

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

June 28, 2013

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

RE: Application to the Crosbyton Independent School District from Wake Wind Energy, LLC

To the Local Government Assistance & Economic Analysis Division:

By copy of this letter transmitting the application for review to the Comptroller's Office, the Crosbyton Independent School District is notifying the Applicant Wake Wind Energy, LLC of its intent to consider Wake Wind Energy, LLC's application for appraised value limitation on qualified property. The Applicant submitted the application to the school district on June 17, 2013. The Board voted at a properly posted Board meeting to accept the application on June 20, 2013. The application was determined complete by the school district on June 28, 2013. Please prepare the economic impact report.

At the current time, it is projected that this project will be located within three different districts. This application is for only the property located within Crosbyton ISD. The Applicant has provided detailed maps and project descriptions that show only the qualified property that is the subject of this application. Also, the qualified property that is the subject of the application does not include land.

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.

The applicant has requested that the County create the reinvestment zone for this project. The legal description and a final executed copy of the reinvestment zone order will be forwarded

Letter to Local Government Assistance & Economic Analysis Division

June 28, 2013

Page 2 of 2

to your office upon execution by the Commissioner's Court. The Applicant has provided a detailed map of the reinvestment zone location.

The school district has determined that the wage information included in the application represents 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.

A paper copy of the application will be hand delivered to your office on Monday. In accordance with 34 Tex. Admin Code §9.1054, a copy of the application will be submitted to the Crosby County Appraisal District.

Please feel free to contact me with questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin O'Hanlon", with a stylized flourish at the end.

Kevin O'Hanlon
School District Consultant

Cc: Chief Appraiser
Crosby County Appraisal District

Wake Wind Energy, LLC

Shawn Mason, Crosbyton ISD

Application for Appraised Value Limitation on Qualified Property

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

Form 50-296

(Revised May 2010)

CM # 7011 0110 0000 1718 9331

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 6-17-13
First Name Shawn	Last Name Mason	
Title Superintendent		
School District Name Crosbyton CISD		
Street Address 204 S Harrison		
Mailing Address 204 S Harrison		
City Crosbyton	State Texas	ZIP 79322
Phone Number 806-675-7331 ext. 1201	Fax Number	
Mobile Number (optional)	E-mail Address smason@crosbyton.k12.tx.us	

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

Will consultant be primary contact? ... Yes No

SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized School District Consultant (If Applicable)

First Name Bob		Last Name Popinski	
Title Consultant			
Firm Name Moak & Casey			
Street Address 400 W. 15th Street, Suite 1410			
Mailing Address 400 W. 15th Street, Suite 1410			
City Austin		State TX	ZIP 78701
Phone Number 512-485-7878		Fax Number	
Mobile Number (Optional)		E-mail Address bpopinski@moakcasey.com; mhanley@808west.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 6/20/13
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Has the district determined this application complete? Yes No
 If yes, date determined complete. June 28, 2013

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

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	will supplement



APPLICANT INFORMATION - CERTIFICATION OF APPLICATION

Authorized Business Representative (Applicant)

First Name Bryan		Last Name Schueler	
Title Senior Vice President, Development			
Organization Invenergy LLC			
Street Address One South Wacker Drive, Suite 1900			
Mailing Address One South Wacker Drive, Suite 1900			
City Chicago		State IL	ZIP 60606
Phone Number 312-582-1468		Fax Number	
Mobile Number (optional)		Business e-mail Address bschueler@invenergyllc.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 Joe		Last Name Condo	
Title General Counsel			
Organization Invenergy LLC			
Street Address One South Wacker Drive, Suite 1900			
Mailing Address One South Wacker Drive, Suite 1900			
City Chicago		State IL	ZIP 60606
Phone Number 312-582-1465		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



APPLICANT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized Company Consultant (If Applicable)

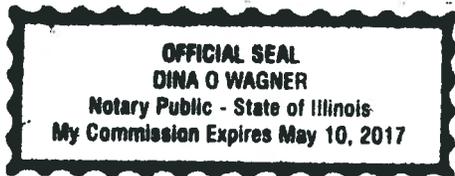
First Name Evan		Last Name Horn	
Title Manager			
Firm Name Ryan, LLC			
Street Address 400 W 15th Street, Suite 700			
Mailing Address 400 W 15th Street, Suite 700			
City Austin		State TX	ZIP 78701
Phone Number 512-691-6067		Fax Number	
Business email Address Evan.Horn@Ryan.com			

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 6-10-2013
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GIVEN under my hand and seal of office this 10 day of June, 2013



Dina O. Wagner
Notary Public, State of Illinois

(Notary Seal)

My commission expires May 10, 2017

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

Wake Wind Energy, LLC

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

32050567323

NAICS code

221115*

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.

See attachment for list of Chapter 313 agreements with Invenergy LLC subsidiaries.

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.)

*2012 NAICS Code

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 No
- Will any of the proposed qualified investment be leased under a capitalized lease? Yes No
- Will any of the proposed qualified investment be leased under an operating lease? Yes No
- Are you including property that is owned by a person other than the applicant? Yes No
- Will 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)

See checklist item #4

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

See checklist item #4

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 December 2013 Begin Hiring New Employees January 2014
Construction Complete December 2014 Fully Operational December 2014
Purchase Machinery & Equipment November 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? December 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.) See Schedule D for Details

Crosby and Floyd County - Chapter 312 agreements - 10 year abatements
 Crosby County Hospital District and Caprock Hospital District - Chapter 312 agreements - 10 year abatement
 High Plains Underground WCD # 1- Chapter 312 agreement - 10yr abatement
 Dickens County - Chapter 312 agreement - 10yr abatement

THE PROPERTY

Identify county or counties in which the proposed project will be located Crosby County

Central Appraisal District (CAD) that will be responsible for appraising the property Crosby CAD

Will 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: Crosby (100%) City: _____
(Name and percent of project) (Name and percent of project)

Hospital District: Crosby County Hospital District(100%) Water District: High Plains Underground WCD #1(100%)
(Name and percent of project) (Name and percent of project)

Other (describe): _____ Other (describe): _____
(Name and percent of project) (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.

The Wake Wind Energy project will consist of an estimated 176 turbines totalling an estimated 300 MWs. 123 of these turbines will be located in Crosbyton CISD and 53 of these turbines will be located in Floydada ISD.

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? \$10,000,000

What is the amount of appraised value limitation for which you are applying? \$10,000,000

What is your total estimated *qualified* investment? \$336,000,000(70% of total project)

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? 10/31/2013

What is the anticipated date of the beginning of the qualifying time period? 10/31/2013

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? \$336,000,000

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? 6/25/2013

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

Will the project be on leased land? Yes No

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 [x] 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. (Market Value) (Tax Year)

Is any of the existing property subject to a value limitation agreement under Tax Code 313? [] Yes [x] 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? [x] 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)? 0

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

[x] 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? 0

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* associated with Crosbyton ISD

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? [x] 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)? [x] 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* associated with Crosbyton ISD

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).

*Because the turbine layout and full project scope has yet to be determined, we currently assume that 70% of the project will be located in Crosbyton ISD and an estimated 10 jobs will be created. However, potential changes later in the year may affect the number of turbines located in Crosbyton ISD and alter the amount of jobs associated with the school district. See the attached statement for more details regarding the job waiver request.

