



**David T. Hudson**

*President  
New Mexico, Texas*

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Amarillo, TX 79101  
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August 14, 2020

Dr. Brian Bibb  
Superintendent  
Petersburg Independent School District  
1411 West 4<sup>th</sup> Street  
PO Box 160  
Petersburg, Texas 79250

Re: Assignment of Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes by and between Petersburg Independent School District and Hale Petersburg Wind LLC – Application 1134

Dear Superintendent Bibb:

Hale Petersburg Wind LLC (“Hale”), party to the above referenced Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes (the “Agreement”), has merged into its sole owner, Southwestern Public Service Company (“SPS”), with SPS surviving the merger. Pursuant to Sections 10.2 and 10.3 of the Agreement, in order for SPS to succeed to Hale’s rights and obligations under the Agreement, SPS (on behalf of Hale) and the District must execute an amendment to the Agreement assigning the Agreement to SPS. Attached is a copy of a proposed Agreement amendment accomplishing this.

Also attached is a completed copy of a Chapter 313 Agreement Assignment Information sheet setting forth information requested by the Texas Comptroller of Public Accounts regarding the proposed assignment.

Please let me know if you have any questions or comments regarding this proposed assignment or any of the attached material.

Sincerely,

David T. Hudson  
President,  
Southwestern Public Service Company

## Chapter 313 Agreement Assignment Information Sheet

### Section 1: Assignor Information

|                                                 |                                                                                        |
|-------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. Authorized Company Representative (Assignor) |                                                                                        |
| a. First Name                                   | David                                                                                  |
| b. Last Name                                    | Hudson                                                                                 |
| c. Title                                        | President                                                                              |
| d. Organization                                 | Southwest Public Service Company, the successor by merger to Hale Petersburg Wind, LLC |
| e. Street Address                               | 790 South Buchanan St                                                                  |
| f. Mailing Address                              | 790 South Buchanan St                                                                  |
| g. City State ZIP                               | Amarillo, TX 79101                                                                     |
| h. Phone Number                                 | 806-378-2824                                                                           |
| i. Fax Number                                   | 806-378-2995                                                                           |
| j. Mobile Number (optional)                     |                                                                                        |
| k. Business Email Address                       | David.hudson@xcelenergy.com                                                            |

|                                                          |                                        |
|----------------------------------------------------------|----------------------------------------|
| 2. Agreement associated with this Request for Assignment |                                        |
| a. School District                                       | Petersburg Independent School District |
| b. Legal Name of Original Applicant/Counterparty         | Hale Wind Energy, LLC                  |
| c. Application #                                         | 1134                                   |
| d. Agreement Execution Date                              | November 17, 2016                      |
| e. Business Email Address                                | David.hudson@xcelenergy.com            |

a. Attach the agreement to be assigned as Tab 1.

|                                                                                                                                                   |     |
|---------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 3. Is the Assignor eligible to assign the Agreement.                                                                                              | Yes |
| 4. Does the Assignor represent that this assignment is being made free of encumbrances or additional PILOT payments not covered in the Agreement? | Yes |

### Section 2: Assignee Information

|                                                 |                                     |
|-------------------------------------------------|-------------------------------------|
| 5. Authorized Company Representative (Assignee) |                                     |
| a. First Name                                   | David                               |
| b. Last Name                                    | Hudson                              |
| c. Title                                        | President                           |
| d. Organization                                 | Southwestern Public Service Company |
| e. Street Address                               | 790 South Buchanan St               |
| f. Mailing Address                              | 790 South Buchanan St               |
| g. City State ZIP                               | Amarillo, TX 79101                  |
| h. Phone Number                                 | 806-378-2824                        |
| i. Fax Number                                   | 806-378-2995                        |
| j. Mobile Number (optional)                     |                                     |
| k. Business Email Address                       | David.hudson@xcelenergy.com         |

|                                                                                                                                                     |     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 6. Will a company official other than the authorized company representative be responsible for responding to future information requests? Yes or No | Yes |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-----|

If yes, please provide contact information for that person.

|                             |                                                                                            |
|-----------------------------|--------------------------------------------------------------------------------------------|
| a. First Name               | Chris                                                                                      |
| b. Last Name                | Arend                                                                                      |
| c. Title                    | Sr. Director, Tax Services                                                                 |
| d. Organization             | Xcel Energy Services Inc.                                                                  |
| e. Street Address           | 401 Nicollet Mall                                                                          |
| f. Mailing Address          | 401 Nicollet Mall                                                                          |
| g. City State ZIP           | Minneapolis, MN 55401                                                                      |
| h. Phone Number             | 612-330-5729                                                                               |
| i. Fax Number               | 612-330-6335                                                                               |
| j. Mobile Number (optional) | 612-618-1465                                                                               |
| k. Business Email Address   | <a href="mailto:Christopher.a.arend@xcelenergy.com">Christopher.a.arend@xcelenergy.com</a> |

|                                                                                                                        |     |
|------------------------------------------------------------------------------------------------------------------------|-----|
| 7. Does the assignee authorize the consultant to provide and obtain information related to this application? Yes or No | Yes |
|------------------------------------------------------------------------------------------------------------------------|-----|

