



Chapter 313 Annual Eligibility Report Form

Form 50-772
(May 2010)

2009

Tax Year covered in this report

Hermleigh Independent School District

0.35

1.04

School district name

I&S Tax Rate

M&O Tax Rate

Scurry County Wind, LP

Scurry County Wind, LP

Project Name

Company Name

One South Wacker Drive, Suite 200; Chicago, IL 60606

John Majewski

Company Address

Company Contact Information

NOTE: This form must be completed by an authorized representative of each approved applicant and each entity with property subject to the limitation agreement. It must be submitted to the school district by May 15th of every year using information from the previous tax (calendar) year. 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.

32028046459

Texas Taxpayer ID of Applicant

Texas Taxpayer ID Reporting Entity (if appropriate)

December 10, 2007

Scurry County Wind, LP

Date of Agreement Approval

Original Applicant Name

2008

2009

First complete tax year of the qualifying time period

Last tax year of the qualifying time period

2010

\$5,000,000

First tax year of the limitation

Amount of the limitation at the time of application approval

QUALIFIED PROPERTY INFORMATION

\$94,249,000

\$94,249,000

\$94,249,000

Market Value

I&S Taxable Value

M&O Taxable Value

Is the business entity in good standing with respect to Tax Code, Chapter 171?

(Attach printout from Comptroller Web site: <http://www.window.state.tx.us/taxinfo/coasintr.html>)

Yes No

Is the business entity current on all taxes due to the State of Texas?

Yes No

Is the business activity of the project an eligible business activity under Section 313.024(b)?

Yes No

Please identify business activity: Renewable Energy Electric Generation

N/A

What was the application review start date for your application (the date your application was determined to be complete)?

(This question must only be answered for projects with applications approved after June 1, 2010.)

8

How many new jobs were based on the qualified property in the year covered by this report? (See note on page 3.)

10

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?

0

If the applicant requested a waiver of minimum jobs requirement, how many new jobs must the approved applicant create under the waiver?

8

80 percent of New Jobs (0.80 x number of new jobs based on the qualified property in the year covered by this report.)

What is the minimum required annual wage for each qualifying job in the year covered by the report? \$37,294

For agreements executed prior to June 19, 2009, please identify which of the two Tax Code sections is used to determine the wage standard required by the agreement: §313.021(5)(A) or §313.051(b). For agreements executed after June 19, 2009, please identify which of the four Tax Code sections is used to determine the wage standard required by the agreement: §313.021(5)(A), §313.021(5)(B), §313.021(3)(E)(ii), or §313.051(b). 313.051(b)

Attach calculations and cite (or attach) exact Texas Workforce Commission data sources. see attachment

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? 6

Of the qualifying job-holders last year, how many were employees of the approved applicant? 6

Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? 0

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? NA Yes No

THE FOLLOWING QUESTIONS APPLY ONLY TO APPROVED APPLICANTS WITH AGREEMENTS THAT REQUIRE THE APPROVED APPLICANT TO PROVIDE A SPECIFIED NUMBER OF JOBS AT A SPECIFIED WAGE.

How many qualifying jobs did the approved applicant commit to create in the year covered by the report? _____

At what annual wage? _____

How many qualifying jobs were created at the specified wage? _____

ENTITIES ARE NOT REQUIRED TO ANSWER THE FOLLOWING FIVE QUESTIONS IF THE YEAR COVERED BY THE REPORT IS AFTER THE QUALIFYING TIME PERIOD OF THEIR AGREEMENT.

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? \$85,277,987

Was any of the land classified as qualified investment? Yes No

Was any of the qualified investment leased under a capitalized lease? Yes No

Was any of the qualified investment leased under and operating lease? Yes No

Was any property not owned by the applicant part of the qualified investment? Yes No

THE FOLLOWING QUESTIONS MUST BE ANSWERED BY ENTITIES HAVING A PARTIAL INTEREST IN AN AGREEMENT.

What was your limitation amount (or portion of original limitation amount) during the year covered by this report? _____

Please describe your interest in the agreement and identify all the documents creating that interest.

NOTE: 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.

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."

Signature


Asset Manager

Title

John Majewski

Printed name of authorized company representative

8/2/10

Date

CONTACT INFORMATION FOR AUTHORIZED REPRESENTATIVE

One South Wacker Drive, Suite 200; Chicago, IL 60606

Address

312-582-1488

Phone

jmajewski@invenergyllc.com

E-mail



TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

SUSAN COMBS • COMPTROLLER • AUSTIN, TEXAS 78774

July 2, 2010

CERTIFICATE OF ACCOUNT STATUS

THE STATE OF TEXAS
COUNTY OF TRAVIS

I, Susan Combs, Comptroller of Public Accounts of the State of Texas, DO
HEREBY CERTIFY that according to the records of this office

SCURRY COUNTY WIND, L.P.
DBA
SCURRY COUNTY WIND, L.P.

is, as of this date, in good standing with this office having no franchise
tax reports or payments due at this time. This certificate is valid through
the date that the next franchise tax report will be due November 15, 2010.

This certificate does not make a representation as to the status of the
entity's registration, if any, with the Texas Secretary of State.

This certificate is valid for the purpose of conversion when the converted
entity is subject to franchise tax as required by law. This certificate is
not valid for any other filing with the Texas Secretary of State.

GIVEN UNDER MY HAND AND
SEAL OF OFFICE in the City of
Austin, this 2nd day of
July 2010 A.D.

A handwritten signature in cursive script that reads "Susan Combs".