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 \$661.65

110% of the county average weekly wage for manufacturing jobs in the county is \$657.25

110% of the county average weekly wage for manufacturing jobs in the region is \$723.67

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? \$37,630.84

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? \$48,700

- Will 80% of all new jobs created by the owner be qualifying jobs as defined by 313.021(3)?
Will each qualifying job require at least 1,600 of work a year?
Will any of the qualifying jobs be jobs transferred from one area of the state to another?
Will any of the qualifying jobs be retained jobs?
Will any of the qualifying jobs be created to replace a previous employee?
Will any required qualifying jobs be filled by employees of contractors?
If yes, what percent? Approximately 30% of the technician positions may be filled by contractors

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?

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

In addition to annual salary, each qualified position will be eligible to receive medical, dental, vision and participate in a 401k retirement plan.

ECONOMIC IMPACT

- Is an Economic Impact Analysis attached (If supplied by other than the Comptroller's office)?
Is Schedule A completed and signed for all years and attached?
Is Schedule B completed and signed for all years and attached?
Is Schedule C (Application) completed and signed for all years and attached?
Is Schedule D completed and signed for all years and attached?

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.

**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	✓
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	✓
9	Map of qualified property showing location of new buildings or new improvements with vicinity map	8 of 16	✓
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	N/A
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	✓
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	✓ will supplement
23	Legal Description of Reinvestment Zone (Attachment)*	9 of 16	✓ will supplement
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.

CHECKLIST ITEM

List of Chapter 313 Agreements with Invenergy LLC Subsidiaries:

<u>School District</u>	<u>First Full Tax Year</u>	<u>Company</u>
Spur ISD No. 71	2008	McAdoo Wind Energy LLC
Grady ISD No. 73	2008	Stanton Wind Energy LLC
Stanton ISD No. 72	2008	Stanton Wind Energy LLC
Hermleigh ISD No. 60	2008	Scurry County Wind LP
Snyder ISD No. 61	2008	Scurry County Wind LP
Blackwell CISD No. 93	2008	Turkey Track Wind Energy LLC
Goldthwaite ISD	2013	Goldthwaite Wind Energy LLC

CHECK LIST ITEM #2

Proof of Payment of Application Fee

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 Documentation

Texas Franchise Tax Extension Affiliate List

<input checked="" type="checkbox"/> Reporting entity taxpayer number <div style="border: 1px solid black; padding: 2px;">12006168525</div>	<input checked="" type="checkbox"/> Report year <div style="border: 1px solid black; padding: 2px;">2013</div>	<input type="checkbox"/> Reporting entity taxpayer name <div style="border: 1px solid black; padding: 2px;">POLSKY ENERGY HOLDINGS LLC</div>
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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. INVENERGY LLC	13644627930	<input type="checkbox"/>
2. INVENERGY SERVICES LLC	32020649813	<input type="checkbox"/>
3. INVENERGY ENERGY MGMT LLC	32038203900	<input type="checkbox"/>
4. INVENERGY WIND NORTH AMERICA	12082346938	<input type="checkbox"/>
5. DOUGHERTY WIND ENERGY LLC	32037772806	<input type="checkbox"/>
6. GOLDWATHE WIND ENERGY LLC	32037772772	<input type="checkbox"/>
7. GUNSIGHT MTN WIND ENERGY LLC	32033576318	<input type="checkbox"/>
8. INVENERGY MET LLC	32037132977	<input type="checkbox"/>
9. INVENERGY WIND DEVELOPMENT	32034181217	<input type="checkbox"/>
10. PISTOL HILL WIND ENERGY LLC	32033576326	<input type="checkbox"/>
11. STERLING WIND ENERGY LLC	32033691760	<input type="checkbox"/>
12. POLSKY ENERGY INVESTMENTS	200616874	<input checked="" type="checkbox"/>
13. INVENERGY INVESTMENT CO LLC	371456538	<input checked="" type="checkbox"/>
14. INVENERGY WIND HOLDINGS LLC	263467425	<input checked="" type="checkbox"/>
15. INVENERGY WIND INVESTMENT CORP.	300447600	<input checked="" type="checkbox"/>
16. INVENERGY WIND FINANCING LLC		<input checked="" type="checkbox"/>
17. INVENERGY WIND LLC	200783399	<input checked="" type="checkbox"/>
18. INVENERGY THERMAL LLC	203817973	<input checked="" type="checkbox"/>
19. INVENERGY SOLAR LLC	270748782	<input checked="" type="checkbox"/>
20. INVENERGY ROC HOLDINGS	263866744	<input checked="" type="checkbox"/>
21. INVENERGY WIND FINANCE ROC LLC		<input checked="" type="checkbox"/>

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Do not file this form when requesting a second extension.

Texas Comptroller Official Use Only

VE/DE	<input type="checkbox"/>	FM	<input type="checkbox"/>
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7003

Texas Franchise Tax Extension Affiliate List

■ Reporting entity taxpayer number 12006168525	■ Report year 2013	Reporting entity taxpayer name POLSKY ENERGY HOLDINGS LLC
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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. INVENERGY COASTAL HOLDINGS LLC	263756863	<input checked="" type="checkbox"/>
2. INVENERGY LOGAN HOLDING CO LLC	208762182	<input checked="" type="checkbox"/>
3. INVENERGY LOGAN FINANCE CO LLC	208763301	<input checked="" type="checkbox"/>
4. STANTON WIND HOLDINGS LLC		<input checked="" type="checkbox"/>
5. BEECH RIDGE ENERGY LLC	263207197	<input checked="" type="checkbox"/>
6. BIG OTTER WIND LLC		<input checked="" type="checkbox"/>
7. BISHOP HILL ENERGY LLC	264583832	<input checked="" type="checkbox"/>
8. BISHOP HILL ENERGY II LLC	273400990	<input checked="" type="checkbox"/>
9. BRUSH CREEK WIND ENERGY LLC		<input checked="" type="checkbox"/>
10. BRUSH CREEK WIND ENERGY II LLC		<input checked="" type="checkbox"/>
11. CA RIDGE WIND ENERGY LLC	272168311	<input checked="" type="checkbox"/>
12. CROW CREEK ENERGY LLC		<input checked="" type="checkbox"/>
13. FORWARD ENERGY II LLC	260562274	<input checked="" type="checkbox"/>
14. GRAND RIDGE ENERGY IV LLC	263294276	<input checked="" type="checkbox"/>
15. HARDIN WIND ENERGY LLC		<input checked="" type="checkbox"/>
16. HEARTLAND WIND ENERGY LLC		<input checked="" type="checkbox"/>
17. HIGHLAND WIND ENERGY LLC		<input checked="" type="checkbox"/>
18. HORN BUTTE WIND ENERGY LLC		<input checked="" type="checkbox"/>
19. HORSE LAKE WIND ENERGY LLC	352324869	<input checked="" type="checkbox"/>
20. HURRICANE LAKE WIND ENERGY I LLC		<input checked="" type="checkbox"/>
21. IDAHO WIND GENERATION CO LLC		<input checked="" type="checkbox"/>

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Texas Comptroller Official Use Only

VE/DE	<input type="checkbox"/>	FM	<input type="checkbox"/>
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7003

