

O'HANLON, DEMERATH & CASTILLO

ATTORNEYS AND COUNSELORS AT LAW

808 WEST AVENUE
AUSTIN, TEXAS 78701
TELEPHONE: (512) 494-9949
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May 28, 2019

Local Government Assistance & Economic Analysis
Texas Comptroller of Public Accounts
P.O. Box 13528
Austin, Texas 78711-3528

RE: Amendment001 to the Seymour Independent School District from Griffin Trail Wind, LLC

To the Local Government Assistance & Economic Analysis Division:

Enclosed is Amendment001 to the Seymour ISD from Griffin Trail Wind, LLC. In response to your request for information, the following responses have been provided.

1. Section 7 - Q2: In the maps I can see 2 permanent met towers, 2 temporary met towers, collector sub-station and switch yard. Since these are in place right now you need to check the box for existing improvements and fill out Section 13, Q 4 & 6. They are existing property not eligible to become qualified property (even though you will be tearing them down).

Response: Updated Section 7 Question 2. Added Cad response showing there were no values for 2018 and 2019.

2. Tab 3: Is this your most recent franchise tax report? Please check for the 2018 reports.

Response: Updated to 2018 Franchise Reports

3. Schedule C: Are you creating one qualified job in your qualifying time period?

Response: The company will be keeping the job on Schedule C

4. Maps: In addition to the maps provided, I need to see a map with a county boundary, ISD boundary, Project boundary and Reinvestment zone. for this project ONLY. Should not include the other project (Benjamin ISD). I need clear lines of the whole county, ISD, Project, reinvestment zone and at least one recognizable highway or landmark all on the same map. I need to be able to clearly see all the boundaries.

Response: Updated maps

5. Maps: I need to clearly see where the proposed "operations and maintenance building" and "electric substation" noted in Tab 7 & 8 will be located.

Response: Updated Maps

A copy of the application will be submitted to the Knox County Appraisal District.

Sincerely,

A handwritten signature in black ink, appearing to read "K. O'Hanlon", with a stylized flourish at the end.

Kevin O'Hanlon
School District Consultant

Cc: Knox County Appraisal District
Griffin Trail Wind, LLC

Texas Comptroller of Public Accounts

Map Data Analysis and
Transparency
Form 50-296-A

SECTION 6: Eligibility Under Tax Code Chapter 313.024

1. Are you an entity subject to the tax under Tax Code, Chapter 171? ☒ Yes ☐ No
2. The property will be used for one of the following activities:
 - (1) manufacturing ☐ Yes ☒ No
 - (2) research and development ☐ Yes ☒ No
 - (3) a clean coal project, as defined by Section 5.001, Water Code ☐ Yes ☒ No
 - (4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code ☐ Yes ☒ No
 - (5) renewable energy electric generation ☒ Yes ☐ No
 - (6) electric power generation using integrated gasification combined cycle technology ☐ Yes ☒ No
 - (7) nuclear electric power generation ☐ Yes ☒ No
 - (8) 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 (1) through (7) ☐ Yes ☒ No
 - (9) a Texas Priority Project, as defined by 313.024(e)(7) and TAC 9.1051 ☐ Yes ☒ No
3. Are you requesting that any of the land be classified as qualified investment? ☐ Yes ☒ No
4. Will any of the proposed qualified investment be leased under a capitalized lease? ☐ Yes ☒ No
5. Will any of the proposed qualified investment be leased under an operating lease? ☐ Yes ☒ No
6. Are you including property that is owned by a person other than the applicant? ☐ Yes ☒ No
7. Will any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment? ☐ Yes ☒ No

SECTION 7: Project Description

1. In **Tab 4**, attach a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information.
2. Check the project characteristics that apply to the proposed project:

☐ Land has no existing improvements

☒ Land has existing improvements (*complete Section 13*)

☐ Expansion of existing operation on the land (*complete Section 13*)

