



# Chapter 313 Annual Eligibility Report Form

## SECTION 1: Applicant and District Information

- Tax year covered by this report: 2013  
**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.
- Application number: 331  
**NOTE:** You can find your application number and all agreement documents and reports on the website [www.texasahead.org/tax\\_programs/chapter313/applicants](http://www.texasahead.org/tax_programs/chapter313/applicants)
- Name of school district: Miami ISD
- Name of project on original application (or short description of facility): Miami Wind I LLC
- Name of applicant on original application: Miami Wind I LLC
- Name the company entering into original agreement with district: Miami Wind I LLC
- Amount of limitation at time of application approval: \$10,000,000
- 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.)

## SECTION 2: Current Agreement Information

- Name of current agreement holder(s) Miami Wind I LLC
- Complete mailing address of current agreement holder One South Wacker Drive, Suite 1900; Chicago IL 606060
- Company contact person for agreement holder (same as signatory for this form):  
Name David Azari Title Asset Manager  
Phone 312-582-1533 Email DAzari@Invenergyllc.com
- Texas franchise tax ID number of current agreement holder: 32045958413

- If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity:  
Name \_\_\_\_\_ Tax ID \_\_\_\_\_

- If the authorized company representative is different from the contact person listed above, complete the following:  
Name Evan Horn Title Property Tax Agent  
Complete Mailing Address 100 Congress Ave., Suite 1900, Austin, TX 78701  
Phone 512-476-0022 Email Evan.Horn@Ryan.com

- 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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# Biennial Progress Report for Texas Economic Development Act

Economic Development and Analysis  
**Form 50-773-A**

## INTRODUCTION

- You have been assigned an application number. Please verify this number on the website prior to completing the form. This form will indicate the sections you need to complete based on application number.
- This form must be filled out by each applicant that is party to a limitation agreement.
- If the original application was made by a group of two or more companies, each company must complete this form.
- If the original applicant split into two or more applicants after the original agreement, all current agreement holders must complete this form.
- Applicants should only complete the information for their years as an agreement holder, noting what year they were formed after the original agreement was approved.
- Each agreement holder should respond as a current agreement holder in Section 2.
- Applicants should report their proportionate share of required employment and investment information.
- In addition to the Biennial Progress Report required from each applicant that is a party to an agreement, a separate Biennial Progress Report summarizing the combined applicants' data for the entire agreement must be completed.
- If one of the applicants cannot provide this information, a summarization report must be completed by the school district.
- Projects spanning more than one school district must complete forms for each school district.
- Please return signed hard copy forms and electronic spreadsheets to the school district before May 15 of each even-numbered year.

**Note:**

- The school district that is a party to the Chapter 313 agreement is collecting the data required by Chapter 313.008 on this form for the Comptroller of Public Accounts (CPA).
- The CPA requests companies complete the electronic spreadsheet version of the form. Please submit both an *electronic version* and a *signed hard copy version* of the spreadsheet (with any attachments) to the district. Please contact CPA if you have questions about the form. The spreadsheet version of this form can be downloaded at: [www.texasahead.org/tax\\_programs/chapter313/forms.php](http://www.texasahead.org/tax_programs/chapter313/forms.php).
- After ensuring that all forms are complete, the school district will forward that data to the CPA for inclusion in a statutorily required report to the Texas Legislature.

## SECTION 1: Applicant Information

1. Application number 331
2. Name of school district Miami ISD
3. Name of central appraisal district (CAD) appraising the qualified property in this school district Roberts CAD
4. Name of project on original application (or short description of facility) Miami Wind I LLC
5. Name of applicant on original application Miami Wind I LLC
6. Name of company entering into original agreement with district Miami Wind I LLC
7. 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.)



**SECTION 4: Value Limitation Details**

- 1 Original limitation amount (*for entire agreement*): ..... 10,000,000.00
- 2 Amount of qualified investment during the qualifying time period the recipient committed to spend or allocate for this project on application (*not total investment*): ..... 266,936,306.00
- 3 Total qualified investment made from the beginning of the qualifying time period through the end of the qualifying time period or the last complete tax year, if still in the qualifying time period. .... 5,300,000.00
- 4 Has the description of the qualified property changed from that in the application? .....  Yes  No
- 4a. If yes, please describe on an attachment how the actual qualified property — for which you are providing actual and estimated market values on subsequent pages — differs from that property described in the agreement. Include only property located in this school district.
- 5 What was the number of permanent existing jobs at this facility prior to application? ..... 0  
(See *guidelines for definition of existing job.*)

**SECTION 5: Job Details**

- 1 For agreements before Jan. 1, 2014, does the agreement includes a definition of “new job” other than TAC §9.1051(14)(C), as the rule existed at the time of application? .....  Yes  No
- 1a. If yes, please provide the definition of “new job” as used in the agreement. (*Use attachments if needed.*)

Report for Texas Economic Development Act  
**Job Data for Applications 1 through 999**

Project Name **Miami Wind I LLC**

1st Yr. of Qualifying Time Period

**2014**

Form 50-773A  
 Revised Jan 2014

Limitation Period						Viable Presence Period					
Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16
2018	2019	2020	2021	2022	2023	2024	2025	2026			
8*	8*	8*	8*	8*	8*	8*	8*	8*			
8*	8*	8*	8*	8*	8*	8*	8*	8*			
8*	8*	8*	8*	8*	8*	8*	8*	8*			
\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
\$477,371	\$477,371	\$477,371	\$477,371	\$477,371	\$477,371	\$477,371	\$477,371	\$477,371	\$477,371	\$477,371	\$477,371

\*Waiver in place, estimate 8 jobs for Miami ISD

14. Do not include construction jobs in counts of qualifying jobs.

I am a current agreement holder of a limitation on  
 best of my knowledge and belief.