Texas Franchise Tax Extension Affiliate List

■ Reporting entity taxpayer number 12006168525	■ Report year 2013	Reporting entity taxpayer name POLSKY ENERGY HOLDINGS LLC
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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. INVENERGY NEW YORK LLC	061680634	<input checked="" type="checkbox"/>
2. INVENERGY PARTS LLC	32039357473	<input type="checkbox"/>
3. INVENERGY RENEWABLE LLC	263434351	<input type="checkbox"/>
4. INVENERGY TX TRADING I LLC		<input checked="" type="checkbox"/>
6. INVENERGY TX TRADING II LLC		<input checked="" type="checkbox"/>
6. INVENERGY WIND DEV IOWA LLC		<input checked="" type="checkbox"/>
7. INVENERGY WIND DEVELOPMENT ND		<input checked="" type="checkbox"/>
8. INVENERGY WIND DEV OK LLC	204126112	<input checked="" type="checkbox"/>
9. INVENERGY WIND FIN CO III LLC	204135995	<input checked="" type="checkbox"/>
10. IWF NORTH AMERICA LLC	208906923	<input checked="" type="checkbox"/>
11. INVENERGY WIND MONTANA LLC		<input checked="" type="checkbox"/>
12. JUDITH GAP WIND ENERGY II LLC		<input checked="" type="checkbox"/>
13. LA SIERRITA WIND LLC		<input checked="" type="checkbox"/>
14. LASSEN WIND GENERATION LLC	208805949	<input checked="" type="checkbox"/>
15. LEDGE WIND ENERGY LLC	263477676	<input checked="" type="checkbox"/>
16. OCEANA WIND LLC	204540080	<input checked="" type="checkbox"/>
17. PINE RIDGE ENERGY LLC		<input checked="" type="checkbox"/>
18. PRAIRIE BREEZE WIND ENERGY LLC		<input checked="" type="checkbox"/>
19. SEGDWICK WIND ENERGY LLC		<input checked="" type="checkbox"/>
20. STONY CREEK ENERGY LLC	262082798	<input checked="" type="checkbox"/>
21. INVENERGY WIND MANAGEMENT LLC		<input checked="" type="checkbox"/>

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VE/DE	<input type="checkbox"/>	FM	<input type="checkbox"/>
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7003

Texas Franchise Tax Extension Affiliate List

Reporting entity taxpayer number: **12006168525**

 Report year: **2013**

 Reporting entity taxpayer name: **POLSKY ENERGY HOLDINGS LLC**

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. SUMMIT RIDGE ENERGY LLC		<input checked="" type="checkbox"/>
2. TECATE DIVIDE WIND ENERGY LLC	300475081	<input checked="" type="checkbox"/>
3. TERACHAPI CONNECT LLC		<input checked="" type="checkbox"/>
4. WHITE OAK ENERGY LLC	208468199	<input checked="" type="checkbox"/>
6. MORESVILLE ENERGY LLC	261363691	<input checked="" type="checkbox"/>
6. STEVMIC PROPERTIES LLC	300526664	<input checked="" type="checkbox"/>
7. INVENERGY THERMAL FIN LLC	208687404	<input checked="" type="checkbox"/>
8. MCDOWELL COUNTY ENERGY LLC	262661421	<input checked="" type="checkbox"/>
9. INVENERGY THERMAL HOLDINGS LLC	204577532	<input checked="" type="checkbox"/>
10. INVENERGY THERMAL HLDGS II LLC	205028278	<input checked="" type="checkbox"/>
11. INVENERGY TURBINE CO II LLC	203960201	<input checked="" type="checkbox"/>
12. INVENERGY THERMAL DEV LLC	261563294	<input checked="" type="checkbox"/>
13. INVENERGY TN LLC	14215633919	<input checked="" type="checkbox"/>
14. INVENERGY SERVICES GRAND RIDGE LLC		<input checked="" type="checkbox"/>
15. DARKE WIND ENERGY LLC	270667704	<input checked="" type="checkbox"/>
16. GRAND RIDGE V LLC	271369315	<input checked="" type="checkbox"/>
17. GRATIOT COUNTY WIND LLC		<input checked="" type="checkbox"/>
18. INVENERGY WIND CALIFORNIA LLC	611594266	<input checked="" type="checkbox"/>
19. MORROW WIND ENERGY LLC	270449139	<input checked="" type="checkbox"/>
20. UNION WIND ENERGY LLC	264527222	<input checked="" type="checkbox"/>
21. BISHOP HILL HOLDINGS	453219221	<input checked="" type="checkbox"/>

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Texas Franchise Tax Extension Affiliate List

■ Tcode 13298

■ Reporting entity taxpayer number

■ Report year

Reporting entity taxpayer name

12006168525

2013

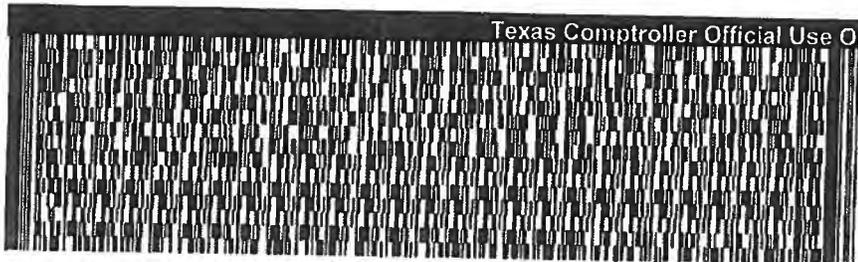
POLSKY ENERGY HOLDINGS LLC

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. INVENERGY SOLAR DEVELOPMENT LLC	270748913	<input checked="" type="checkbox"/>
2. COTTONWOODS WIND ENERGY LLC		<input checked="" type="checkbox"/>
3. GRATIOT COUNTY WIND II LLC		<input checked="" type="checkbox"/>
4. HALES LAKE ENERGY LLC	800841363	<input checked="" type="checkbox"/>
5. INVENERGY ILLINOIS SOLAR I LLC	273411372	<input checked="" type="checkbox"/>
6. INVENERGY ILLINOIS SOLAR II LLC	273411444	<input checked="" type="checkbox"/>
7. INVENERGY ILLINOIS SOLAR III LLC	273426043	<input checked="" type="checkbox"/>
8. INVENERGY ILLINOIS SOLAR IV LLC	273438626	<input checked="" type="checkbox"/>
9. INVENERGY ILLINOIS WIND HOLDINGS LLC	273965256	<input checked="" type="checkbox"/>
10. INVENERGY SERVICES INSTALLATION LLC	273327310	<input checked="" type="checkbox"/>
11. INVENERGY WIND DEVELOPMENT MICHIGAN LLC	452605836	<input checked="" type="checkbox"/>
12. INVENERGY WIND DEVELOPMENT MONTANA LLC	273554310	<input checked="" type="checkbox"/>
13. INVENERGY WIND TURBINE TRANSPORT I LLC	272933240	<input checked="" type="checkbox"/>
14. INVENERGY WIND TURBINE TRANSPORT II LLC	272933334	<input checked="" type="checkbox"/>
15. NELIGH WIND ENERGY LLC		<input checked="" type="checkbox"/>
16. OLD STATE ENERGY LLC		<input checked="" type="checkbox"/>
17. PLEASANT RIDGE ENERGY LLC		<input checked="" type="checkbox"/>
18. TIDENATER SOLAR ENERGY LLC		<input checked="" type="checkbox"/>
19. TONOPAH ENERGY LLC	273411491	<input checked="" type="checkbox"/>
20. TRICOUNTY WIND ENERGY LLC	273635437	<input checked="" type="checkbox"/>
21. TYRRELL ENERGY LLC		<input checked="" type="checkbox"/>