☐ Relocation within Texas

SECTION 8: Limitation as Determining Factor

1. Does the applicant currently own the land on which the proposed project will occur? ☐ Yes ☒ No
2. Has the applicant entered into any agreements, contracts or letters of intent related to the proposed project? ☒ Yes ☐ No
3. Does the applicant have current business activities at the location where the proposed project will occur? ☐ Yes ☒ No
4. Has the applicant made public statements in SEC filings or other documents regarding its intentions regarding the proposed project location? ☐ Yes ☒ No
5. Has the applicant received any local or state permits for activities on the proposed project site? ☐ Yes ☒ No
6. Has the applicant received commitments for state or local incentives for activities at the proposed project site? ☐ Yes ☒ No
7. Is the applicant evaluating other locations not in Texas for the proposed project? ☐ Yes ☒ No
8. Has the applicant provided capital investment or return on investment information for the proposed project in comparison with other alternative investment opportunities? ☐ Yes ☒ No
9. Has the applicant provided information related to the applicant's inputs, transportation and markets for the proposed project? ☐ Yes ☒ No
10. Are you submitting information to assist in the determination as to whether the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in Texas? ☒ Yes ☐ No

Chapter 313.026(e) states "the applicant may submit information to the Comptroller that would provide a basis for an affirmative determination under Subsection (c)(2)." If you answered "yes" to any of the questions in Section 8, attach supporting information in Tab 5.

Texas Comptroller of Public Accounts

Map Data Analysis and
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SECTION 14: Wage and Employment Information

1. What is the estimated number of permanent jobs (more than 1,600 hours a year), with the applicant or a contractor of the applicant, on the proposed qualified property during the last complete quarter before the application review start date (date your application is finally determined to be complete)? 0
2. What is the last complete calendar quarter before application review start date:
☒ First Quarter ☐ Second Quarter ☐ Third Quarter ☐ Fourth Quarter of 2019
(year)
3. What were the number of permanent jobs (more than 1,600 hours a year) this applicant had in Texas during the most recent quarter reported to the Texas Workforce Commission (TWC)? 0
Note: For job definitions see TAC §9.1051 and Tax Code §313.021(3).
4. What is the number of new qualifying jobs you are committing to create? 3
5. What is the number of new non-qualifying jobs you are estimating you will create? 0
6. Do you intend to request that the governing body waive the minimum new qualifying job creation requirement, as provided under Tax Code §313.025(f-1)? ☒ Yes ☐ No
 - 6a. If yes, attach evidence in **Tab 12** documenting that the new qualifying job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards.
7. Attach in **Tab 13** the four most recent quarters of data for each wage calculation below, including documentation from the TWC website. The final actual statutory minimum annual wage requirement for the applicant for each qualifying job — which may differ slightly from this estimate — will be based on information from the four quarterly periods for which data were available at the time of the application review start date (date of a completed application). See TAC §9.1051(21) and (22).
 - a. Average weekly wage for all jobs (all industries) in the county is 675.75
 - b. 110% of the average weekly wage for manufacturing jobs in the county is 477.13
 - c. 110% of the average weekly wage for manufacturing jobs in the region is 1,032.08
8. Which Tax Code section are you using to estimate the qualifying job wage standard required for this project? ☐ §313.021(5)(A) or ☒ §313.021(5)(B)
9. What is the minimum required annual wage for each qualifying job based on the qualified property? 53,667.90
10. What is the annual wage you are committing to pay for each of the new qualifying jobs you create on the qualified property? 53,667.90
11. Will the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? ☒ Yes ☐ No
12. Do you intend to satisfy the minimum qualifying job requirement through a determination of cumulative economic benefits to the state as provided by §313.021(3)(F)? ☐ Yes ☒ No
 - 12a. If yes, attach in **Tab 12** supporting documentation from the TWC, pursuant to §313.021(3)(F).
13. Do you intend to rely on the project being part of a single unified project, as allowed in §313.024(d-2), in meeting the qualifying job requirements? ☐ Yes ☒ No
 - 13a. If yes, attach in **Tab 6** supporting documentation including a list of qualifying jobs in the other school district(s).

