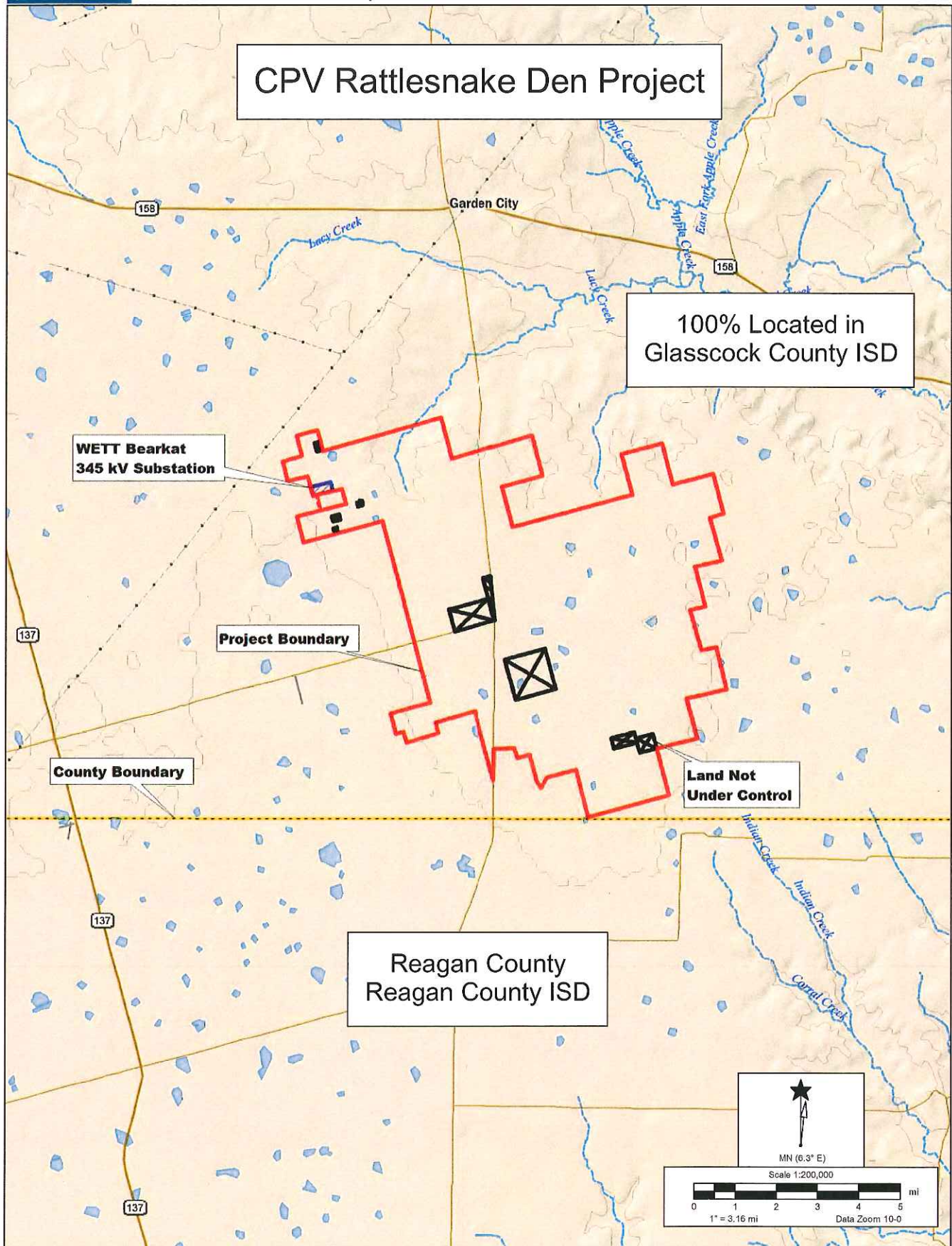
- (1) A specific and detailed description of the qualified investment you propose to make on the property for which you are requesting an appraised value limitation as defined by Tax Code§313.021,**
- (2) A description of any new buildings, proposed improvements or personal property which you intend to include as part of your minimum qualified investment and**
- (3) A map of the qualified investment showing location of new buildings or new improvements with vicinity map.**

CPV Rattlesnake Den Renewable Energy Company, LLC plans to construct an approximately 200 MW wind powered electric generating facility (the "Project"). The Project expects to install 118 GE 1.7 MW wind turbine generators however, the exact locations of the turbines have not been finalized. The improvements the Project intends to install which would contribute to the qualified investment are:

- Wind Turbine Generators
- Turbine Foundations
- Turbine FAA Lighting
- Roads, Turnouts and Crane Pads
- Underground Electric, Communication & Data Collection System
- Electric Transformers
- Project 345 kV Substation
- Underground and/or Overhead Electric Transmission Facilities
- Interconnection Facilities
- Appurtenant Electrical Equipment
- Administration / Operations & Maintenance Building
- Equipment Spares
- Permanent and Temporary Meteorological Towers
- Any and all other equipment associated with the safe and proper operation of a wind powered electric generating facility

A map of the Project's preliminary turbine layout is included with Checklist Item 4.

The description of the qualified investment describes the qualified property.



Data use subject to license.

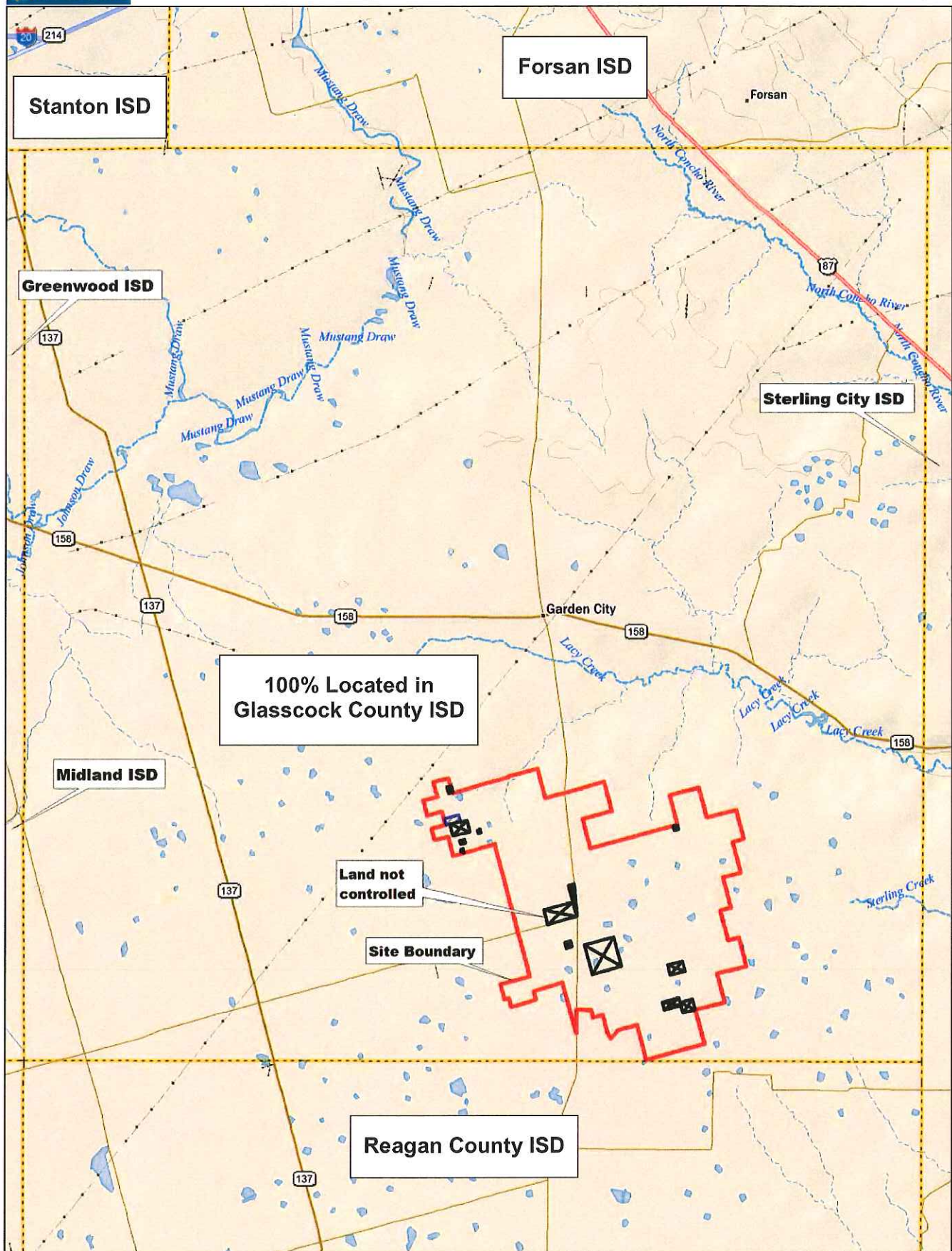
© DeLorme. XMap® 7.