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Texas Franchise Tax Extension Affiliate List

■ Tcode 13298

■ Reporting entity taxpayer number 12006168525	■ Report year 2013	Reporting entity taxpayer name POLSKY ENERGY HOLDINGS LLC
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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. VANTAGE CLASS B HOLDINGS LLC	272982377	<input checked="" type="checkbox"/>
2. WILKINSON ENERGY LLC		<input checked="" type="checkbox"/>
3. INVENERGY CLEAN POWER LLC	453417763	<input checked="" type="checkbox"/>
4. INVENERGY WIND GLOBAL LLC		<input checked="" type="checkbox"/>
5. INVENERGY WIND DEVELOPMENT HOLDINGS LLC		<input checked="" type="checkbox"/>
6. INVENERGY WIND DEVELOPMENT NORTH AMERICA, LLC		<input checked="" type="checkbox"/>
7. INVENERGY WIND POWER HOLDINGS LLC		<input checked="" type="checkbox"/>
8. INVENERGY WIND POWER LLC		<input checked="" type="checkbox"/>
9. INVENERGY WIND NORTH AMERICA HOLDINGS LLC	453698038	<input checked="" type="checkbox"/>
10. RED OAK ENERGY LLC		<input checked="" type="checkbox"/>
11. BUCKEYE WIND ENERGY LLC	452777576	<input checked="" type="checkbox"/>
12. GRATIOT COUNTY HOLDINGS LLC		<input checked="" type="checkbox"/>
13. HARDIN SOLAR ENERGY LLC		<input checked="" type="checkbox"/>
14. BECKETT SOLAR ENERGY LLC		<input checked="" type="checkbox"/>
15. QUINTON SOLAR ENERGY 1 LLC		<input checked="" type="checkbox"/>
16. JUDITH GAP WIND ENERGY III LLC		<input checked="" type="checkbox"/>
17. BIG OTTER WIND ENERGY II LLC		<input checked="" type="checkbox"/>
18. BEECH RIDGE ENERGY II LLC		<input checked="" type="checkbox"/>
19. BUZZARD CREEK ENERGY LLC		<input checked="" type="checkbox"/>
20. GRATIOT COUNTY WIND PHASE II LLC		<input checked="" type="checkbox"/>
21. ACCOHACK WIND ENERGY LLC		<input checked="" type="checkbox"/>

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Texas Franchise Tax Extension Affiliate List

■ Tcode 13298

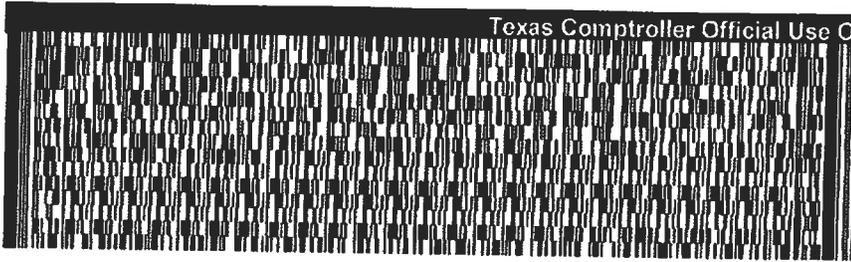
■ Reporting entity taxpayer number 12006168525	■ Report year 2013	Reporting entity taxpayer name POLSKY ENERGY HOLDINGS LLC
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LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (if none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. HEPPNER WIND ENERGY LLC		<input checked="" type="checkbox"/>
2. BEECH RIDGE HOLDINGS LLC		<input checked="" type="checkbox"/>
3. GRAND RIDGE GREEN HOLDINGS LLC	800873258	<input checked="" type="checkbox"/>
4. FORWARD ENERGY HOLDINGS LLC		<input checked="" type="checkbox"/>
5. IWFC HOLDINGS LLC		<input checked="" type="checkbox"/>
6. CALIFORNIA RIDGE CLASS B HOLDINGS LLC	460909292	<input checked="" type="checkbox"/>
7. CALIFORNIA RIDGE HOLDINGS LLC	800850058	<input checked="" type="checkbox"/>
8. CALIFORNIA RIDGE WIND ENERGY II LLC		<input checked="" type="checkbox"/>
9. HALES LAKE ENERGY II LLC	320386990	<input checked="" type="checkbox"/>
10. HALES LAKE ENERGY III LLC	364740400	<input checked="" type="checkbox"/>
11. MARSH HILL ENERGY LLC	800856885	<input checked="" type="checkbox"/>
12. WRAY WIND ENERGY LLC		<input checked="" type="checkbox"/>
13. STERLING FARMS WIND ENERGY LLC		<input checked="" type="checkbox"/>
14. CLARKTON SOLAR ENERGY LLC	900886991	<input checked="" type="checkbox"/>
15. PANTEGO WIND ENERGY LLC	900859617	<input checked="" type="checkbox"/>
16. INVENERGY ILLINOIS SOLAR I HOLDINGS LLC	460873725	<input checked="" type="checkbox"/>
17. BISHOP HILL ENERGY III LLC	320358450	<input checked="" type="checkbox"/>
18. BISHOP HILL ENERGY INTERCONNECTION LLC		<input checked="" type="checkbox"/>
19. PREBLE SOLAR ENERGY LLC	453249830	<input checked="" type="checkbox"/>
20. COLUMBUS SOLAR ENERGY LLC	611667460	<input checked="" type="checkbox"/>
21. INVENERGY US WIND HOLDINGS	800872533	<input checked="" type="checkbox"/>

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Texas Franchise Tax Extension Affiliate List

■ Tcode 13298

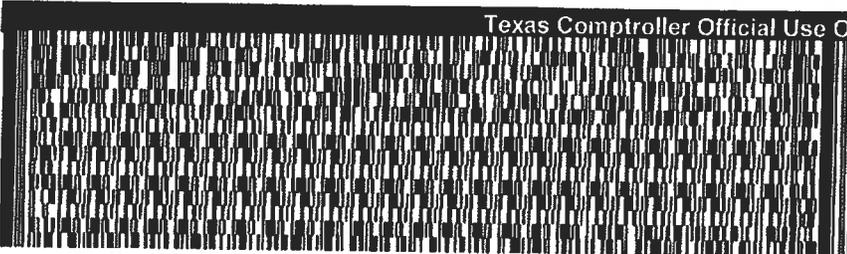
■ Reporting entity taxpayer number 12006168525	■ Report year 2013	Reporting entity taxpayer name POLSKY ENERGY HOLDINGS LLC
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LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. INVENERGY US WIND I HOLDINGS		<input checked="" type="checkbox"/>
2. INVENERGY WIND OPERATING I LLC	800873258	<input checked="" type="checkbox"/>
3. INVENERGY WIND GLOBAL LLC	900771171	<input checked="" type="checkbox"/>
4. INVENERGY WIND POWER HOLDINGS LLC		<input checked="" type="checkbox"/>
5. INVENERGY WIND POWER LLC	371650259	<input checked="" type="checkbox"/>
6. INVENERGY WIND EUROPEAN HOLDINGS LLC	453697965	<input checked="" type="checkbox"/>
7. INVENERGY WIND DEVELOPMENT HOLDINGS LLC		<input checked="" type="checkbox"/>
8. INVENERGY WIND OPERATIONAL HOLDINGS LLC	611691741	<input checked="" type="checkbox"/>
9. INVENERGY WIND EUROPE DEVELOPMENT HOLDING LLC	453693612	<input checked="" 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.

