

Property Tax Department  
One Shell Plaza  
P.O. Box 4369  
Houston, TX 77210-4369

VIA ELECTRONIC MAIL TO: [mporterie@paisd.org](mailto:mporterie@paisd.org)  
VIA ELECTRONIC MAIL TO: [pgeans@paisd.org](mailto:pgeans@paisd.org)

AND CERTIFIED MAIL, RETURN RECEIPT REQUESTED

May 5, 2016

Ms. Phyllis Geans  
Assistant Superintendent for Business and Finance  
Port Arthur Independent School District  
P.O. Box 1388  
Port Arthur, Texas 77641-1388

**Re: Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes dated January 25, 2007, by and between Port Arthur Independent School District and Motiva Enterprises LLC (the "Appraised Value Limitation Agreement")**

Dear Ms. Geans:

Please find enclosed Form 50-772-A (Chapter 313 Annual Eligibility Report) and Form 50-773-A (Biennial Progress Report for Texas Economic Development Act) that have been completed with the most current information regarding Motiva's Crude Expansion Project.

If you have any questions, or require any additional information, please do not hesitate to contact me at (713) 241-0754. We appreciate Port Arthur Independent School District's leadership and support in helping to bring this important energy project to Southeast Texas.

Sincerely,



Mandy Antono  
Tax Officer

W/ Enclosures

CC: Bob Popinski ([bpopinski@moakcasey.com](mailto:bpopinski@moakcasey.com))

**CONFIDENTIAL**



# 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 and signed by the superintendent.
- 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 313.032 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 37
2. Name of school district Port Arthur Independent School District
3. Name of central appraisal district (CAD) appraising the qualified property in this school district Jefferson County Appraisal District
4. Name of project on original application (or short description of facility) Crude Expansion Project
5. Name of applicant on original application Motiva Enterprises, LLC
6. Name of company entering into original agreement with district Motiva Enterprises, 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.)

N/A

**SECTION 2: Current Agreement Information**

1. Name of current agreement holder(s) Motiva Enterprises, LLC
2. Complete mailing address of current agreement holder Attn:Property tax dept., P.O. Box 4369, Houston, TX 77210
3. Company contact person for agreement holder:
 

<u>Mandy Antono</u>	<u>Tax Officer</u>
Name	Title
<u>713-241-0754</u>	<u>mandy.antono@shell.com</u>
Phone	Email
4. Texas franchise tax ID number of current agreement holder: 17602624904
5. If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity:
 

<u>N/A</u>	<u>N/A</u>
Name	Tax ID
6. NAICS Code of current agreement holder (6 Digit): 324110
7. If the authorized company representative is different from the contact person listed above:
 

<u>N/A</u>	<u>N/A</u>
Name	Title
<u>N/A</u>	
Complete Mailing Address	
<u>N/A</u>	<u>N/A</u>
Phone	Email
8. 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.)*

N/A

**SECTION 3: Project Timeline**

1. Date original limitation agreement approved by school district ..... January 25, 2007
2. First (complete) year of qualifying time period – after the date the application is approved. See Tax Code §313.021[4]. . . 2008
3. Date commercial operations began at the site of the project ..... 2012
4. First year of property value limitation ..... 2010

**SECTION 4: Value Limitation Details**

- 1 Minimum limitation amount per Agreement (for entire agreement): ..... 30,000,000.00
- 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): ..... 2,650,000,000.00
- 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. .... 10,331,615,000.00
- 4 Has the size and/or scope of the project changed, resulting in a material change in qualified property 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? ..... 850  
(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.)

**SECTION 6: Authorized Signature**

After this report and charts are complete, they should be reviewed and certified to be complete by a company employee authorized to sign on behalf of the company listed in Section 2.

By signing below, I certify that I am an employee of Motiva Enterprises, LLC, a current agreement holder of a limitation on appraised value who is authorized to sign on behalf of the company. I attest that the contents of this form and attachments are true and correct to the best of my knowledge and belief and have determined that the electronic copy is identical to the hard copy of this report.