www.delorme.com

Checklist Item 7
Map of Qualified Investment



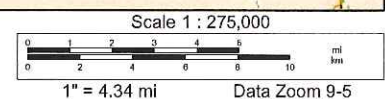
XMap® 7



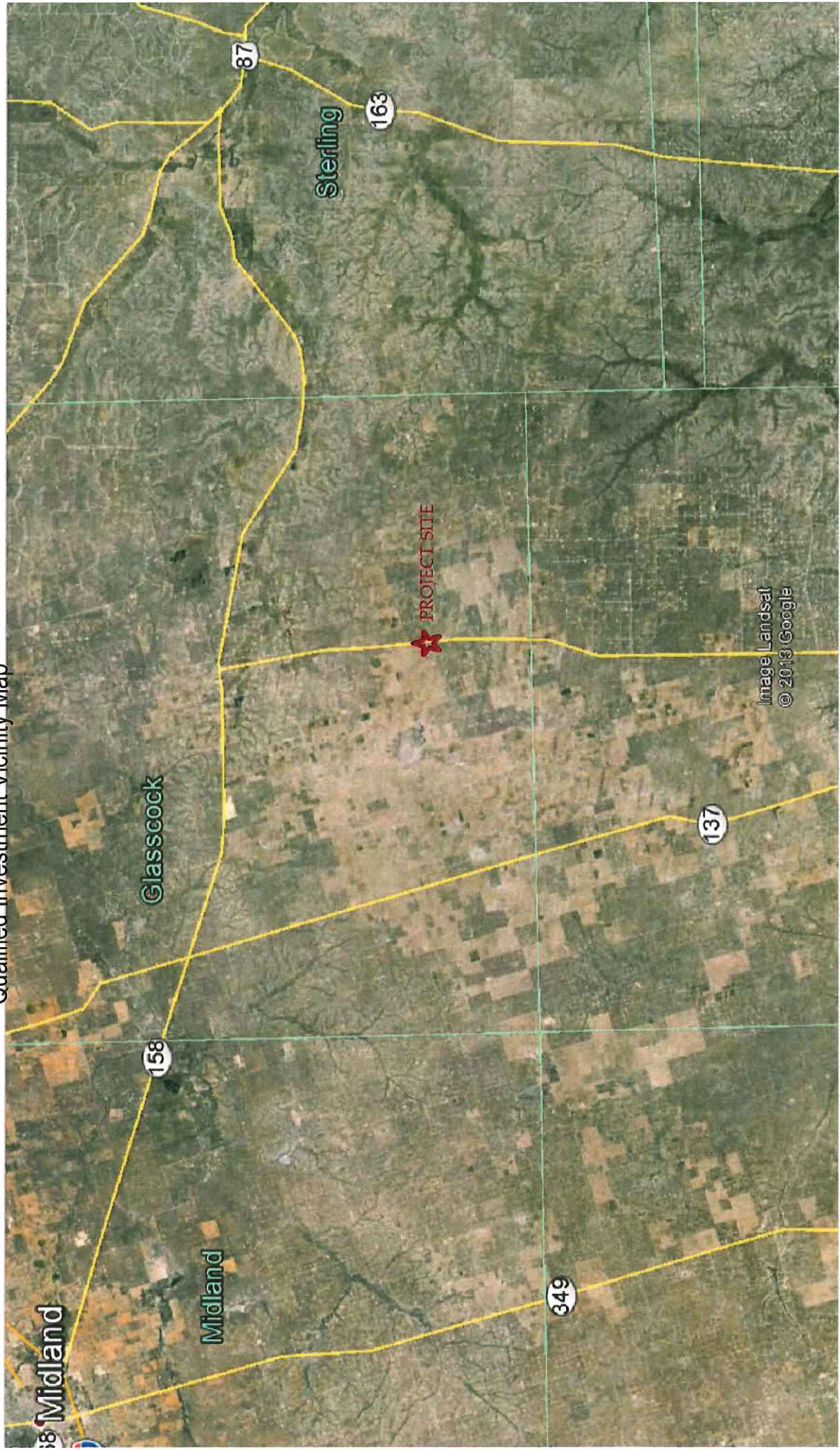
Data use subject to license.

© DeLorme. XMap® 7.

www.delorme.com



Checklist Item 7
Qualified Investment Vicinity Map



Checklist Item 10

Description of Land

CPV Rattlesnake Den Renewable Energy Company, LLC

T. & P. R.R. Co., Block 34, Township 4-S

Sections 31, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48

T. & P. R.R. Co., Block 34, Township 5-S

Sections 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 34, 35, 36, 37, 38, 39, 47, 48

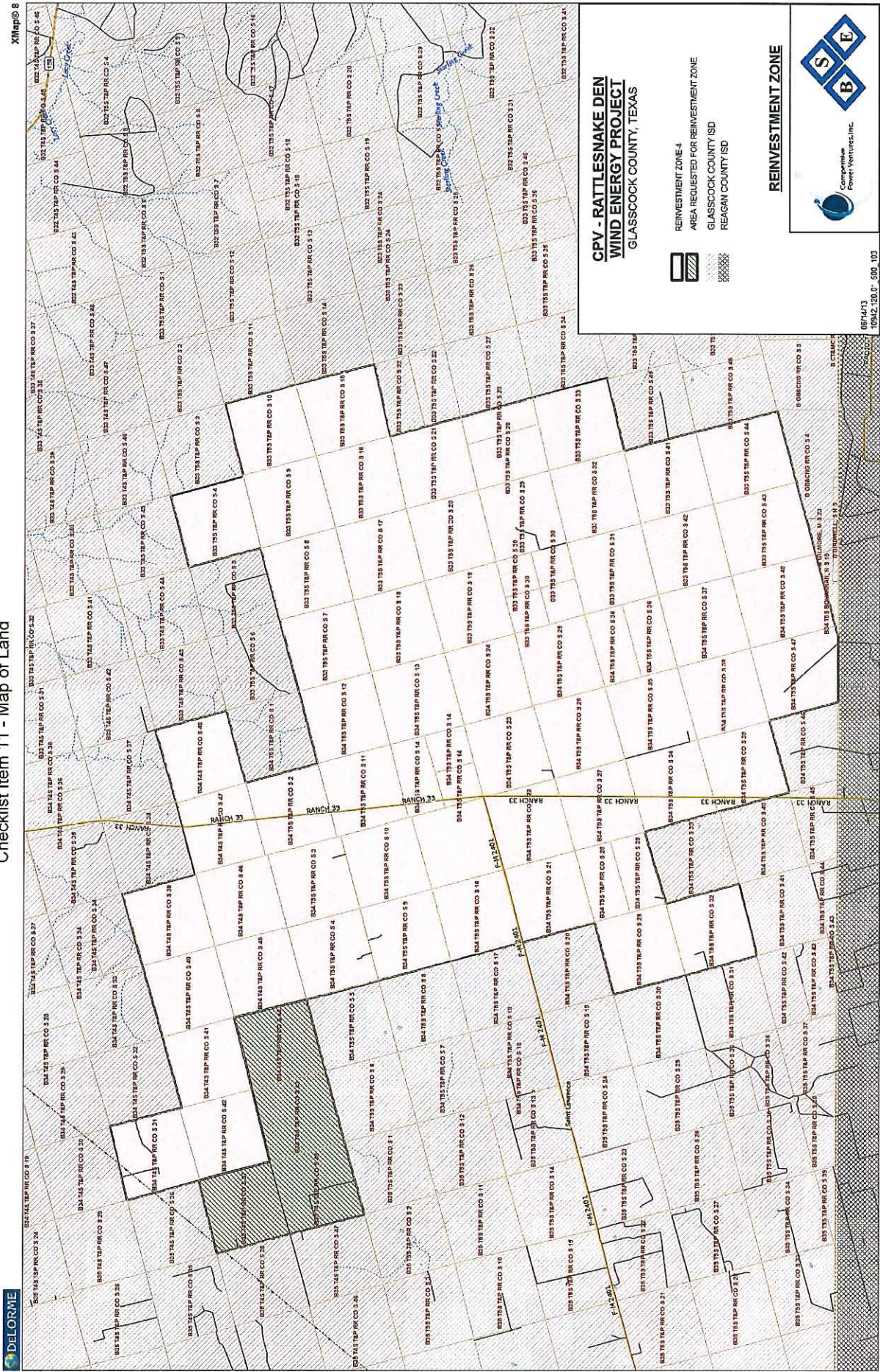
T. & P. R.R. Co., Block 33, Township 5-S

Sections 4, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, 41, 42, 43, 44

T. & P. R.R. Co., Block 35, Township 4-S

Sections 37, 48

Checklist Item 11 - Map of Land



Data use subject to license.
© DeLorme, XMap® 8.
www.delorme.com

Checklist Item 14
County and Regional Wage Calculations

	Hourly	Weekly	Annual
Glasscock County Average Wage	\$ 15.67	\$ 626.75	\$ 32,591.00
110% of Glasscock County Average Wage	\$ 17.24	\$ 689.43	\$ 35,850.10
Glasscock County Avg. Mfg. Wage	No data available		
110% of Glasscock County Avg. Mfg. Wage	No data available		
Permian Basin RPC Avg. Mfg. Wage	\$ 21.93	\$ 877.38	\$ 45,624.00
110% of Permian Basin RPC Avg. Mfg. Wage	\$ 24.12	\$ 965.12	\$ 50,186.40










Glasscock County Average Weekly Wage Calc.	
2012 - 2nd Quarter	\$ 605.00
2012 - 3rd Quarter	\$ 607.00
2012 - 4th Quarter	\$ 740.00
2013 - 1st Quarter	\$ 555.00
Average	\$ 626.75

Checklist Item 14

Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

 Year	 Period	 Area	 Ownership	 Division	 Level	 Ind Code	 Industry	 Avg Weekly Wages
2012	1st Qtr	Glasscock County	Total All	00	0	10	Total, All Industries	\$607
2012	2nd Qtr	Glasscock County	Total All	00	0	10	Total, All Industries	\$605
2012	3rd Qtr	Glasscock County	Total All	00	0	10	Total, All Industries	\$607
2012	4th Qtr	Glasscock County	Total All	00	0	10	Total, All Industries	\$740
2013	1st Qtr	Glasscock County	Total All	00	0	10	Total, All Industries	\$555