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VE/DE	<input type="checkbox"/>	FM	<input type="checkbox"/>
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CHECKLIST ITEM #4

A. Detailed Description of Project

Wake Wind Energy LLC anticipates constructing a wind-powered electric generating facility with an operating capacity of approximately 200-300 megawatts. The exact number of wind turbines and the size of each turbine will vary depending upon the wind turbines selected and the megawatt generating capacity of the project completed. Presently our plans are to install GE 1.7 megawatt turbines on property within the reinvestment zones in Crosby and Floyd Counties, Texas. Wake Wind Energy estimates that 210 megawatts are planned to be installed in Crosbyton CISD in 2014 as well as 90 megawatts in Floydada ISD. Wake Wind may later decide to install up to 34 additional megawatts in Floydada ISD.

The additional improvements for the Wake Project will include but are not limited to, wind turbines, towers, foundations, roadways, buildings and offices, anemometer towers, computer equipment, furniture, company vehicles, electrical transmission cables and towers and electrical substations. A portion of the transmission lines associated with the project may also extend into Dickens County.

B. Ability to Relocate to Another State or Region

Invenergy develops, owns and operates wind energy projects across the US, Canada and in Europe. We have numerous developments in the nearby states of Kansas and Oklahoma, where the wind resource is equivalent and their taxing incentives are similar to Texas. The Wake Wind Energy project is currently in competition with a 250 MW wind project in Oklahoma and a 200 MW wind energy project in Kansas.

CHECKLIST ITEM #5

Other School District Information

Wake Wind estimates that up to 124 megawatts of the estimated 300 megawatts of the project will be located in Floydada ISD. Wake Wind has filed an application for abatement with Floydada ISD.

Of the total project costs, Wake Wind estimates that 70% of the project will be located and taxed within Crosby County and Crosbyton ISD. Of the 30% remaining, 28% will be within Floyd County and Floydada ISD, and the final 2% in Dickens County and Spur ISD. No chapter 313 value limitation is being pursued with Spur ISD.

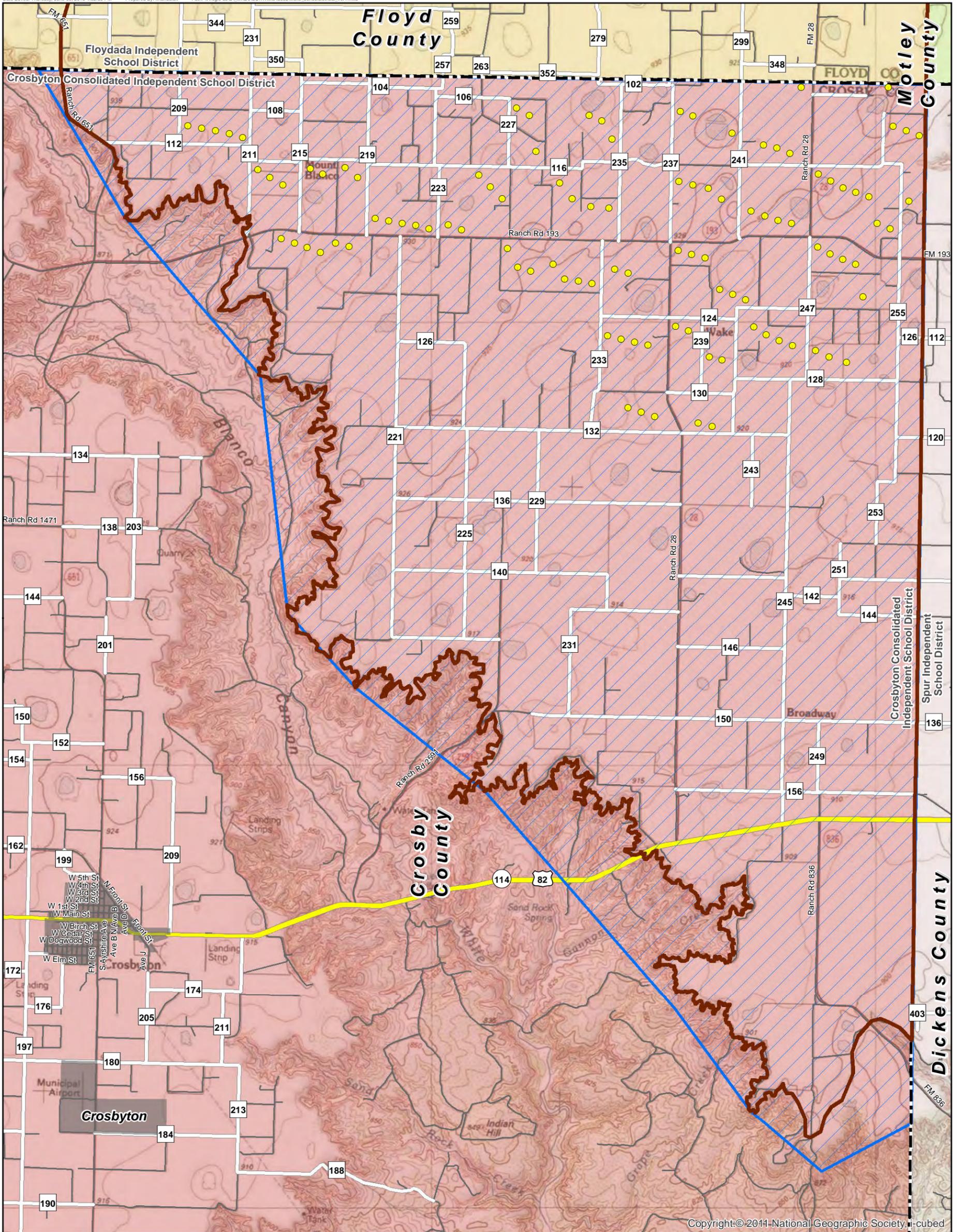
CHECKLIST ITEMS #6 AND #8

Description of Qualified Investment/ Qualified Property

Same in as #4 A and B

CHECKLIST ITEM #7 AND #9

Map of Qualified Investment / Qualified Property



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Turbine Layout (L018)	Crosbyton Consolidated Independent School District	Motley County Independent School District
Municipal Boundary	Floydada Independent School District	Spur Independent School District
Wake Project Area		
County Boundary		
Reinvestment Zone		

4,600 0 4,600
Feet

Map of Qualified Investments in Crosby County

Rev. 00
Wake Wind Energy LLC June 06, 2013

Invenergy
One South Wacker Drive Suite 1900
Chicago, Illinois 60606
(312) 224-1400

CHECKLIST ITEM # 13

Request for Waiver of Job Creation Requirement

Invenergy

June 3, 2013

Re: Wake Wind Employment Estimate

To Whom it May Concern,

Invenergy has developed and placed into service 39 wind projects across the United States and in Canada and Europe, totaling over 3,400 MW. As one of the largest owner/operators of wind farms in the United States, Invenergy has significant experience staffing wind projects. Several factors determine the ultimate ratio of technicians to turbines; among these factors are site layout and turbine technology.

In Invenergy's experience, a ratio of 1 technician for every 10 – 15 turbines is typical for projects that are staffed by full-time employees. Invenergy's latest project under development, the Goldthwaite project will be one of the first Invenergy sites to deploy the GE 1.7 MW turbines. The GE 1.7 machine is the latest evolution of the GE 1.x fleet, of which Invenergy operates over 1,500 units.

