



Chapter 313 Annual Eligibility Report Form

Economic Development
and Analysis
Form 50-772-A

SECTION 1: Applicant and District Information

- 1 Tax year covered by this report: 2014
NOTE: This report must be completed and submitted to the school district by May 15 of every year using information from the previous tax (calendar) year
2. Application number 316
NOTE: You can find your application number and all agreement documents and reports on the website www.texasahead.org/tax_programs/chapter313/applicants
- 3 Name of school district Lamesa ISD
- 4 Name of project on original application (or short description of facility) Mesquite Creek Wind, LLC
5. Name of applicant on original application. Mesquite Creek Wind, LLC
- 6 Name the company entering into original agreement with district Mesquite Creek Wind, LLC
- 7 Amount of limitation at time of application approval 10,000,000
- 8 If you are one of two or more companies originally applying for a limitation, list all other applicants here and describe their relationships (Use attachments if necessary)
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SECTION 2: Current Agreement Information

1. Name of current agreement holder(s) Mesquite Creek Wind, LLC
- 2 Complete mailing address of current agreement holder 300 Madison Ave, New York NY 10017
- 3 Company contact person for agreement holder.
- | | |
|-----------------------|--|
| <u>William Cannon</u> | <u>President</u> |
| Name | Title |
| <u></u> | <u>william.cannon@sumitomocorp.com</u> |
| Phone | Email |
- 4 Texas franchise tax ID number of current agreement holder 32038854884
5. If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity.
- | | |
|---------|---------|
| <u></u> | <u></u> |
| Name | Tax ID |
- 6 If the authorized company representative (same as signatory for this form) is different from the contact person listed above, complete the following:
- | | |
|--------------------------|---------|
| <u></u> | <u></u> |
| Name | Title |
| <u></u> | |
| Complete Mailing Address | |
| <u></u> | <u></u> |
| Phone | Email |
7. If you are a current agreement holder who was not an original applicant, please list all other current agreement holders. Please describe the chain of ownership from the original applicant to the new entities (Use attachments if necessary)
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SECTION 5B: Wage and Employment Information for Applications After Jan. 1, 2014 (#1000 and Above)

ONLY COMPLETE THE WAGE SECTION (5A or 5B) THAT APPLIES TO YOUR APPLICATION. You can find your application number on the website at www.texasahead.org/tax_programs/chapter313/applicants.

NOTE: For job definitions see TAC §9.1051(14) and Tax Code, §313 021(3).

QUALIFYING JOBS

1. What is the number of new qualifying jobs the applicant committed to create in the year covered by this report? . . . _____
2. Did the applicant request that the governing body waive the minimum qualifying job requirement, as provided under Tax Code §313.025(f-1)? Yes No
 - 2a. If yes, how many new qualifying jobs must the approved applicant create under the waiver? _____
3. Which Tax Code section are you using to determine the wage standard required for this project? §313.021(5)(A) or §313 021(5)(B)
 - 3a. Attach calculations and cite exact Texas Workforce Commission data sources as defined in TAC §9.1051.
4. What is the minimum required annual wage for each qualifying job in the year covered by this report? \$ _____
5. What is the annual wage the applicant committed to pay for each of the qualifying jobs in the year covered by this report? \$ _____
6. Do the qualifying jobs meet all minimum requirements set out in Tax Code §313 021(3)? Yes No

NON-QUALIFYING JOBS

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

MISCELLANEOUS

10. Did the applicant rely on a determination by the Texas Workforce Commission under the provisions §313 024(3)(F) in meeting the minimum qualifying job requirements? Yes No
 - 10a. If yes, attach supporting documentation to evidence that the requirements of §313 021(3)(F) were met
11. Are you part of a Single Unified Project (SUP) and relying on the provisions in Tax Code §313.024(d-2) to meet the qualifying job requirements? Yes No
 - 11a. If yes, attach supporting documentation from the Texas Economic Development and Tourism Office including a list of the other school district(s) and the qualifying jobs located in each

SECTION 6: Qualified Investment During Qualified Time Period

ENTITIES ARE NOT REQUIRED TO COMPLETE THIS SECTION IF THE YEAR COVERED BY THE REPORT IS AFTER THE QUALIFYING TIME PERIOD OF THEIR AGREEMENT.

1. What is the qualified investment expended by this entity from the beginning of the qualifying time period through the end of the year covered by this report? \$ 269,722,350 00
2. Was any of the land classified as qualified investment? Yes No
3. Was any of the qualified investment leased under a capitalized lease? Yes No
4. Was any of the qualified investment leased under an operating lease? Yes No
5. Was any property not owned by the applicant part of the qualified investment? Yes No

SECTION 7: Partial Interest

THE FOLLOWING QUESTIONS MUST BE ANSWERED BY ENTITIES HAVING A PARTIAL INTEREST IN AN AGREEMENT For limitation agreements where there are multiple company entities that receive a part of the limitation provided by the agreement. 1) each business entity not having a full interest in the agreement should complete a separate form for their proportionate share of required employment and investment information; and, 2) separately, the school district is required to complete an Annual Eligibility Report that provides for each question in this form a sum of the individual answers from reports submitted by each entity so that there is a cumulative Annual Eligibility Report reflecting the entire agreement.

- 1 What was your limitation amount (or portion of original limitation amount) during the year covered by this report? _____
- 2 Please describe your interest in the agreement and identify all the documents creating that interest.

SECTION 8: Approval

"I am the authorized representative for the Company submitting this Annual Eligibility Report I understand that this Report is a government record as defined in Chapter 37 of the Texas Penal Code The information I am providing on this Report is true and correct to the best of my knowledge and belief."

print here → William Cannon
Print Name (Authorized Company Representative)

President
Title

sign here → 
Signature (Authorized Company Representative)

6/3/2015
Date

print here → Brandon Westlake - Cummings Westlake LLC
Print Name of Preparer (Person Who Completed the Form)

713-266-4456
Phone



Franchise Tax Account Status

As of: 05/14/2015 05.21.27 PM

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

MESQUITE CREEK WIND LLC	
Texas Taxpayer Number	32038854884
Mailing Address	371 GORDON DR EXTON, PA 19341-1201
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	02/06/2009
Texas SOS File Number	0801084184
Registered Agent Name	C T CORPORATION SYSTEM
Registered Office Street Address	1999 BRYAN ST, SUITE 900 DALLAS, TX 75201

**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

110% x \$44,349 =
\$48,784

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.