Checklist Item 14

2012 Manufacturing Wages by Council of Government Region Wages for All Occupations

COG	Wages	
	Hourly	Annual
Texas	\$23.56	\$48,996
<u>1. Panhandle Regional Planning Commission</u>	\$20.12	\$41,850
<u>2. South Plains Association of Governments</u>	\$16.18	\$33,662
<u>3. NORTEX Regional Planning Commission</u>	\$17.83	\$37,076
<u>4. North Central Texas Council of Governments</u>	\$24.68	\$51,333
<u>5. Ark-Tex Council of Governments</u>	\$16.84	\$35,032
<u>6. East Texas Council of Governments</u>	\$19.61	\$40,797
<u>7. West Central Texas Council of Governments</u>	\$18.24	\$37,941
<u>8. Rio Grande Council of Governments</u>	\$16.17	\$33,631
<u>9. Permian Basin Regional Planning Commission</u>	\$21.93	\$45,624
<u>10. Concho Valley Council of Governments</u>	\$16.33	\$33,956
<u>11. Heart of Texas Council of Governments</u>	\$19.07	\$39,670
<u>12. Capital Area Council of Governments</u>	\$26.03	\$54,146
<u>13. Brazos Valley Council of Governments</u>	\$16.55	\$34,424
<u>14. Deep East Texas Council of Governments</u>	\$16.20	\$33,698
<u>15. South East Texas Regional Planning Commission</u>	\$29.38	\$61,118
<u>16. Houston-Galveston Area Council</u>	\$26.59	\$55,317
<u>17. Golden Crescent Regional Planning Commission</u>	\$21.03	\$43,742
<u>18. Alamo Area Council of Governments</u>	\$18.40	\$38,280
<u>19. South Texas Development Council</u>	\$13.54	\$28,170
<u>20. Coastal Bend Council of Governments</u>	\$22.97	\$47,786
<u>21. Lower Rio Grande Valley Development Council</u>	\$16.33	\$33,961
<u>22. Texoma Council of Governments</u>	\$22.57	\$46,949
<u>23. Central Texas Council of Governments</u>	\$17.16	\$35,689
<u>24. Middle Rio Grande Development Council</u>	\$18.93	\$39,380

Source: Texas Occupational Employment and Wages

Data published: July 2013

Data published annually, next update will be July 31, 2014

Note: Data is not supported by the Bureau of Labor Statistics (BLS).

Wage data is produced from Texas OES data, and is not to be compared to BLS estimates.

Data intended for TAC 313 purposes only.

Checklist Item 15

Description of Benefits

CPV Rattlesnake Den Renewable Energy Company, LLC

Describe each type of benefits to be offered to qualifying jobholders.

The following benefits will be offered to all full time employees with CPV Rattlesnake Den Renewable Energy Company, LLC.

- Retirement and 401k Plans
- Medical Insurance
- Prescription Plan
- Dental Insurance
- Vision Benefit
- FlexLeave
- Short Term Disability
- Long Term Disability
- Life Insurance
- Accidental Death & Dismemberment
- Flexible Spending Accounts
- Holidays
- Jury/Witness Duty
- Armed Forces Reserve Leave
- Employee Assistance Program
- Student Scholarship Program
- Educational Assistance Program

Schedule A (Rev. May 2010): Investment

Applicant Name CPV Rattlesnake Den Renewable Energy Company, LLC
 ISD Name Glasscock County ISD

Form 50-296

PROPERTY INVESTMENT AMOUNTS												
(Estimated investment in each year. Do not put cumulative totals.)												
	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	Column A: Tangible Personal Property The amount of new investment (original cost) placed in service during this year	Column B: Building or permanent nonremovable component of building (annual amount only)	Column C: Sum of A and B Qualifying investment (during the qualifying time period)	Column D: Other investment that is not qualified investment but investment affecting economic impact and total value	Column E: Total investment (A+B+D)					
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)	Investment made before filing complete application with district (neither qualified property nor eligible to become qualified investment)	Investment made after filing complete application with district, but before final board approval of application (eligible to become qualified property)	Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period (qualified investment and eligible to become qualified property)	1	2014-2015	2014	\$ 1,000,000.00	\$ -	\$ -	\$ -	\$ -	
				2	2015-2016	2015	\$ 307,800,000.00	\$ 1,200,000.00	\$ 309,000,000.00	\$ -	\$ -	\$ -
				3	2016-2017	2016	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				4	2017-2018	2017	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				5	2018-2019	2018	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				6	2019-2020	2019	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				7	2020-2021	2020	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				8	2021-2022	2021	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				9	2022-2023	2022	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				10	2023-2024	2023	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				11	2024-2025	2024	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				12	2025-2026	2025	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				13	2026-2027	2026	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				14	2027-2028	2027	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				15	2028-2029	2028	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Tax Credit Period (with 50% cap on credit)	Complete tax years of qualifying time period											
Credit Settle-Up Period	Continue to Maintain Viable Presence											
Post-Settle-Up Period	Post-Settle-Up Period											

Qualifying Time Period usually begins with the final board approval of the application and extends generally for the following two complete tax years.
 Column A: This represents the total dollar amount of planned investment in tangible personal property the applicant considers qualified investment - as defined in Tax Code §313.021(1)(A)-(D).
 For the purposes of investment, please list amount invested each year, not cumulative totals.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings that the applicant considers qualified investment under Tax Code §313.021(1)(E).

Column C: Dollar value of other investment that may not be qualified investment but that may affect economic impact and total value for planning, construction and operation of the facility.
 The most significant example for many projects would be land. Other examples may be items such as professional services, etc.

Column D: Note: Land can be listed as part of investment during the "pre-year 1" time period. It cannot be part of qualifying investment.

Notes: For advanced clean energy projects, nuclear projects, projects with deferred qualifying time periods, and projects with lengthy application review periods, insert additional rows as needed.

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE

6-3-13

Schedule B (Rev. May 2010): Estimated Market And Taxable Value
CPV Rattlesnake Den Renewable Energy Company, LLC

Form 50-296

Applicant Name
ISD Name

Glasscock County ISD

	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Qualified Property			Reductions from Market Value	Estimated Taxable Value	
				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 building or "in or on the new improvement"		Final taxable value for I&S - after all reductions	Final taxable value for M&O--after all reductions
	pre- year 1	2013-2014	2013	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Tax Credit Period (with 50% cap on credit)	1	2014-2015	2014	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	2	2015-2016	2015	\$ -	\$ 1,200,000	\$ 308,800,000	\$ -	\$ 310,000,000	\$ 310,000,000
	3	2016-2017	2016	\$ -	\$ 1,140,000	\$ 293,360,000	\$ -	\$ 294,500,000	\$ 30,000,000
	4	2017-2018	2017	\$ -	\$ 1,080,000	\$ 277,920,000	\$ -	\$ 279,000,000	\$ 30,000,000
	5	2018-2019	2018	\$ -	\$ 1,020,000	\$ 262,480,000	\$ -	\$ 263,500,000	\$ 30,000,000
	6	2019-2020	2019	\$ -	\$ 960,000	\$ 247,040,000	\$ -	\$ 248,000,000	\$ 30,000,000
	7	2020-2021	2020	\$ -	\$ 900,000	\$ 231,600,000	\$ -	\$ 232,500,000	\$ 30,000,000
	8	2021-2022	2021	\$ -	\$ 840,000	\$ 216,160,000	\$ -	\$ 217,000,000	\$ 30,000,000
	9	2022-2023	2022	\$ -	\$ 780,000	\$ 200,720,000	\$ -	\$ 201,500,000	\$ 30,000,000
	10	2023-2024	2023	\$ -	\$ 720,000	\$ 185,280,000	\$ -	\$ 186,000,000	\$ 30,000,000
	11	2024-2025	2024	\$ -	\$ 660,000	\$ 169,840,000	\$ -	\$ 170,500,000	\$ 170,500,000
	12	2025-2026	2025	\$ -	\$ 600,000	\$ 154,400,000	\$ -	\$ 155,000,000	\$ 155,000,000
	13	2026-2027	2026	\$ -	\$ 540,000	\$ 138,960,000	\$ -	\$ 139,500,000	\$ 139,500,000
	14	2027-2028	2027	\$ -	\$ 480,000	\$ 123,520,000	\$ -	\$ 124,000,000	\$ 124,000,000
	15	2028-2029	2028	\$ -	\$ 420,000	\$ 108,080,000	\$ -	\$ 108,500,000	\$ 108,500,000

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

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE

6-3-13

Schedule C- Application: Employment Information

Applicant Name CPV Rattlesnake Den Renewable Energy Company, LLC
ISD Name Glasscock County ISD

Form 50-296

		Construction		New Jobs		Qualifying Jobs	
		Column A: Number of Construction FTE's or man- hours (specify)	Column B: Average annual wage rates for construction workers	Column C: Number of new jobs applicant commits to create (cumulative)	Column D: Average annual wage rate for all new jobs.	Column E: Number of qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column F: Average annual wage of qualifying jobs
	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY				
	pre-year 1	2013-2014	2013	10 FTE	\$ 62,000		
	1	2014-2015	2014	200 FTE	\$ 62,000	10	\$ 50,186.40
	2	2015-2016	2015			10	\$ 50,186.40
	3	2016-2017	2016			10	\$ 50,186.40
	4	2017-2018	2017			10	\$ 50,186.40
	5	2018-2019	2018			10	\$ 50,186.40
	6	2019-2020	2019			10	\$ 50,186.40
	7	2020-2021	2020			10	\$ 50,186.40
	8	2021-2022	2021			10	\$ 50,186.40
	9	2022-2023	2022			10	\$ 50,186.40
	10	2023-2024	2023			10	\$ 50,186.40
	11	2024-2025	2024			10	\$ 50,186.40
	12	2025-2026	2025			10	\$ 50,186.40
	13	2026-2027	2026			10	\$ 50,186.40
	14	2027-2028	2027			10	\$ 50,186.40
	15	2028-2029	2028			10	\$ 50,186.40
Tax Credit Period (with 50% cap on credit)	Complete tax years of qualifying time period						
	Value Limitation Period						
Credit Settle-Up Period	Continue to Maintain Viable Presence						
	Post- Settle-Up Period						
	Post- Settle-Up Period						

Notes: For job definitions see TAC §9.1051(14) and Tax Code §313.021(3).