Signature: Miami Wind I LLC

Date: 5/14/14

Phone: 512-476-0009

complete the electronic spreadsheet version of the form.  
 and hard copy version of the spreadsheet (with any attachments) to the district.

**Biennial Progress Report for Texas Economic Development Act  
CHART A2: Investment and Market Values for Applications 1 through 999**

Application Number **331**  
Current Agreement Holder Name **Miami Wind I LLC**  
ISD Name **Miami ISD**

Form 50-773A  
Revised Jan 2014

Qualifying Time Period	Year	School Year (YYYY-YYYY)	Tax Year (actual tax year) YYYY	Total Investment <sup>1</sup> (cumulative)	Market value of qualified property on Jan. 1 BEFORE any exemptions <sup>2</sup>	Market value less any exemptions (such as pollution control) and before limitation <sup>3</sup>	Taxable value of qualified property for purposes of M&O
Value limitation period	Year 1	2013-2014	2013	\$5,300,000	\$5,000,000	\$5,000,000	\$5,000,000
	Year 2	2014-2015	2014	\$205,000,000	\$194,750,000	\$194,750,000	\$194,750,000
	3	2015-2016	2015	\$205,000,000	\$179,170,000	\$179,170,000	\$10,000,000
	4	2016-2017	2016	\$205,150,000	\$164,836,400	\$164,836,400	\$10,000,000
	5	2017-2018	2017	\$205,290,800	\$151,649,488	\$151,649,488	\$10,000,000
	6	2018-2019	2018	\$205,468,196	\$139,517,529	\$139,517,529	\$10,000,000
	7	2019-2020	2019	\$205,645,592	\$128,356,127	\$128,356,127	\$10,000,000
	8	2020-2021	2020	\$205,822,988	\$118,087,637	\$118,087,637	\$10,000,000
	9	2021-2022	2021	\$206,000,384	\$108,640,626	\$108,640,626	\$10,000,000
	10	2022-2023	2022	\$206,177,780	\$99,949,376	\$99,949,376	\$10,000,000
	11	2023-2024	2023	\$206,355,176	\$91,953,426	\$91,953,426	\$10,000,000
	12	2024-2025	2024	\$206,532,572	\$84,597,151	\$84,597,151	\$10,000,000
	13	2025-2026	2025	\$206,709,968	\$77,829,379	\$77,829,379	\$10,000,000
13	2026-2027	2026	\$206,887,364				

Notes:  
 1. Total investment is all investment at original cost, including land acquired after filing of application. Investments made in a year should be reflected in the subsequent year's market value.  
 2. Use appraisal values from CAD as available. For future years, use market value that the entity estimates will approximate the market value for ad valorem tax purposes in that year.  
 3. This amount is typically the taxable value for the purpose of I&S fund or debt service reserve fund.

By signing below, I, Esarthon, certify that I am the authorized representative of Miami Wind I LLC, a current agreement holder of a limitation on appraised value, and the contents of this form and the attached documentation are true and correct to the best of my knowledge and belief.

Authorized Official Signature [Signature] Date 5/14/14  
 Print Name/Title Agents Phone Number 512-476-0022

The CPA requests companies complete the electronic spreadsheet version of the form.  
 Please submit both an electronic version and a signed hard copy version of the spreadsheet (with any attachments) to the district.

**SECTION 3: Applicant Eligibility Information**

1. Does the business entity have the right to transact business with respect to Tax Code, Chapter 171?  
(Attach printout from Comptroller Web site: <http://www.window.state.tx.us/taxinfo/coasintr.html>) .....  Yes  No
  2. Is the business entity current on all taxes due to the State of Texas? .....  Yes  No
  3. Is the business activity of the project an eligible business activity under Section 313.024(b)? .....  Yes  No
- 3a. Please identify business activity: Renewable Energy Electric Generation

**SECTION 4: Qualified Property Information**

1. Market value from previous tax year: ..... \$ 0.00
2. I&S taxable value from previous tax year: ..... \$ 0.00
3. M&O taxable value from previous tax year: ..... \$ 0.00

**SECTION 5A: Wage and Employment Information for Applications Prior to Jan. 1, 2014 (#1 Through 999)**

**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](http://www.texasahead.org/tax_programs/chapter313/applicants).**

**NOTE:** All statutory references in Section 5A are for statute as it existed prior to Jan. 1, 2014. For job definitions see TAC §9.1051(14) and Tax Code, §313.021(3). If the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), then please provide the definition "new job" as used in the agreement. Notwithstanding any waiver by the district of the requirement for the creation of a minimum number of new jobs, or any other job commitment in the agreement, Tax Code §313.024(d) requires that 80 percent of all new jobs be qualifying jobs.