SECTION 15: Economic Impact

1. Complete and attach Schedules A1, A2, B, C, and D in **Tab 14**. Note: Excel spreadsheet versions of schedules are available for download and printing at URL listed below.
2. Attach an Economic Impact Analysis, if supplied by other than the Comptroller's Office, in **Tab 15**. (not required)
3. If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, attach a separate schedule showing the amount for each year affected, including an explanation, in **Tab 15**.

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

TAB 10

Description of all property not eligible to become qualified property (if applicable)

There is no wind energy generation property owned by the Applicant on the land. There is one *temporary* anemometer tower currently on the land in Seymour ISD to gather wind data. This temporary anemometer tower, shown on the detailed map in Tab 11, will be removed prior to construction of the Project. There is no other existing property in the reinvestment zone or project area that would qualify for a Chapter 313 agreement. More specifically, **none** of the following property that would be eligible for a Chapter 313 agreement will exist in the reinvestment zone or project area once construction of the Project commences:

1. manufacturing
2. research and development
3. a clean coal project as defined by Section 5.001, Water Code
4. an advanced clean energy project, as defined by Section 382.003, Health and Safety Code
5. renewable energy electric generation
6. electric power generation using integrated gasification combined cycle technology
7. nuclear electric power generation
8. a computer center that is used as an integrated part or as a necessary auxiliary part for the activity conducted by applicant in one or more activities described by Subdivisions (1) through (7)
9. a Texas Priority Project, as described by 313.024(e)(7) and TAC 9.1051.

Griffin Trail Wind, LLC will lease the land where the Project improvements will be located.

Attached is a letter from Knox County Appraisal District stating that the one temporary met tower had zero value in 2018, the latest year for which certified appraisal district values are available.

Knox County Appraisal District
P.O. Box 47
Benjamin, Texas 79505
940-459-3891

May 22, 2019

Re: Griffin Trail Wind

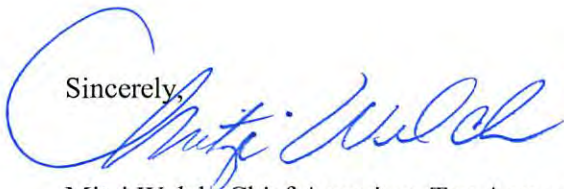
To Whom It May Concern:

Knox County Appraisal District does not have any taxable value in the 2018 or 2019 tax years.

Our appraisal is based on what is there on January 1st, of each year.

Please let me know if I can be of any assistants.

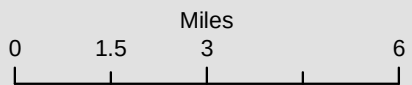
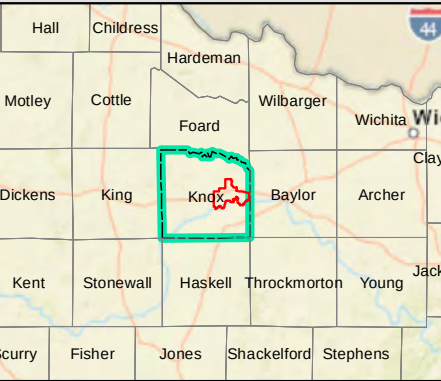
Sincerely,