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

6-3-13

DATE

Schedule D: (Rev. May 2010): Other Tax Information

Applicant Name CPV Rattlesnake Den Renewable Energy Company, LLC				ISD Name Glasscock County ISD		Form 50-296 Other Property Tax Abatements Sought			
Sales Tax Information				Franchise Tax	County	City	Hospital	Other	
Year	School Year (YYYY-YYYY)	Tax/ Calendar Year YYYY	Column F: Estimate of total annual expenditures* subject to state sales tax	Column G: Estimate of total annual expenditures* made in Texas NOT subject to sales tax	Column H: Estimate of Franchise tax due from (or attributable to) the applicant	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)	2013-2014	2013	\$ -	\$ 1,000,000	\$ -	0%	N/A	0%	
Tax Credit Period (with 50% cap on credit)	Complete tax years of qualifying time period	1	\$ 5,000,000	\$ 304,000,000	\$ 54,320	60%	N/A	0%	
		2	\$ -	\$ -	\$ 231,322	60%	N/A	0%	
		3	\$ -	\$ -	\$ 231,322	60%	N/A	0%	
		4	\$ -	\$ -	\$ 231,322	60%	N/A	0%	
		5	\$ -	\$ -	\$ 231,322	60%	N/A	0%	
	Value Limitation Period	6	\$ -	\$ -	\$ 243,132	40%	N/A	0%	
		7	\$ -	\$ -	\$ 281,614	40%	N/A	0%	
		8	\$ -	\$ -	\$ 281,614	40%	N/A	0%	
		9	\$ -	\$ -	\$ 281,614	40%	N/A	0%	
		10	\$ -	\$ -	\$ 281,614	40%	N/A	0%	
	Continue to Maintain Viable Presence	11	\$ -	\$ -	\$ 281,614	0%	N/A	0%	
		12	\$ -	\$ -	\$ 281,614	0%	N/A	0%	
		13	\$ -	\$ -	\$ 281,614	0%	N/A	0%	
		14	\$ -	\$ -	\$ 281,614	0%	N/A	0%	
		15	\$ -	\$ -	\$ 281,614	0%	N/A	0%	
Credit Settle-Up Period									
Post-Settle-Up Period									

*For planning, construction and operation of the facility.



SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

6-3-13

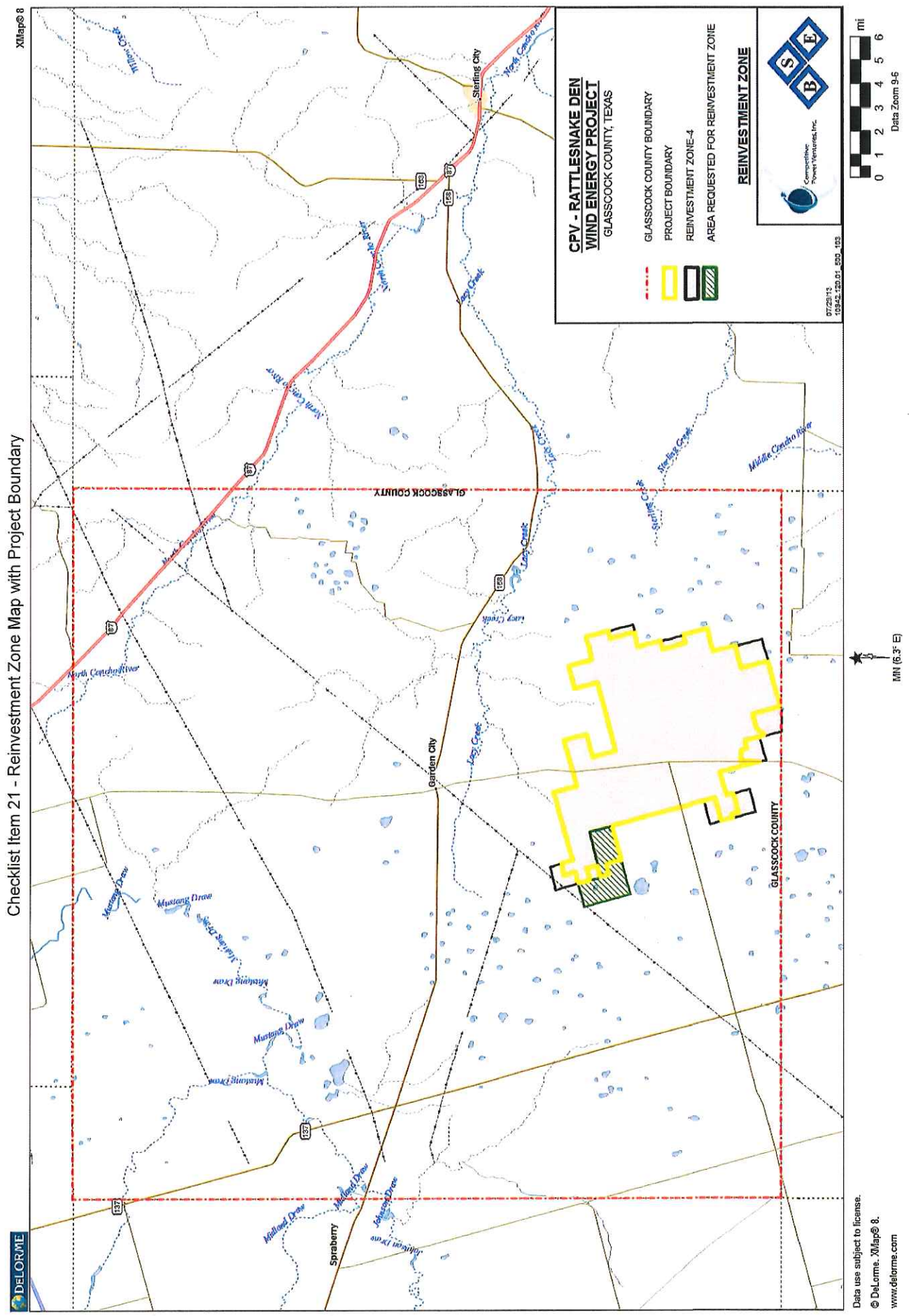
DATE

Checklist Item 21 - Reinvestment Zone Map



Data use subject to license.
© DeLorme, XMap® 8.
www.delorme.com

Checklist Item 21 - Reinvestment Zone Map with Project Boundary



532

Glasscock County Commissioners Court

Notice of Public Hearing

**Tuesday, June 28, 2011 at 8:30 a.m. in the Glasscock County Courtroom,
Glasscock County Courthouse at 117 E. Currie, Garden City, Texas**

The Commissioner's Court, Glasscock County will meet in a special public hearing to consider the following items:

Creation of Reinvestment Zone

The property designated by CPV Rattlesnake Den Renewable Energy Company, LLC, is intended for use as a wind power generation facility, electrical substation, associated transmission facilities and lines, and operations facility by CPV Rattlesnake Den Renewable Energy Company, LLC, and consists of:

All the real property located in Glasscock County and contained in sections 31, 39, 40, 41, 42, 45, 46, 47 and 48, Block 34, Township 4-S, T & P RR Co. Survey, Glasscock County, Texas.

All of the real property located in Glasscock County and contained in sections 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 34, 35, 36, 37, 38, 39, 47 and 48, Block 34, Township 5-S, T & P RR Co. Survey, Glasscock County, Texas.

All of the real property located in Glasscock County and contained in sections 4, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, 41, 42, 43 and 44, Block 33, Township 5-S, T & P RR Co. Survey, Glasscock County, Texas.

Lynn Helgmann

FILED June 22 20 11

Robert Bodd
County Clerk Glasscock County, Tex.

by: _____ Deputy



True and correct copy
of original filed in the
Glasscock County
Clerks Office

Page 1 of 12

GLASSCOCK COUNTY COMMISSIONERS COURT

PUBLIC HEARING

To Consider Creation of Reinvestment Zone

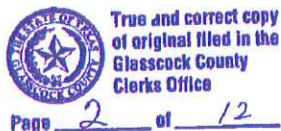
Tuesday, June 28, 2011 at 8:30 A.M.

Present: Judge Kim Halfmann,
Commissioners: Jimmy Strube, Mark Halfmann, Gary Jones and Michael Hoch,
Deputy County Clerk: Suzie Hillger

Also Present: Robert A. Mastria Jr. from Competitive Power Ventures, Inc.
Steve Long
Jo Melanie Calverly

Rob Mastria Jr. gave a discussion on the proposed zone project with CPV
Rattlesnake Den Renewable Energy Co. LLC and offered to answer any questions
about the project. Commissioners reviewed the map.

Hearing ended at 8:55 A.M.



534

GLASSCOCK COUNTY COMMISSIONER'S COURT
NOTICE OF OPEN MEETING
OF THE COMMISSIONER'S COURT OF GLASSCOCK COUNTY, TEXAS

Notice is hereby given that a Special Meeting of the Glasscock County Commissioner's Court will be held on the 28th day of June, 2011 at 9:00 a.m., at 117 E. Currie in the Courtroom, Glasscock County Courthouse, Garden City, Texas, 432-354-2639, at which time the Court will discuss/consider action on or concerning the following items, which may be considered in a different order than here presented:

Call to Order

1. Order establishing a reinvestment zone
2. Declaration of eligibility for tax abatements
3. Consider award of bid for 2011 county asphalt resurfacing and authorization for county judge to sign contract
4. Public comment
5. Announcements
6. Future agenda items
7. Order for Adjournment

Pursuant to the authority granted under Government Code, Chapter 551, the Commissioner's Court may convene a closed session to discuss any of the above agenda items. Immediately before any closed session, the specific section or sections of the Government Code which provides statutory authority will be announced. Any final actions, decisions or votes will be taken in open meeting.