**print here** ▶ Mandy Antono Tax Officer 713-241-0754  
Print Name of Company Employee Title Phone

**sign here** ▶  05/05/2016  
Signature of Company Employee Date

NOTE: If you amend your report, you will need to resign and resubmit this section with your forms, charts or attachments.

\*There has been no change in the size or scope of the project, and no property has been added to the project that was not described in the application and the agreement. The actual total investment and market value amounts are higher than those originally projected at the time the application was filed due in substantial part to increased costs experienced during the construction of the project, including higher than projected costs for steel and labor.

**CHART A1: Job Data for Applications 1 through 999**

App Number: 37 Date: \_\_\_\_\_  
 District Name: Port Arthur Independent School District 1st Yr. of Qualifying Time Period: 2008  
 Company Name: Motiva Enterprises, LLC

**CHART A1 – Only complete this for applications 1 through 999.**

	Tax year (YYYY)	Qualifying Time Period										Limitation Period										Viable Presence Period							
		Year 1 (First Complete Tax Year)	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20	Year 21	Year 22	Year 23					
1	Number of qualifying jobs <sup>1</sup> applicant committed to create on application (cumulative)	0	0	0	0	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250		
2	Number of qualifying jobs <sup>1</sup> applicant actually created (cumulative)	176	176	229	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301		
3	Number of new jobs <sup>2</sup> created (cumulative)	176	176	229	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301		
4	Median annual wage of new jobs applicant created	64,500.00	64,500.00	64,500.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	66,750.00	
5	Total wages for new jobs applicant created	11,781,800.00	11,781,800.00	15,447,700.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00	22,891,858.00

Actual and projected data. Use actual data for prior years. Estimates are required for current and future years.

**Notes:**

- Jobs meeting all of the requirements of Tax Code §313.021(3) as the statute existed before Jan. 1, 2014. Do not include construction jobs in counts of qualifying jobs.
- For new job definition see TAC §9.1051(14) as rules existed before Jan. 1, 2014.

The CPA requests companies complete the electronic spreadsheet version of the form and submit identical electronic and hard copy versions 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**

**Date** 5-May-16 **Form 50-773A**  
**Application Number** 37 *Revised May 2014*  
**Current Agreement Holder Name** Motiva Enterprises, LLC  
**ISD Name**

CHART A2 - Only complete this for applications 1 through 999.

	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
Prior to start of value limitation period	1	2008-2009	2008	558,018,900	12,149,900	12,149,900	12,149,900
	2	2009-2010	2009	4,848,643,900	193,632,700	193,632,700	193,632,700
Value limitation period	3	2010-2011	2010	5,405,823,900	1,830,495,700	1,830,495,700	30,000,000
	4	2011-2012	2011	7,991,347,200	1,864,192,000	1,864,192,000	30,000,000
	5	2012-2013	2012	8,341,347,200	2,523,000,000	2,144,550,000	30,000,000
	6	2013-2014	2013	10,331,615,000	3,964,643,500	3,237,446,900	30,000,000
	7	2014-2015	2014	10,331,615,000	3,319,474,600	3,319,474,600	30,000,000
	8	2015-2016	2015	10,331,615,000	3,432,082,000	3,432,082,000	30,000,000
	9	2016-2017	2016	10,331,615,000	3,600,000,000	3,600,000,000	30,000,000
	10	2017-2018	2017	10,331,615,000	3,600,000,000	3,600,000,000	30,000,000
Viable presence period	11	2018-2019	2018	10,331,615,000	3,600,000,000	3,600,000,000	3,600,000,000
	12	2019-2020	2019	10,331,615,000	3,600,000,000	3,600,000,000	3,600,000,000
	13	2020-2021	2020	10,331,615,000	3,600,000,000	3,600,000,000	3,600,000,000

Actual and projected data. Use actual data for prior years. Estimates are required for current and future years.

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 volorem 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.

The CPA requests companies complete the electronic spreadsheet version of the form and submit identical electronic and hard copy versions of the spreadsheet (with any attachments) to the district.