Mitzi Welch, Chief Appraiser, Tax Assessor~Collector



**GRIFFIN TRAIL WIND PROJECT
KNOX COUNTY, TX**

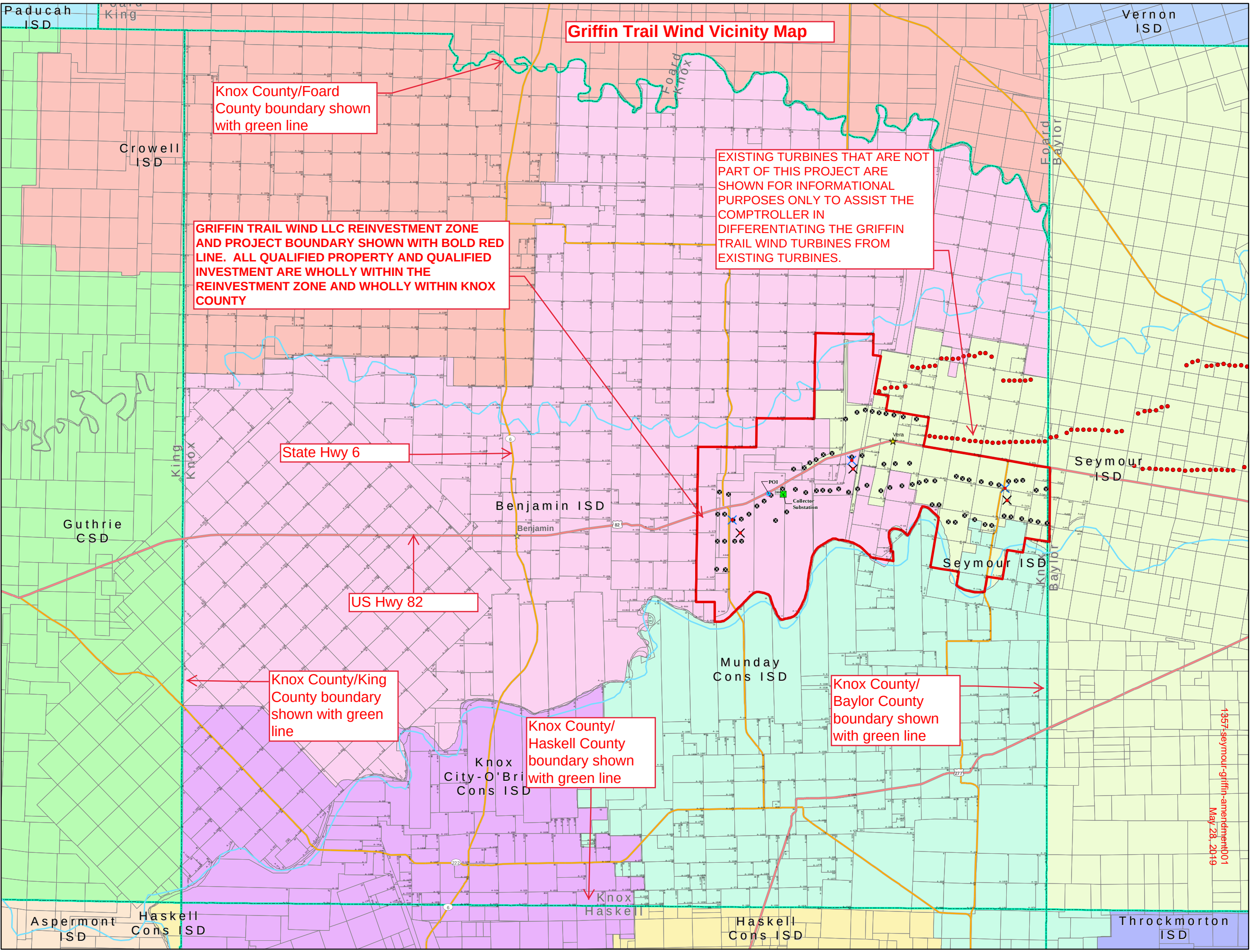


Legend

- Participating Sections\Abstracts
- Collector Substation
- O&M Operating & Maintenance Building
- Permanent Met Tower
- Temporary 60m Met Tower
- POIVAEP Switch Yard
- Griffin Trail Turbine
- Existing Turbine
- City\Town
- Highway
- Major Road
- River\Stream
- Section\Abstract
- County Boundary



Griffin Trail Wind Vicinity Map



Knox County/Foard
County boundary shown
with green line

GRIFFIN TRAIL WIND LLC REINVESTMENT ZONE
AND PROJECT BOUNDARY SHOWN WITH BOLD RED
LINE. ALL QUALIFIED PROPERTY AND QUALIFIED
INVESTMENT ARE WHOLLY WITHIN THE
REINVESTMENT ZONE AND WHOLLY WITHIN KNOX
COUNTY

EXISTING TURBINES THAT ARE NOT
PART OF THIS PROJECT ARE
SHOWN FOR INFORMATIONAL
PURPOSES ONLY TO ASSIST THE
COMPTROLLER IN
DIFFERENTIATING THE GRIFFIN
TRAIL WIND TURBINES FROM
EXISTING TURBINES.