Kim Halffman

FILED June 23 20 11
Rubus Ball
County Clerk Glasscock County, Tex.
by: _____ Deputy



True and correct copy
of original filed in the
Glasscock County
Clerks Office

Page 3 of 12

GLASSCOCK COUNTY COMMISSIONERS COURT
GLASSCOCK COUNTY COURTHOUSE
SPECIAL MEETING

On June 28, 2011 at 9:00 A.M. Commissioners Court of Glasscock County met at the Courthouse in Garden City, Texas. There was present and presiding County Judge Kim Halfmann; County Commissioners: Jimmy Strube, Mark Halfmann, Gary Jones and Michael Hoch. Also present County Deputy Clerk Suzie Hillger.

Gary Jones made a motion to open court and duly seconded by Michael Hoch. Unanimous.

ORDER #1-----Order establishing a reinvestment zone

Jimmy Strube made a motion to approve an order establishing a reinvestment zone, known as Reinvestment Zone -4, and duly seconded by Mark Halfmann. Unanimous
See attachment

ORDER #2-----Declaration of eligibility for tax abatements

Mark Halfmann made a motion to approve a declaration of eligibility for tax abatements within the previously established reinvestment zone and duly seconded by Gary Jones. Unanimous See attachment

ORDER #3-----Consider award of bid for 2011 county asphalt resurfacing and authorization for County Judge to sign contract

Michael Hoch made a motion to accept the Asphalt surfacing bid from Ronald R. Wagner & Co. and duly seconded by Gary Jones. Unanimous See attachment

Michael Hoch made a motion for the County Judge Kim Halfmann to sign the contract and duly seconded by Mark Halfmann. Unanimous

ORDER #4-----Public comment

Commissioners reviewed the plans for boundaries for redistricting. Kim Halfmann made a suggestion for a public hearing before the July meeting on this matter.

ORDER #5-----Announcements


There were no announcements.


ORDER #6-----Future Agenda items


Regular July meeting to be July 11, 2011 at 9:00 AM
Public hearing regarding redistricting at 8:30 AM on July 11, 2011, if plans can be made for necessary persons to attend.

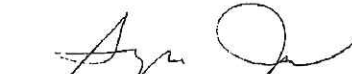
ORDER #7-----Order for adjournment

Jimmy Strube made a motion to adjourn and duly seconded by Michael Hoch. Unanimous


County Judge Kim Halfmann


Precinct 1-----Jimmy Strube


Precinct 2-----Mark Halfmann


Precinct 3-----Gary Jones


Precinct 4-----Michael Hoch


Attested---Rebecca Batla



True and correct copy
of original filed in the
Glasscock County
Clerks Office

536

Designation of
Glasscock County
Reinvestment Zone

§
§
§

The Commissioners' Court
of
Glasscock County, Texas

ORDER

**Approving Motion for Designation
of Glasscock County Reinvestment Zone**

The Commissioners' Court of Glasscock County, Texas, meeting in special session on the 28th day of June, 2011, considered the following resolution:

BE IT ORDERED BY THE COMMISSIONERS' COURT OF GLASSCOCK COUNTY, TEXAS AS FOLLOWS

Motion by Commissioner Hallman seconded by Commissioner Strickland that the following action be taken by the court:

1. THAT Glasscock County hereby designates the property located in Glasscock County, having the boundary description in Exhibit A and shown on the map in Exhibit B, both attached to this Order, as a Reinvestment Zone under the Glasscock County Guidelines and Criteria for Granting Tax Abatements, having determined that the designation will contribute to the retention or expansion of primary employment and will attract major investment in the zone that will benefit the zone and will contribute to the economic development of the County, and
2. THAT Glasscock County hereby certifies as correct and accurate the description and boundaries depicted on the attached Exhibits A and B; and
3. THAT Glasscock County hereby declares itself eligible to participate in tax abatements as authorized by Chapter 312 of the Texas Tax Code.
4. THAT the zone shall be called the "Reinvestment Zone-4"



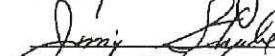
True and correct copy
of original filed in the
Glasscock County
Clerks Office

Page 5 of 12

537


This ORDER shall become effective as of June 28, 2011. PASSED AND APPROVED at this public hearing of the Glasscock County Commissioners Court, at which a quorum was present, on the 28th day of June, 2011.

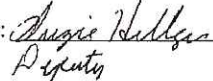
 KIM HALFMANN, Glasscock County Judge

 JIMMY STRUBE, Commissioner Precinct 1

 MARK HALFMANN, Commissioner Precinct 2

 GARY JONES, Commissioner Precinct 3

 MICHAEL HOCH, Commissioner Precinct 4

ATTESTED:  Rebecca Balta, County Clerk
Deputy



True and correct copy
of original filed in the
Glasscock County
Clerks Office

Page 6 of 12

538

Exhibit A
Legal Description of Reinvestment Zone

T. & P. R.R. Co., Block 34, Township 4-S

Sections 31, 39, 40, 41, 42, 45, 46, 47, 48

T. & P. R.R. Co., Block 34, Township 5-S

Sections 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 34, 35, 36, 37, 38, 39, 47, 48

T. & P. R.R. Co., Block 33, Township 5-S


Sections 4, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, 41, 42, 43, 44



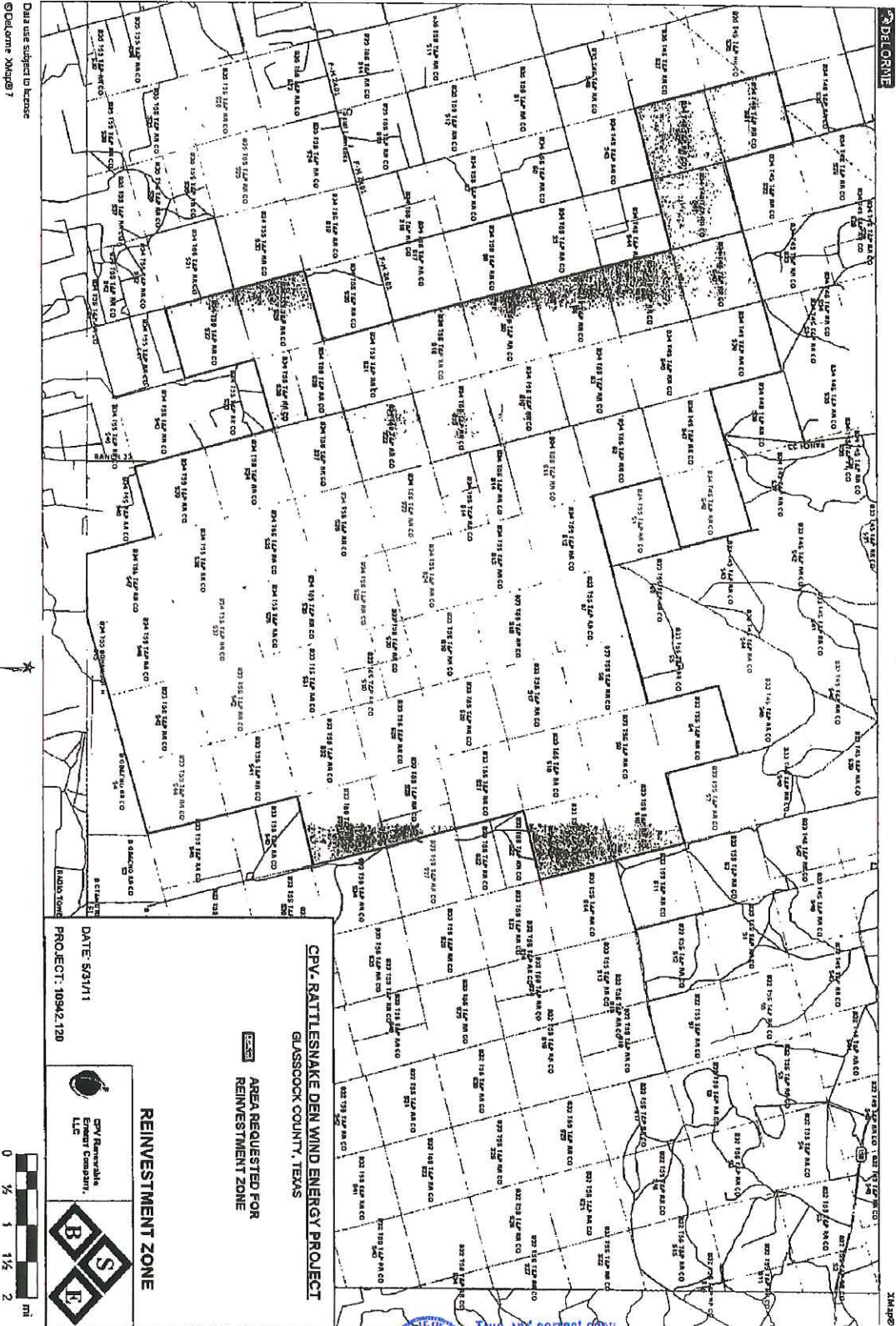
True and correct copy
of original filed in the
Glascock County
Clerks Office

Page 7 of 12

Exhibit B
Map of Reinvestment Zone

 True and correct copy
of original filed in the
Glasscock County
Clerks Office
Page 8 of 12

Checklist Items 22, 23 & 24



Data not subject to license
© Outcome Manager 7



True and correct copy
of original filed in the
Glasscock County
Clerks Office

COMMISSIONERS' COURT OF GLASSCOCK COUNTY
GLASSCOCK COUNTY COURTHOUSE
GARDEN CITY, TEXAS

ORDER

The Commissioners' Court of Glasscock County, Texas, meeting in a special session on the 28th day of June, 2011, considered the following resolution:

BE IT ORDERED BY THE COMMISSIONERS' COURT OF GLASSCOCK COUNTY, TEXAS AS FOLLOWS:

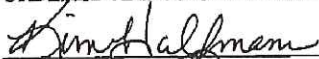
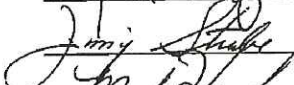

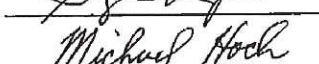
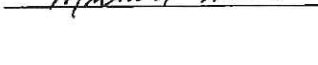
THAT the portion of Glasscock County, Texas described in Exhibit "A" attached hereto and incorporated by reference is hereby designated as a Reinvestment Zone pursuant to V.T.C.A Tax Code Section 312.001, et seq.; and

THAT the Commissioners' Court of Glasscock County, Texas finds that the designation is reasonably likely to contribute to the retention or expansion of primary employment or attract major investment in the zone that would be a benefit to the property and will contribute to the economic development of the community.