We anticipate the technician to turbine ratio to be similar to that for the GE 1.5 MW turbines. As a result, we anticipate requiring approximately 1 technician per 12 GE 1.7 MW machines.

For independent estimates of full-time employment at wind farms in Texas, please see the National Renewable Energy Laboratory's report *Economic Development Impact of 1,000 MW of Wind Energy in Texas* (<http://www.nrel.gov/docs/fy11osti/50400.pdf>). Section 3.2.2 states that 60 full-time jobs are created for 1,000 MW of wind capacity. Assuming a 1.5 MW unit, that is approximately 1 job per 11 wind turbines.

If you have any questions, please do not hesitate to contact me at (312) 582-1518.

Sincerely,



James Rafferty
Vice President - Asset Management
Invenergy LLC

cc: Evan Horn

CHECKLIST ITEM #14

Calculation of three possible wage requirements with TWC documentation

Wake Wind Wage Calculations

Crosby County Average Manufacturing Weekly Wages

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2012	1st Qtr	Crosby County	Total All	31	2	31-33	Manufacturing	\$476
2012	2nd Qtr	Crosby County	Total All	31	2	31-33	Manufacturing	\$560
2012	3rd Qtr	Crosby County	Total All	31	2	31-33	Manufacturing	\$822
2012	4th Qtr	Crosby County	Total All	31	2	31-33	Manufacturing	\$530

4 Period Weekly Avg \$ 597.50
 110% Of Average \$ 657.25

Crosby County All Industries Average Weekly Wages

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2012	1st Qtr	Crosby County	Total All	0	0	10	Total, All Industries	\$594
2012	2nd Qtr	Crosby County	Total All	0	0	10	Total, All Industries	\$598
2012	3rd Qtr	Crosby County	Total All	0	0	10	Total, All Industries	\$567
2012	4th Qtr	Crosby County	Total All	0	0	10	Total, All Industries	\$647

4 Period Weekly Avg \$ 601.50
 110% Of Average \$ 661.65

South Plains Association of Governments Region

	Hourly	Annual
2011 Average Manufacturing Wages	\$ 16.45	\$ 34,210.00
Avg Weekly Wage	\$	\$ 657.88
110% of Region Weekly Wage	\$	\$ 723.67
110% of Annual Wages	\$	\$ 37,631.00

**2011 Manufacturing Wages by Council of Government Region
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
Texas	\$22.89	\$47,610
<u>1. Panhandle Regional Planning Commission</u>	\$19.32	\$40,196
<u>2. South Plains Association of Governments</u>	\$16.45	\$34,210
<u>3. NORTEX Regional Planning Commission</u>	\$18.14	\$37,733
<u>4. North Central Texas Council of Governments</u>	\$24.03	\$49,986
<u>5. Ark-Tex Council of Governments</u>	\$16.52	\$34,366
<u>6. East Texas Council of Governments</u>	\$18.27	\$37,995
<u>7. West Central Texas Council of Governments</u>	\$17.76	\$36,949
<u>8. Rio Grande Council of Governments</u>	\$15.69	\$32,635
<u>9. Permian Basin Regional Planning Commission</u>	\$21.32	\$44,349
<u>10. Concho Valley Council of Governments</u>	\$15.92	\$33,123
<u>11. Heart of Texas Council of Governments</u>	\$18.82	\$39,150
<u>12. Capital Area Council of Governments</u>	\$26.46	\$55,047
<u>13. Brazos Valley Council of Governments</u>	\$15.71	\$33,718
<u>14. Deep East Texas Council of Governments</u>	\$15.48	\$32,207
<u>15. South East Texas Regional Planning Commission</u>	\$28.23	\$58,724
<u>16. Houston-Galveston Area Council</u>	\$25.82	\$53,711
<u>17. Golden Crescent Regional Planning Commission</u>	\$20.38	\$42,391
<u>18. Alamo Area Council of Governments</u>	\$18.00	\$37,439
<u>19. South Texas Development Council</u>	\$13.85	\$28,806
<u>20. Coastal Bend Council of Governments</u>	\$22.35	\$46,489
<u>21. Lower Rio Grande Valley Development Council</u>	\$15.08	\$31,365
<u>22. Texoma Council of Governments</u>	\$20.76	\$43,190
<u>23. Central Texas Council of Governments</u>	\$16.17	\$33,642
<u>24. Middle Rio Grande Development Council</u>	\$13.65	\$28,382

Source: Texas Occupational Employment and Wages

Data published: July 2012

Data published annually, next update will be summer 2013

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

Qualified employees of Wake Wind Energy LLC will be offered a full package of benefits including medical, dental and vision insurance with at least 80 percent of the premiums for the employee paid by Wake Wind Energy LLC. In addition each qualifying employee will receive paid vacation time, sick leave, life insurance, disability plans and 401(k) Retirement Savings Plans.

CHECKLIST ITEM #17 – 20

Schedules A-D

Schedule A (Rev. May 2010): Investment

Wake Wind Energy LLC
Crosbyton ISD

Applicant Name
ISD Name

Form 50-296

PROPERTY INVESTMENT AMOUNTS
(Estimated investment in each year. Do not put cumulative totals.)

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)	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 (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)
Tax Credit Period (with 50% cap on credit)	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					500,000
		2	2015-2016	2015	335,500,000				335,500,000
		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					
Post-Settle-Up Period									
Post-Settle-Up Period									
Credit Settle-Up Period	Continue to Maintain Viable Presence								

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: 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. 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: For the years outside the qualifying time period, this number should simply represent the planned investment in new buildings or nonremovable components of buildings. 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.

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]

6-10-2013

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE

Schedule B (Rev. May 2010): Estimated Market And Taxable Value
Wake Wind Energy LLC

Crosbyton ISD

Applicant Name
 ISD Name

Form 50-296

Tax Credit Period (with 50% cap on credit)	Value Limitation Period	Complete tax years of qualifying time period	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Qualified Property			Reductions from Market Value	Estimated Taxable Value	Final taxable value for M&O--after all reductions
						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"			
			pre-year 1	2013-2014	2013	-	-	-	-	-	-
		1		2014-2015	2014	-	-	-	500,000	500,000	500,000
		2		2015-2016	2015	-	-	-	330,000,000	330,000,000	330,000,000
		3		2016-2017	2016	-	-	-	306,900,000	306,900,000	10,000,000
		4		2017-2018	2017	-	-	-	285,417,000	285,417,000	10,000,000
		5		2018-2019	2018	-	-	-	265,437,810	265,437,810	10,000,000
		6		2019-2020	2019	-	-	-	246,857,163	246,857,163	10,000,000
		7		2020-2021	2020	-	-	-	229,577,162	229,577,162	10,000,000
		8		2021-2022	2021	-	-	-	213,506,761	213,506,761	10,000,000
		9		2022-2023	2022	-	-	-	198,561,287	198,561,287	10,000,000
		10		2023-2024	2023	-	-	-	184,661,997	184,661,997	10,000,000
		11		2024-2025	2024	-	-	-	171,735,657	171,735,657	171,735,657
Credit Settle-Up Period	Continue to Maintain Viable Presence	12		2025-2026	2025	-	-	-	159,714,161	159,714,161	159,714,161
		13		2026-2027	2026	-	-	-	148,534,170	148,534,170	148,534,170
Post-Settle-Up Period		14		2027-2028	2027	-	-	-	138,136,778	138,136,778	138,136,778
Post-Settle-Up Period		15		2028-2029	2028	-	-	-	128,467,204	128,467,204	128,467,204