|                                                  |                                                                            |
|--------------------------------------------------|----------------------------------------------------------------------------|
| 8. Authorized Company Consultant (If Applicable) |                                                                            |
| a. First Name                                    | Matt                                                                       |
| b. Last Name                                     | Larsen                                                                     |
| c. Title                                         | Partner                                                                    |
| d. Organization                                  | Baker Botts L.L.P.                                                         |
| e. Street Address                                | 2001 Ross Avenue, Suite 900                                                |
| f. Mailing Address                               | 2001 Ross Avenue, Suite 900                                                |
| g. City State ZIP                                | Dallas, TX 75201                                                           |
| h. Phone Number                                  | 214-953-6673                                                               |
| i. Fax Number                                    | 214-661-4673                                                               |
| j. Mobile Number (optional)                      | 214-725-9166                                                               |
| k. Business Email Address                        | <a href="mailto:matt.larsen@bakerbotts.com">matt.larsen@bakerbotts.com</a> |

### Section 3: Business Applicant Information

|                                                                                               |                                     |
|-----------------------------------------------------------------------------------------------|-------------------------------------|
| 1. What is the legal name of the assignee under which this assignment is made?                | Southwestern Public Service Company |
| 2. List the Texas Taxpayer I.D. number of entity subject to Tax Code, Chapter 171 (11 digits) | 17505754006                         |
| 3. List the NAICS code                                                                        | 221100                              |
| 4. Is the assignee a party to any other pending or active Chapter 313 agreements?             | NO                                  |

- a. If yes, please list application number, name of school district and year of agreement:

**Section 4: Assignee Business Structure**

|                                                                                                                                 |             |
|---------------------------------------------------------------------------------------------------------------------------------|-------------|
| 1. Identify Business Organization of Assignee (corporation, limited liability corporation, etc)                                 | Corporation |
| 2. Is assignee a combined group, or comprised of members of a combined group, as defined by Tax Code §171.0001(7)? (Yes or No?) | Yes         |

- a. If yes, attach a copy of Texas Comptroller Franchise Tax Form No. 05-165, No. 05-166, or any other documentation from the Franchise Tax Division to demonstrate the assignee's combined group membership and contact information. Please make sure to list the reporting number for the entities. All entities have attested to compliance with the agreement to date.

|                                                                                                                                                                                                    |     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 3. Is the assignee current on all tax payments due to the State of Texas?                                                                                                                          | Yes |
| 4. Are all members of the assignee's combined group current on all tax payments due to the State of Texas?                                                                                         | Yes |
| 5. If the answer to question 3 or 4 is no, please explain and/or disclose any history of default, delinquencies and/or any material litigation, including litigation involving the State of Texas. |     |

**Section 5: Assignee Eligibility Under Tax Code Chapter 313.024**

|                                                                                                                                                                                                    |            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1. Is the assignee an entity subject to the tax under Tax Code, Chapter 171? Yes or No                                                                                                             | <b>Yes</b> |
| 2. The property will be used for which one of the following activities                                                                                                                             |            |
| a. Manufacturing                                                                                                                                                                                   |            |
| b. research and development                                                                                                                                                                        |            |
| c. a clean coal project, as defined by Section 5.001, Water Code                                                                                                                                   |            |
| d. an advanced clean energy project, as defined by Section 382.003, Health and Safety Code                                                                                                         |            |
| e. renewable energy electric generation                                                                                                                                                            | <b>Yes</b> |
| f. electric power generation using integrated gasification combined cycle technology                                                                                                               |            |
| g. nuclear electric power generation                                                                                                                                                               |            |
| h. 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 (a) through (h) |            |
| i. a Texas Priority Project, as defined by 313.024(e)(7) and TAC 9.1051                                                                                                                            |            |

&lt;Signature Page Follows&gt;

**Authorized Signatures:**

**1) Authorized School District Representative**

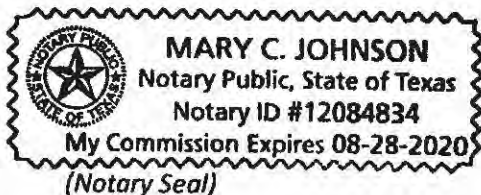
Name: Brian Bibb Title: Superintendent  
Signature: Brian Bibb Date: August 20, 2020

**2) Assignor:**

The information contained in this application is true and correct to the best of my knowledge and belief:

Name: David Hudson Title: President, Southwestern Public Service Company  
Signature: David Hudson Date: August 18, 2020

Notary:



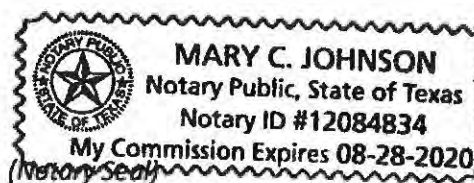
Given under my hand and seal of office this, the  
18 day of August, 2020  
Mary C Johnson  
Notary Public in and for the State of Texas  
My Commission Expires: 8-28-2020

**3) Assignee:**

The information contained in this application is true and correct to the best of my knowledge and belief:

Name: David Hudson Title: President, Southwestern Public Service Company  
Signature: David Hudson Date: August 18, 2020

Notary:



Given under my hand and seal of office this, the  
18 day of August, 2020  
Mary C Johnson  
Notary Public in and for the State of Texas  
My Commission Expires: 8-28-2020

**Documentation of combined  
group received by the  
Texas Comptroller  
of Public Accounts**