THEREFORE, in compliance with V.T.C.A. Tax Code 312 and based upon the above described findings, the Commissioners' Court of Glasscock County, Texas, hereby designate the area described in Exhibit "A" attached hereto and incorporated by reference as a Reinvestment Zone,

This order shall become effective as of June 28, 2011.

ORDERED AND ADOPTED this 28th day of June, 2011.

	KIM HALFMANN, Glasscock County Judge
	JIMMY STRUBE, Commissioner Precinct 1
	MARK HALFMANN, Commissioner Precinct 2
	GARY JONES, Commissioner Precinct 3
	MICHAEL HOCH, Commissioner Precinct 4



True and correct copy
of original filed in the
Glasscock County
Clerks Office

Page 10 of 12

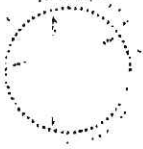
Checklist Items 22, 23 & 24

542

The foregoing Order is a true and correct copy of the actual Order passed by the Commissioners' Court in open and regular session at the Glasscock County Courthouse at 9:15 am, on the 28th day of June, 2011.

Rebecca Batla

Rebecca Batla, County Clerk
Glasscock County, Texas



True and correct copy
of original filed in the
Glasscock County
Clerks Office

Page 11 of 12

Checklist Items 22, 23 & 24

543

Exhibit "A"

Reinvestment Zone

Adopted June 28, 2011

T. & P. R.R. Co., Block 34, Township 4-S

Sections 31, 39, 40, 41, 42, 45, 46, 47, 48

T. & P. R.R. Co., Block 34, Township 5-S

Sections 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 34, 35, 36, 37, 38, 39, 47, 48

T. & P. R.R. Co., Block 33, Township 5-S

Sections 4, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, 41, 42, 43, 44



True and correct copy
of original filed in the
Glasscock County
Clerks Office

Page 12 of 12

**CERTIFIED TRUE AND CORRECT COPY CERTIFICATE
STATE OF TEXAS
COUNTY OF GLASSCOCK**

The above and foregoing is a full, true and correct photographic copy of the original record now in my lawful custody and possession, as the same is filed/recorded in the CCR Records of my office, found in VOL. 15, PAGE 332



I hereby certify on 8 Aug. 2011

REBECCA BATLA, COUNTY & DISTRICT CLERK
GLASSCOCK COUNTY, TEXAS

BY Rebecca Batla DEPUTY

Checklist Items 22, 23 & 24



**CPV RENEWABLE ENERGY
COMPANY, LLC**

May 29, 2013

The Honorable Kim Halfmann
Glasscock County Judge
P.O. Box 67
Garden City, Texas 79739

**Re: CPV Rattlesnake Den Renewable Energy Company, LLC; Glasscock County
Reinvestment Zone and Property Tax Abatement Application**

Dear Judge Halfmann:

CPV Rattlesnake Den Renewable Energy Company, LLC is pleased to submit this Application for a new reinvestment zone and request to amend the Property Tax Abatement, executed August 19, 2011 for the CPV Rattlesnake Den Project to be located in Glasscock County, Texas, to include the new reinvestment zone. The legal descriptions of the properties and a map of the requested area to be designated a reinvestment zone are attached to this application.

The CPV Rattlesnake Den Project will be constructed in phases and, depending upon market conditions, turbine availability and other factors, will consist of not less than 100 megawatts to be installed in the project area. CPV anticipates that it will commence construction in December 2013 and complete construction by the end of 2014. This is a long term investment with an expected useful life in excess of twenty years. Hundreds of workers will be employed during construction and over 12 full time jobs are expected to be created for this project.

There is enclosed herewith the required application fee of \$1,000.00, made payable to the Glasscock County Clerk. This reduction in taxes would make the CPV Rattlesnake Den Project a more economically competitive project for CPV in the electricity marketplace while still providing a revenue stream to the County during the first ten years of operation. After year ten, the property tax abatement would expire and the project would pay property taxes on the then current value of the improvements.

We look forward to working with you to bring a clean renewable wind power project to Glasscock County. The CPV Rattlesnake Den Project has been years in the making and we are excited to see it through to completion. Please let me know if you have any questions or comments about the foregoing and we look forward to working with you throughout the abatement process.

CPV

COMPETITIVE POWER
VENTURES, INC.

50 BRAINTREE HILL OFFICE PARK
SUITE 300
BRAintree, MA 02184

T/781-848-0253
F/781-848-5804
WWW.CPV.COM

Checklist Items 22, 23 & 24

Respectfully submitted,

**CPV RATTLESNAKE DEN RENEWABLE
ENERGY COMPANY, LLC**

By: _____

Name: Robert Mastria

Title: Manager

Checklist Items 22, 23 & 24

Area Requested to be Designated a Reinvestment Zone

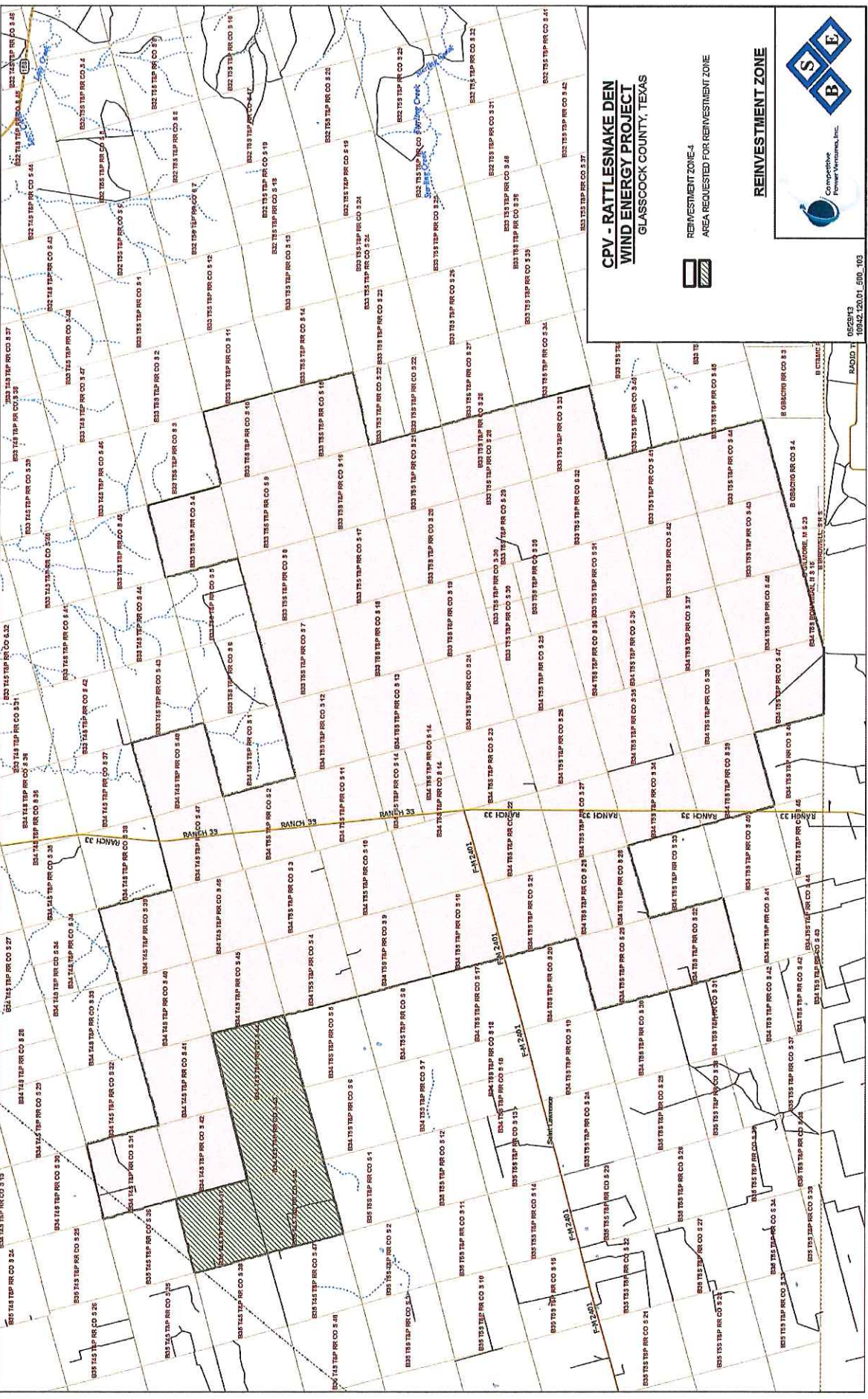
T. & P. R.R. Co., Block 34, Township 4-S