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 6-10-2013

Schedule C- Application: Employment Information

Applicant Name
ISD Name

Wake Wind Energy, LLC
Crosbyton ISD

Form 50-296

Tax Credit Period (with 50% cap on credit)	Value Limitation Period	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	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
		pre-year 1	2013-2014	2013	17,500 Man Hours		0	\$ 48,700	0	\$ 48,700
		1	2014-2015	2014	332,500 Man Hours		10	\$ 48,700	8	\$ 48,700
		2	2015-2016	2015						
		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						
Credit Settle-Up Period	Continue to Maintain Viable Presence									
Post- Settle-Up Period		14	2027-2028	2027						
Post- Settle-Up Period		15	2028-2029	2028						

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 6-10-2013

The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)	Complete tax years of qualifying time period	Year	School Year (YYYY-YYYY)	Tax/Calendar Year YYYY	Sales Tax Information		Franchise Tax	Other Property Tax Abatements Sought			
					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	County	City	Hospital
	1	2014	2013-2014	2013	\$ -	\$ -	\$ -	0%	0%	0%	0%
	2	2015	2015-2016	2015	\$ 17,500	\$ 116,667	\$ -	0%	0%	0%	0%
	3	2016	2016-2017	2016	\$ 210,000	\$ 1,400,000	\$ -	100%	0%	100%	100%
	4	2017	2017-2018	2017	\$ 210,000	\$ 1,400,000	\$ -	100%	0%	100%	100%
	5	2018	2018-2019	2018	\$ 210,000	\$ 1,400,000	\$ 9,800.00	100%	0%	100%	100%
	6	2019	2019-2020	2019	\$ 210,000	\$ 1,400,000	\$ 7,700.00	100%	0%	100%	100%
	7	2020	2020-2021	2020	\$ 210,000	\$ 1,400,000	\$ 202,300.00	100%	0%	100%	100%
	8	2021	2021-2022	2021	\$ 210,000	\$ 1,400,000	\$ 197,400.00	100%	0%	100%	100%
	9	2022	2022-2023	2022	\$ 210,000	\$ 1,400,000	\$ 192,500.00	100%	0%	100%	100%
	10	2023	2023-2024	2023	\$ 210,000	\$ 1,400,000	\$ 181,300.00	100%	0%	100%	100%
	11	2024	2024-2025	2024	\$ 210,000	\$ 1,400,000	\$ 168,000.00	100%	0%	100%	100%
	12	2025	2025-2026	2025	\$ 210,000	\$ 1,400,000	\$ 167,300.00	0%	0%	0%	0%
	13	2026	2026-2027	2026	\$ 210,000	\$ 1,400,000	\$ 171,500.00	0%	0%	0%	0%
	14	2027	2027-2028	2027	\$ 210,000	\$ 1,400,000	\$ 238,000.00	0%	0%	0%	0%
	15	2028	2028-2029	2028	\$ 210,000	\$ 1,400,000	\$ 329,000.00	0%	0%	0%	0%

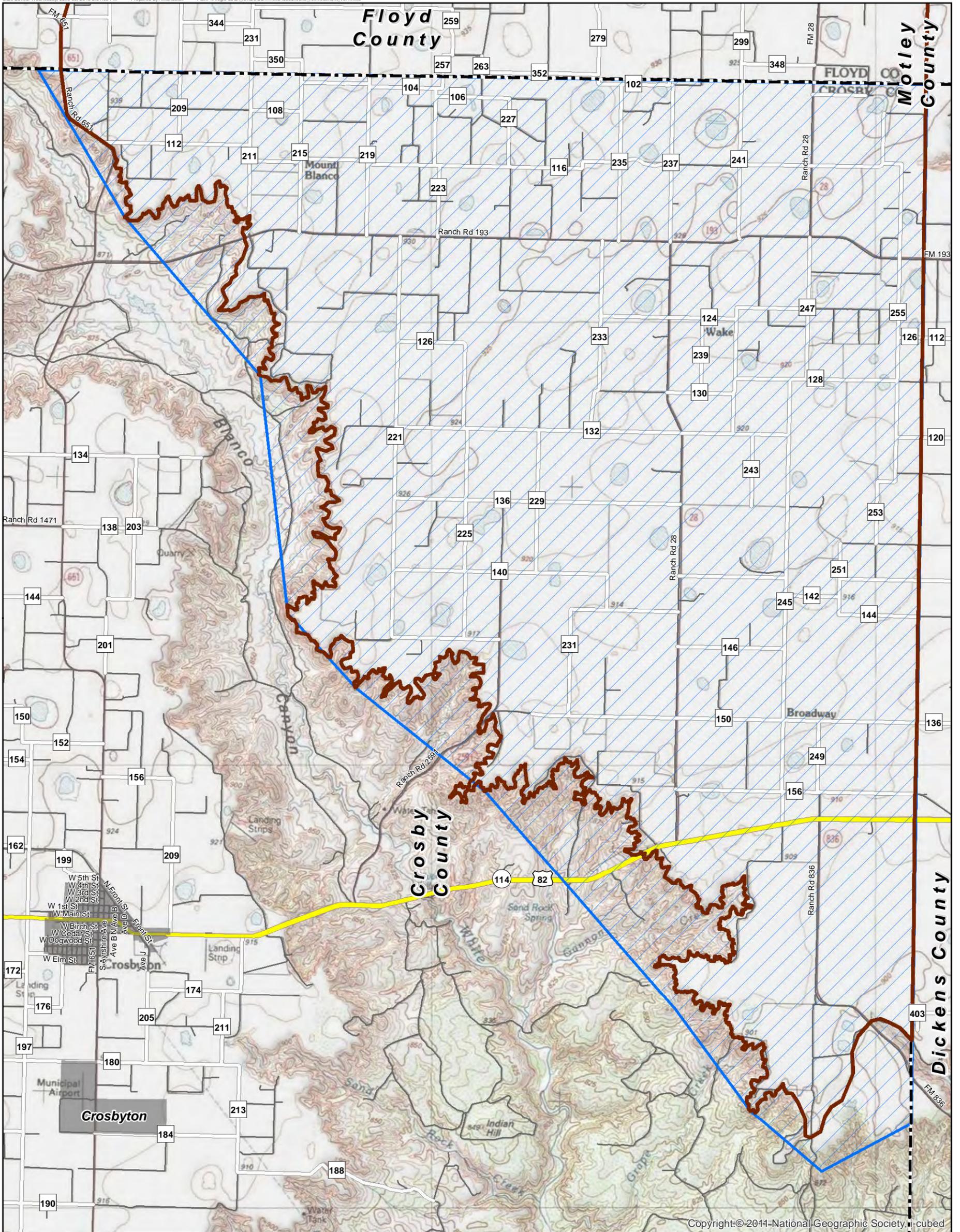
*For planning, construction and operation of the facility.

[Signature]
 SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE 6-10-2013

CHECKLIST ITEM #21

Map of Reinvestment Zone



Legend

- Municipal Boundary
- Wake Project Area
- County Boundary
- Reinvestment Zone

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4,600 0 4,600
Feet

CHECKLIST ITEM #22

Order Establishing the Reinvestment Zone

CHECKLIST ITEM #23

Legal Description of Reinvestment Zone

*The order and legal description of the reinvestment zone will be provided after the June Crosby County Commissioners Court meeting.