1. How many new jobs were based on the qualified property in the year covered by this report? (See note above) ..... 0
2. What is the number of new jobs required for a project in this school district according to §313.021(2)(A)(iv)(b), §313.051(b), as appropriate? ..... 10
3. Did the applicant request that the governing body waive the minimum job requirement, as provided under Tax Code §313.025(f-1)? .....  Yes  No  
 3a. If yes, how many new jobs must the approved applicant create under the waiver? ..... 8\*
4. Calculate 80 percent of new jobs (0.80 x number of new jobs based on the qualified property in the year covered by this report.) ..... 0
5. What is the minimum required annual wage for each qualifying job in the year covered by the report? ..... \$ 46,035.00
6. Identify which of the four Tax Code sections is used to determine the wage standard required by the agreement:  
 §313.021(5)(A) or  §313.021(5)(B) or  §313.021(3)(E)(ii) or  §313.051(b)
- 6a. Attach calculations and cite exact Texas Workforce Commission data source as defined in TAC §9.1051.
7. Does the agreement require the applicant to provide a specified number of jobs at a specified wage? .....  Yes  No
  - 7a. If yes, how many qualifying jobs did the approved applicant commit to create in the year covered by the report? .....
  - 7b. If yes, what annual wage did the approved applicant commit to pay in the year covered by the report? ..... \$ .....
  - 7c. If yes, how many qualifying jobs were created at the specified wage in the year covered by the report? .....
8. How many qualifying jobs (employees of this entity and employees of a contractor with this entity) were based on the qualified property in the year covered by the report? ..... 0
  - 8a. Of the qualifying job-holders last year, how many were employees of the approved applicant? .....
  - 8b. Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? .....
  - 8c. If any qualifying job-holders were employees of an entity contracting with the applicant, does the approved applicant or assignee have documentation from the contractor supporting the conclusion that those jobs are qualifying jobs? .....  Yes  No  N/A

**SECTION 5B: Wage and Employment Information for Applications After Jan. 1, 2014 (#1000 and Above)**

ONLY COMPLETE THE WAGE SECTION (5A or 5B) THAT APPLIES TO YOUR APPLICATION. You can find your application number on the website at [www.texasahead.org/tax\\_programs/chapter313/applicants](http://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 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? . . . . . \$ \_\_\_\_\_ 0.00
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** → Evan Horn  
Print Name (Authorized Company Representative)

Agent  
Title

**sign here** →   
Signature (Authorized Company Representative)

5/9/14  
Date

**print here** → Evan Horn  
Print Name of Preparer (Person Who Completed the Form)



## Franchise Tax Account Status

As of: 05/13/2014 03:10:33 PM

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

MIAMI WIND I, LLC	
Texas Taxpayer Number	32045958413
Mailing Address	3610-2 N JOSEY LN SUITE 223 CARROLLTON, TX 75007-0000
Right to Transact Business in Texas	ACTIVE
State of Formation	TX
Effective SOS Registration Date	12/09/2011
Texas SOS File Number	0801518545
Registered Agent Name	ATTORNEY SERVICE ASSOCIATES, INC.
Registered Office Street Address	3610-2 N JOSEY LN, SUITE 223 CARROLLTON, TX 75007

**Miami Wind Wage Calculations**

**Hemphill County All Industries Average Weekly Wages**

Year	Period	Area	Ownership	Division	Level	Mid Code	Industry	Avg Weekly Wages
2013	1st Qtr	Hemphill County	Total All	0	0	10	Total, All Industries	\$ 969
2012	2nd Qtr	Hemphill County	Total All	0	0	10	Total, All Industries	\$ 918
2012	3rd Qtr	Hemphill County	Total All	0	0	10	Total, All Industries	\$ 898
2012	4th Qtr	Hemphill County	Total All	0	0	10	Total, All Industries	\$ 1,093

4 Period Weekly Avg \$ 969.50  
 110% Of Average \$ 1,066.45

**Hemphill County Average Manufacturing Weekly Wages**

Year	Period	Area	Ownership	Division	Level	Mid Code	Industry	Avg Weekly Wages
2013	1st Qtr	Hemphill County	Total All	31	2	31-33	Manufacturing	785
2012	2nd Qtr	Hemphill County	Total All	31	2	31-33	Manufacturing	705
2012	3rd Qtr	Hemphill County	Total All	31	2	31-33	Manufacturing	741
2012	4th Qtr	Hemphill County	Total All	31	2	31-33	Manufacturing	789

4 Period Weekly Avg \$ 755.00  
 110% Of Average \$ 830.50

**Panhandle Regional Planning Commission**

	Hourly	Annual
2012 Average Manufacturing Wages	\$ 20.12	\$ 41,850.00
Avg Weekly Wage		\$ 804.81
110% of Region Weekly Wage		\$ 885.29
110% of Annual Wages		\$ 45,035.00