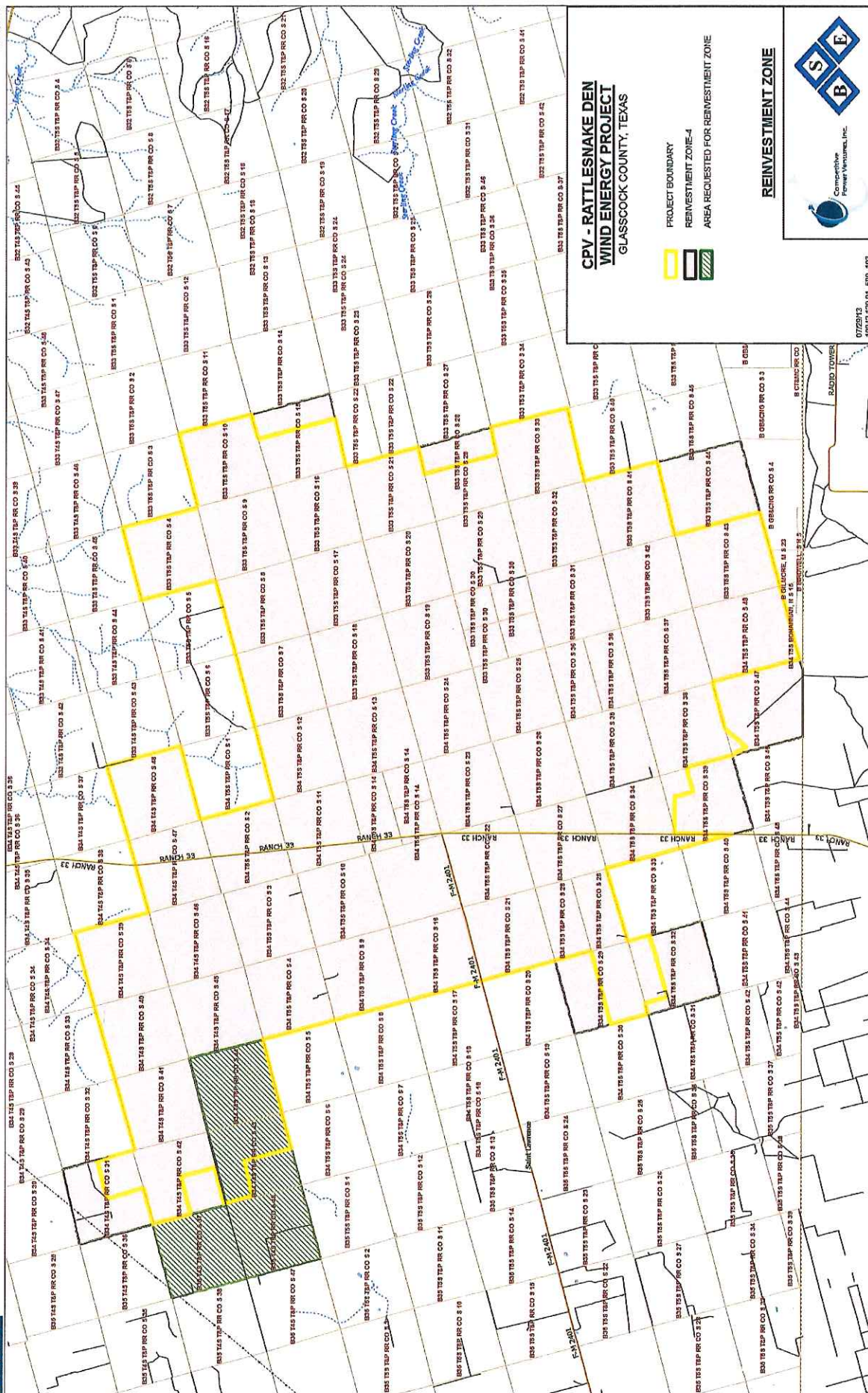
Sections 43, 44

T. & P. R.R. Co., Block 35, Township 4-S

Sections 37, 48

Checklist Items 22, 23 & 24





Data use subject to license.
© DeLorme. XMap® 8.
www.delorme.com

Glasscock County State of Texas

Tax Abatement Guidelines and Criteria

The following Guidelines and Criteria have been adopted by the Glasscock County Commissioners Court establish a uniform policy of tax abatement for owners or lessees of eligible facilities willing to execute tax abatement contracts designed to provide long-term significant positive economic impact to the community by utilizing the area contractors and work force to the maximum extent feasible, and by developing, redeveloping, and improving property, except as otherwise provided. These Guidelines and Criteria are effective as of the date adopted.

In order to be eligible for designation as a Reinvestment Zone and receive tax abatement, the planned improvement:

1. Must be reasonably expected to have an increase in positive net economic benefit to Glasscock County of at least \$1,000,000.00 over the life of the abatement, computed to include (but not limited to) new sustaining payroll and/or capital improvement. The creation of (number and type) new jobs will also factor into the decision to grant an abatement; and
2. Must not be expected to solely or primarily have the effect of transferring employment from one part of Glasscock County to another.

In addition to the criteria set forth above, the Glasscock County Commissioners Court reserves the right to negotiate a Tax Abatement Agreement in order to compete favorably with other communities.

Only that increase in the fair market value of the property directly resultant from the development, redevelopment, and improvement specified in the contract will be eligible for abatement and then only to the extent that such increase exceeds any reduction in the fair market value of the other property of the applicant located within the jurisdiction creating the Reinvestment Zone.

All abatement contracts will be no longer than allowed by law.

It is the goal of Glasscock County to grant tax abatements on the same terms and conditions as the other taxing units having jurisdiction of the property. However, nothing herein shall limit the discretion of the Glasscock County Commissioners Court to consider, adopt, modify or decline any tax abatement request.

This policy is effective as of the date adopted by the Glasscock County Commissioners Court and shall at all times be kept current with regard to the needs of Glasscock County and reflective of the official views of the County Commissioners Court. These Guidelines and Criteria shall be reviewed every two (2) years.

The adoption of these guidelines and criteria by the Glasscock County Commissioners Court does not:

1. Limit the discretion of the governing body to decide whether to enter into a specific Tax Abatement Agreement;
2. Limit the discretion of the governing body to delegate to its employees the authority to determine whether or not the governing body should consider a particular application or request for tax abatement; or
3. Create any property, contract, or other legal right in any person to have the governing body consider or grant a specific application or request for tax abatement;

Section 1 Definitions

- A. "Abatement" means the full or partial exemption from ad valorem taxes of certain property in a reinvestment zone designated by Glasscock County or the City of Garden City for economic development purposes.
- B. "Agreement" means a contractual agreement between a property owner and/or lessee and Glasscock County.
- C. "Base year value" means the assessed value on the eligible property as of January 1 preceding the execution of the agreement.
- D. "Deferred maintenance" means improvements necessary for continued operation which do not improve productivity or alter the process technology.
- E. "Eligible facilities" means new, expanded, or modernized buildings and structures, including fixed machinery and equipment, which is reasonably likely as a result of granting abatement to contribute to the retention or expansion of primary employment or to attract major investment in the reinvestment zone that would be a benefit to the property and that would contribute to the economic development of Glasscock County, but does not include facilities which are intended to be primarily to provide goods or services to residents for existing businesses located in Glasscock County, such as, but not limited to, restaurants and retail sales establishments, eligible facilities may include, but shall not be limited to hotels and office buildings.
- F. "Expansion" means the addition of building structures, machinery, equipment, or payroll for purposes of increasing production capacity.
- G. "Facility" means property improvement(s) completed or in the process of construction which together comprise an interregional whole.
- H. "Modernization" means a complete or partial demolition of facilities and the complete or partial reconstruction or installation of a facility of similar or expanded production

capacity. Modernization may result from the construction, alteration, or installation of buildings, structures, machinery, or equipment, or both.

- I. "New facility" means a property previously undeveloped which is placed into service by means other than or in conjunction with expansion or modernization.
- J. "Productive life" means the number of years a property improvement is expected to be in service in a facility.

Section 2 Abatement Authorized

- A. Eligible facilities. Upon application, eligible facilities shall be considered for tax abatement as hereinafter provided.
- B. Creation of New Values. Abatement may only be granted for the additional value of eligible property improvement(s) made subsequent to and specified in an abatement agreement between Glasscock County and the property owner or lessee, subject to such limitations as Glasscock County may require.
- C. New and existing facilities. Abatement may be granted for the additional value of eligible property improvement(s) made subsequent to and specified in an abatement agreement between Glasscock County and the property owner or lessee, subject to such limitations as Glasscock County may require.
- D. Eligible property. Abatement may be extended to the value of buildings, structures, fixed machinery and equipment, site improvements, and related fixed improvements necessary to the operation and administration of the facility.
- E. Ineligible Property. The following types of property shall be fully taxable and ineligible for tax abatement: Land; supplies; tools; furnishings, and other forms of movable personal property; housing; deferred maintenance; property to be rented or leased, except as provided in Section 2 F, property which has a productive life of less than ten (10) years.
- F. Owned/leased facilities. If a leased facility is granted abatement, the agreement shall be executed with the lessor and the lessee.
- G. Economic Qualifications. In order to be eligible for designation as a reinvestment zone and receive tax abatement, the planned improvement:
 - 1. Must be reasonably expected to have an increase in positive net benefit to Glasscock County of at least \$1,000,000.00 over the life of the abatement agreement, computed to include (but not limited to) new sustaining payroll and/or capital improvement. The creation of (number and type) new jobs will also factor into the decision to grant an abatement; and

2. Must not be expected to solely or primarily have the effect of transferring employment from one part of Glasscock County to another.