Susan Combs
Texas Comptroller

Taxpayer number: 32028046459
File number: 0800616113

Form 05-304 (Rev. 12-07/17)

Chapter 313 Annual Eligibility Form
Scurry County Wind, LP

Additional Information and Calculations

The required qualifying job annual wage was calculated as follows:

1. Chapter 313.051 is applicable because Scurry County was an area qualified as a strategic investment area before that subchapter expired.¹
2. Pursuant to 313.051(b), a property owner is required to create only at least 10 new jobs on the owner's qualified property.²
3. Further, at least 80% of these jobs (8 total) must be qualifying jobs, except that a qualifying job must pay 110% of the average weekly wage for manufacturing jobs in the region.³
4. Scurry County is in the West Central WDA.⁴
5. Pursuant to the most recent data compiled by the Texas Workforce Commission, the mean annual wage for all jobs in the manufacturing industry in the West Central WDA is \$33,904.⁵
6. At the 110% rate required by 313.051(b), the required annual wage for a qualifying job is \$37,294.
7. Thus, Scurry County Wind is required to employ at least 8 people at an annual wage of at least \$37,294.

¹ Tex. Tax Code 313.051(a)(1); <http://www.window.state.tx.us/taxinfo/franchise/sia.html>

² Tex. Tax Code 313.051(b)

³ *Id.*

⁴ http://www.tracer2.com/admin/uploadedpublications/1610_WDA_County_list.pdf

⁵ <http://www.tracer2.com/cgi/dataanalysis/AreaSelection.asp?tableName=Oeswage> (select proper information).

Wages by Profession

Bar

Page 1 of 1 (40 results/pa

Year	Period	Area	Ind Code	Industry	Occ Code	Occupation	Wage Source	Rate Type	Mean Wages	Median Wa
2008	Annual	West Central WDA	1013	Manufacturing	000000	Total All Occupations	BLS Occupational Employment Statistics Survey	Annual wage or salary	\$33,904	\$26

TEXAS COUNTIES BY WORKFORCE DEVELOPMENT AREA

ALAMO Atascosa Bandera Bexar Comal Frio Gillespie Guadalupe Karnes Kendall Kerr Medina Wilson	COASTAL BEND CONT. Jim Wells Kenedy Kleberg Live Oak Mc Mullen Nueces Refugio San Patricio	EAST TEXAS Anderson Camp Cherokee Gregg Harrison Henderson Marion Panola Rains Rusk Smith Upshur Van Zandt Wood	HEART OF TEXAS Bosque Falls Freestone Hill Limestone Mc Lennan
BRAZOS VALLEY Brazos Burleson Grimes Leon Madison Robertson Washington	CONCHO VALLEY Coke Concho Crockett Irion Kimble Mason Mc Culloch Menard Reagan Schleicher Sterling Sutton Tom Green	GOLDEN CRESCENT Calhoun De Witt Goliad Gonzales Jackson Lavaca Victoria	LOWER RIO GRANDE VALLEY Hidalgo Starr Willacy
CAMERON COUNTY Cameron	DALLAS COUNTY Dallas	GULF COAST Austin Brazoria Chambers Colorado Fort Bend Galveston Harris Liberty Matagorda Montgomery Walker Waller Wharton	MIDDLE RIO GRANDE Dimmit Edwards Kinney La Salle Maverick Real Uvalde Val Verde Zavala
CAPITAL AREA Travis	DEEP EAST TEXAS Angelina Houston Jasper Nacogdoches Newton Polk Sabine San Augustine San Jacinto Shelby Trinity Tyler		NORTH CENTRAL Collin Denton Ellis Erath Hood Hunt Johnson Kaufman Navarro Palo Pinto Parker Rockwall Somervell Wise
CENTRAL TEXAS Bell Coryell Hamilton Lampasas Milam Mills San Saba			
COASTAL BEND Aransas Bee Brooks Duval			

TEXAS COUNTIES BY WORKFORCE DEVELOPMENT AREA

NORTH EAST

Bowie
Cass
Delta
Franklin
Hopkins
Lamar
Morris
Red River
Titus

NORTH TEXAS

Archer
Baylor
Clay
Cottle
Foard
Hardeman
Jack
Montague
Wichita
Wilbarger
Young

PANHANDLE

Armstrong
Briscoe
Carson
Castro
Childress
Collingsworth
Dallam
Deaf Smith
Donley
Gray
Hall
Hansford
Hartley
Hemphill
Hutchinson
Lipscomb
Moore
Ochiltree
Oldham
Parmer
Potter
Randall
Roberts

PANHANDLE CONT.

Sherman
Swisher
Wheeler

PERMIAN BASIN

Andrews
Borden
Crane
Dawson
Ector
Gaines
Glasscock
Howard
Loving
Martin
Midland
Pecos
Reeves
Terrell
Upton
Ward
Winkler

RURAL CAPITAL

Bastrop
Blanco
Burnet
Caldwell
Fayette
Hays
Lee
Llano
Williamson

SOUTH EAST TEXAS

Hardin
Jefferson
Orange

SOUTH PLAINS

Bailey
Cochran
Crosby
Dickens
Floyd

SOUTH PLAINS CONT.

Garza
Hale
Hockley
King
Lamb
Lubbock
Lynn
Motley
Terry
Yoakum

SOUTH TEXAS

Jim Hogg
Webb
Zapata

TARRANT COUNTY

Tarrant

TEXOMA

Cooke
Fannin
Grayson

UPPER RIO GRANDE

Brewster
Culberson
El Paso
Hudspeth
Jeff Davis
Presidio

WEST CENTRAL

Brown
Callahan
Coleman
Comanche
Eastland
Fisher
Haskell
Jones
Kent
Knox
Mitchell

WEST CENTRAL CONT.

Nolan
Runnels
Scurry
Shackelford
Stephens
Stonewall
Taylor
Throckmorton