CHECKLIST ITEM #24

Guidelines and Criteria for Reinvestment Zone

STATE OF TEXAS

CROSBY COUNTY

TAX ABATEMENT GUIDELINES AND CRITERIA

Crosby County is committed to the promotion of quality development in all parts of the county and to improving the quality of life for its citizens. In order to help meet these goals, Crosby County will consider providing Tax Abatements to stimulate economic development. It is the policy of Crosby County that such an incentive will be provided in accord with the guidelines and criteria outlined in this document. All applicants for Tax Abatements shall be considered on an individual basis.

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

1. must be an Eligible Facility;
2. must add at least Five Hundred Thousand Dollars (\$500,000.00) to the tax roll of eligible property;
3. must be reasonably expected to have an increase in positive net economic benefit to Crosby County of at least One Million Dollars (\$1,000,000.00) over the life of the Abatement, computed to include (but not limited to) new sustaining payroll and/or capital improvement; and
4. must not be expected to solely or primarily have the effect of transferring employment from one part of Crosby County to another.

In addition to the criteria set forth above, the Crosby 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 Agreement 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 Tax Abatement Agreements will be no longer than allowed by law.

It is the goal of Crosby 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 Crosby County Commissioners Court to consider, adopt, modify or decline any Tax Abatement request.

This policy is effective as of the 13th day of May, 2013, and shall at all

times be kept current with regard to the needs of Crosby County and reflective of the official views of the County Commissioners' Court, and shall be reviewed every two (2) years.

The adoption of these guidelines and criteria by the Crosby 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 I. DEFINITIONS

A. **"Abatement" or "Tax Abatement"** means the full or partial exemption from ad valorem taxes of certain property in a reinvestment zone designated by Crosby County for economic development purposes.

B. **"Agreement" or "Abatement Agreement"** means a contractual Agreement between a property owner and/or lessee and Crosby 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 the 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 Crosby County, but does not include facilities which are intended to be primarily to provide goods or services to residents for existing businesses located in Crosby County such as, but not limited to, restaurants and retail sales establishments. Eligible facilities may include, but shall not be limited to a(n):

aquaculture/agriculture Facility;
distribution center facility;
manufacturing facility;
office building;
regional entertainment/tourism facility;

research service facility;
regional service facility;
historic building in a designated area;
wind energy facility; or
other basic industrial facility.

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.

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 property improvement(s) is/are expected to be in service in a facility.

SECTION II. 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 Crosby County and the property owner or lessee, subject to such limitations as Crosby 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 Crosby County and the property owner or lessee, subject to such limitations as Crosby County may require.

D. **Eligible Property.** Abatement may be extended to the value of new, expanded, or modernized buildings, structures, fixed machinery and equipment, site improvements, and related fixed improvements necessary to the operation and administration of the facility, and all other real and tangible personal property permitted by Chapter 312 of the Texas Tax Code.

E. **Ineligible Property.** The following types of property shall be fully taxable and ineligible for Tax Abatement: land; animals; inventories, supplies; tools; furnishings; vehicles;

vessels; aircraft; deferred maintenance investments; housing and property to be rented or leased, except as provided in Section II(F); property owned or used by the State of Texas.

F. **Owned/Leased Facilities.** If a leased facility is granted Abatement, the Agreement shall be executed with the lessor and the lessee. If the land is leased, but the facility constructed or installed thereon is owned by the lessee, the lessee shall execute the Agreement.

G. **Economic Qualifications.** In order to be eligible for designation as a reinvestment zone and receive Tax Abatement, the planned improvement:

- (1) must be an Eligible Facility;
- (2) must add at least Five Hundred Thousand Dollars (\$500,000.00) to the tax roll of eligible property;
- (3) must be reasonably expected to have an increase in positive net economic benefit to Crosby County of at least One Million Dollars (\$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) of new jobs will also factor into the decision to grant an Abatement; and
- (4) must not be expected to solely or primarily have the effect of transferring employment from one part of Crosby County to another.

H. **Standards for Tax Abatement.** The following factors, among others, will 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 by 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 Five Hundred Thousand Dollars (\$500,000.00);

(9) the costs to be incurred by Crosby County to provide facilities directly resulting from the new improvements;

(10) the amount of ad valorem taxes to be paid to Crosby 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 Crosby 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 business;

(15) the attraction of other new businesses to the area;

(16) the overall compatibility with the zoning ordinances and comprehensive plan for the area; and

(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) violation of other codes or laws; or

(4) any other reason deemed appropriate by Crosby 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 II(E) shall be fully taxable;
- (2) the base year value of existing eligible property as determined each year shall be fully taxable; and
- (3) the additional value of new eligible property shall be fully taxable at the end of the Abatement period.

SECTION III. APPLICATION

A. Any present or potential owner of taxable property in Crosby County may request the creation of a reinvestment zone and Tax Abatement by filing a written application with the County Judge of Crosby County.

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 a property; a map and property description; and 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 the application. The completed application must be accompanied by the payment of a non-refundable application fee for administrative costs and legal fees associated with the processing of the Tax Abatement request. All checks in payment of the administrative fee shall be made payable to Crosby County. The fee for Abatement requests shall be One Thousand and No/100 Dollars (\$1,000.00).

C. Crosby 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 acting upon the application.

D. If a city within Crosby County designates a reinvestment zone within its corporate limits and enters 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 Crosby County by following the same application process described in Section III(A) hereof. No other notice or hearing shall be required except compliance with the open meetings act, unless the Commissioners' Court deems them necessary in a particular case.

SECTION IV. AGREEMENT

A. After approval, the Commissioners' Court of Crosby County shall formally pass a resolution and execute an Agreement with the owner of the facility and lessee as required 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 insure 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.

Such Agreement shall normally be executed as soon as practicable, but in no event less than sixty (60) days after the applicant has forwarded all necessary information and documentation to the Commissioners' Court.

SECTION V. RECAPTURE

A. In the event that the applicant or its assignee (1) allows its ad valorem taxes owed Crosby County to become delinquent and fails to timely and properly follow the legal procedures for their protest and/or content; 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 Crosby County determine that the applicant or its assignee is in default according to the terms and conditions of its Agreement, Crosby 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 (the "Cure Period"), then the Agreement may be terminated.

SECTION VI. ADMINISTRATION

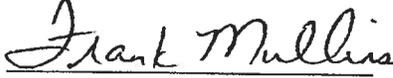
A. The Chief Appraiser of the Crosby County Appraisal District will annually determine an assessment of the real and personal property comprising the reinvestment zone. Each year, the company or individual receiving Abatement shall furnish the appraiser with such information as may be necessary for the Abatement. Once value has been established, the Chief Appraiser will notify the Commissioners' Court of Crosby County of the amount of the

Adopted on this the 19th day of May, 2013

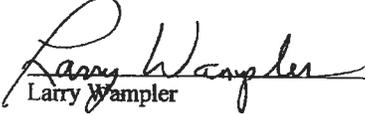
Crosby County Commissioners' Court



Gary Jordan



Frank Mullins



Larry Wampler



Steve Henn

FILED
2013 MAY 13 PM 12:11
LINDA S. JONES
COUNTY CLERK
CROSBY CO., GA
DEPUTY