H. Standards for Tax Abatement. The following factors, among others, shall be considered in determining whether to grant tax abatement:

1. Value of existing improvements, if any;
2. Type and value of proposed improvements;
3. Productive life of proposed improvements;
4. Number of existing jobs to be retained by proposed improvements;
5. Number and type of new jobs to be created by proposed improvements;
6. Amount of local payroll to be created;
7. Whether the new jobs to be created will be filled by persons residing or projected to reside within affected taxing jurisdiction;
8. Amount which property tax base valuation will be increased during the term of abatement and after abatement, which shall include a definitive commitment that such valuation shall not, in any case, be less than \$1,000,000.00;
9. The costs to be incurred by Glasscock County to provide facilities directly resulting from the new improvements;
10. The amount of ad valorem taxes to be paid to Glasscock County during the abatement period considering:
 - a. the existing values;
 - b. the percentage of new value abated;
 - c. the abatement period; and
 - d. the value after expiration of the abatement period.
11. The population growth of Glasscock County that occurs directly as a result of new improvements;
12. The types and values of public improvements, if any, to be made by applicant seeking abatement;
13. Whether the proposed improvements compete with existing businesses to the detriment of the local economy;
14. The impact on the business opportunities of existing businesses;
15. The attraction of other new businesses to the area;
16. The overall compatibility with the zoning ordinances and comprehensive plan for the area;
17. Whether the project obtains all necessary permits from the applicable environmental agencies.

Each eligible facility shall be reviewed on its merits utilizing the factors provided above. After such review, abatement may be denied entirely or may be granted to the extent deemed appropriate after full evaluation.

I. Denial of Abatement. Neither a reinvestment zone nor abatement agreement shall be authorized if it is determined that:

1. There would be substantial adverse effect on the provision of government services or tax base;
2. The applicant has insufficient financial capacity;
3. Planned or potential use of the property would constitute a hazard to public safety, health, or morals;
4. Violation of other codes or laws; or
5. Any other reason deemed appropriate by Glasscock County.

J. Taxability. From the execution of the abatement to the end of the agreement period, taxes shall be payable as follows:

1. The value of ineligible property as provided in Section 2 E shall be fully taxable; and
2. The base year value of existing eligible property as determined each year shall be fully taxable.

The additional value of new eligible property shall be fully taxable at the end of the abatement period.

Section 3 Application

- A. Any present or potential Owner ("Owner or "Applicant" herein) of taxable property in Glasscock County may request the creation of a reinvestment zone and tax abatement by filing a written application with the County Judge.
- B. The application shall consist of a general description of the new improvements to be undertaken; a descriptive list of the improvements for which an abatement is requested; a list of the kind, number and location of all proposed improvements of the property; a map and property description; a time schedule for undertaking and completing the proposed improvements. In the case of modernization, a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately preceding the application. The County may require such financial and other information as deemed appropriate for evaluating the financial capacity and other factors pertaining to the applicant, to be attached to this application. The completed application must be accompanied by the payment of a non-refundable application fee for administrative costs associated with the processing of the tax abatement request. All checks in payment of the administrative fee shall be made payable to Glasscock County. For abatement requests for improvements with a planned value equal to or in excess of \$1,000,000.00 the fee shall be one thousand and no/100 dollars (\$1,000.00), accompanied by the agreement that the Applicant shall pay costs of publishing the statutorily required notices and reasonable attorney and consulting fees as may be incurred by Glasscock County in the examination of the application as well as the preparation and negotiation of any tax abatement agreement.

- C. Glasscock County shall give notice as provided by the Property Tax Code, including written notice, to the presiding officer of the governing body of each taxing unit in which the property to be subject to the agreement is located not later than seven (7) days before the public hearing and publication in a newspaper of general circulation within such taxing jurisdiction not later than the seventh day before the public hearing before acting upon application, Glasscock County shall, through public hearing, afford the applicant and the designated representative of any governing body referenced herein above, and the public the opportunity to show cause why the abatement should or should not be granted.
- D. If a city within Glasscock County designates a reinvestment zone within its corporate limits and enters into or proposes to enter into or proposes to enter into an abatement agreement with a present or potential owner of a taxable property, such present or potential owner of taxable property may request tax abatement by Glasscock County by following the same application process described in Section 3 A hereof. No other notice of hearing shall be required except compliance with the Open Meetings Act, unless the Commissioners Court deems them necessary in a particular case.

Section 4 Agreement

- A. After approval, the Commissioners Court of Glasscock County shall formally pass a resolution and execute an agreement with the Owner which shall:
 - 1. Include a list of the kind, number, and location of all proposed improvements to the property;
 - 2. Provide access to and authorize inspection of the property by the taxing unit to ensure compliance with the agreement;
 - 3. Limit the use of the property consistent with the taxing unit's development goals;
 - 4. Provide for recapturing property tax revenues that are lost if the Owner fails to make improvements as provided by the agreement;
 - 5. Include each term that was agreed upon with the property owner and require the Owner to annually certify compliance with the terms of the agreement to each taxing unit; and
 - 6. Allow the taxing unit to cancel or modify the agreement at any time if the property owner fails to comply with the terms of the agreement
- B. The Owner shall also agree to the following:
 - 1. A specified number of permanent full time jobs at facility shall be created, and the Owner and Lessee shall make reasonable efforts to employ persons who are residents of Glasscock County in such jobs, provided, however, that there shall be no obligation to employ residents who are not:
 - a. equally or more qualified than nonresident applicants;
 - b. available for employment on terms and/or salaries comparable to those required by nonresident applicants; or
 - c. able to become qualified with 72 hours training provided by Owner.

2. Each person employed in such job shall perform a portion, if not all, of their work in Glasscock County.
3. Owner shall agree that it and its contractors, if any, will use reasonably commercial efforts to maximize its use of goods and services available through Glasscock County businesses in the construction, operation, and maintenance of the improvements and the project; provided, however, that there shall be no requirement to use goods and services provided by Glasscock County residents that are not:
 - a. of similar quality to those provided by nonresidents; or
 - b. made available on terms and conditions (including pricing) comparable to those offered by nonresidents. Comparable price shall be defined as less than or equal to 105% of the nonresident price for equivalent quality, conditions and terms.
4. Owner or its construction contractor, if any, shall designate a coordinator of local services who will act as liaison between any individual who are interested in obtaining information about providing goods or services related to the construction of the project. Additionally, Owner or its construction contractor, if any, shall advertise in local newspapers in Glasscock County for local contractors to perform work on the construction project.
5. Owner shall agree to maintain a viable presence (as below defined) within the Reinvestment Zone for a period of time, as set by the Glasscock County Commissioners Court, not to exceed twenty (20) years from the date that the abatement agreement first takes effect. For purposes hereof, "Maintain a Viable Presence" means the operation of the Eligible Facilities, as the same may from time to time be expanded, upgraded, improved, modified, changed, remodeled, repaired, restored, reconstructed, reconfigured and/or reengineered.
5. On May 1st of each year that the agreement shall be in effect, Owner shall certify to the County Judge of Glasscock County, and to the governing body of each taxing unit, that Owner is in compliance with each applicable term set forth above.

Such agreement shall normally be executed within sixty (60) days after the applicant has forwarded all necessary information and documentation to the Commissioners Court.

Section 5 Recapture

- A. In the event that the Owner or its assignee:
1. Allows its ad valorem taxes owed Glasscock County to become delinquent and fails to timely and properly follow the legal procedures for their protest and/or contest; or
 2. Violates any of the terms and conditions of the abatement agreement and fails to cure during the cure period, the agreement then may be terminated and all taxes previously abated by virtue of the agreement will be recaptured and paid within thirty (30) days of the termination.

- B. Should Glasscock County determine that the applicant or its assignee is in default according to the terms and conditions of its agreement, Glasscock County shall notify the company or individual in writing at the address stated in the agreement, and if such is not cured within the time set forth in such notice ("Cure Period") then the agreement may be terminated.

Section 6 Administration

- A. The Chief Appraiser of the Glasscock County Appraisal District will annually determine an assessment of the real and personal property comprising the reinvestment zone. Each year, the company or individual receiving abatement shall furnish the appraiser with such information as may be necessary for the abatement. Once value has been established, the Chief Appraiser will notify the Commissioners Court of Glasscock County of the amount of the assessment.
- B. Glasscock County may execute a contract with any other jurisdiction(s) to inspect the facility to determine if the terms and conditions of the abatement agreement are being met. The abatement agreement shall stipulate that employees and/or designated representatives of Glasscock County will have access to the reinvestment zone during the term of the abatement to inspect the facility to determine if the terms and conditions of the agreement are being met. All inspections will be made only after the giving of twenty-four (24) hours prior notice and will only be conducted in such a manner as to not unreasonably interfere with the construction and/or operation of the facility. All inspections will be made with one or more representatives of the company or individual and in accordance with its safety standards.
- C. Upon completion of construction, the designated representative of Glasscock County shall annually evaluate each facility receiving abatement to insure compliance with the agreement. A formal report shall be made to the Commissioners Court.

Section 7 Assignment

The abatement agreement may be transferred and assigned by the holder to a new owner or lessee of the same facility upon the approval by resolution of the Commissioners Court of Glasscock County subject to the financial capacity of the assignee and provided that all conditions and obligations in the abatement agreement are guaranteed by the execution of a new contractual agreement and/or assumption agreement with Glasscock County. No assignment or transfer shall be approved if the parties to the existing agreement, the new owner or new lessee are liable to any jurisdiction for outstanding taxes or other obligations. Approval shall not be unreasonably delayed or withheld.

Section 8 Sunset Provision


088

These Guidelines and Criteria are effective upon the date of their adoption and will remain in force for two (2) years unless amended by three-quarters vote of the Commissioners Court of Glasscock County, at which time all reinvestment zones and tax abatement agreements created pursuant to these provisions will be reviewed to determine whether the goals have been achieved. Based on the review, the Guidelines and Criteria will be modified, renewed, or eliminated.

ADOPTED the 10th day of June, 2013.

GLASSCOCK COUNTY COMMISSIONERS' COURT


JUDGE KIM HALFMANN


COMM. JIMMY STRUBE

COMM. MARK HALFMANN


COMM. GARY JONES


COMM. MICHAEL HOCH