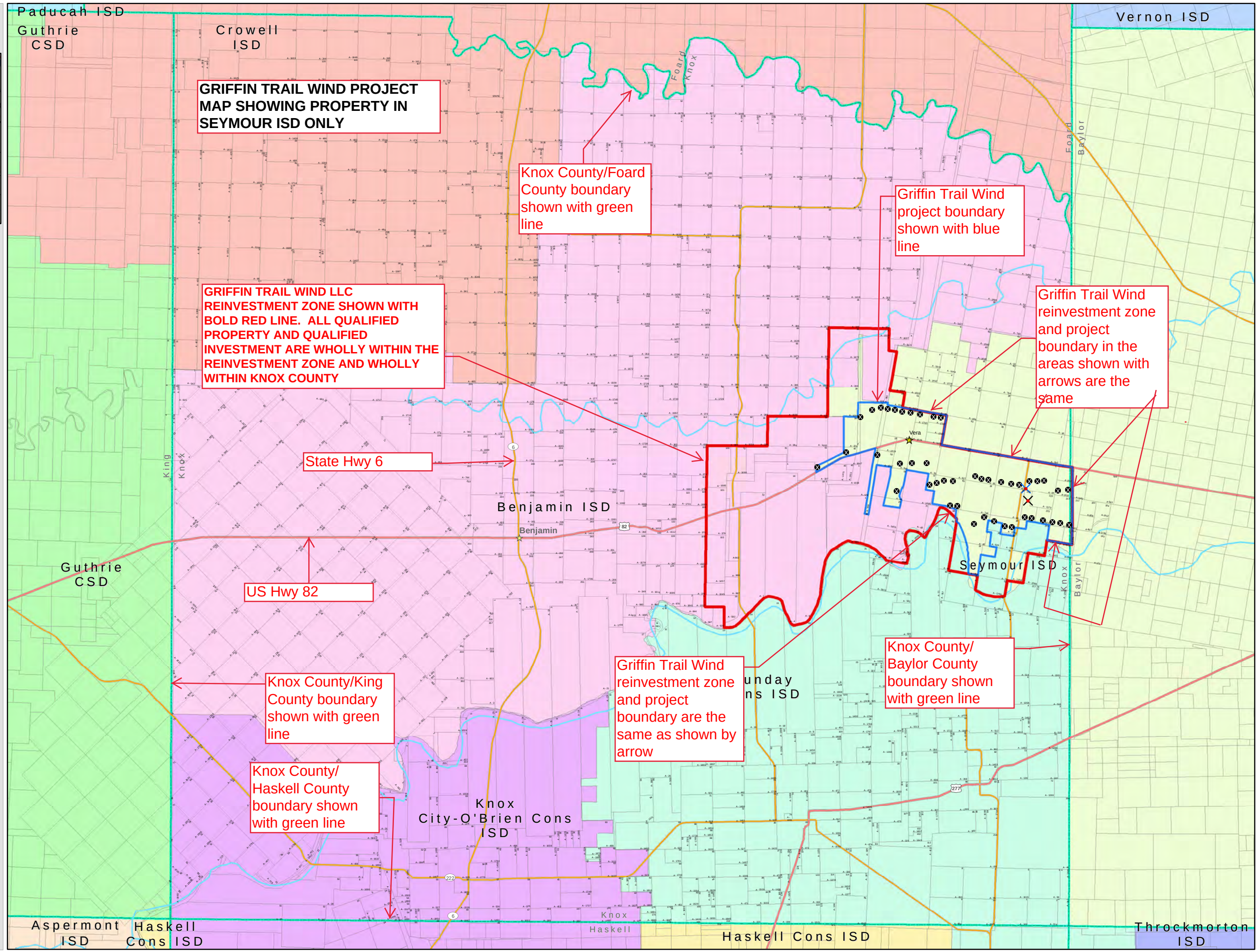
State Hwy 6

US Hwy 82

Knox County/King
County boundary
shown with green
line

Knox County/
Haskell County
boundary shown
with green line

Knox County/
Baylor County
boundary shown
with green line



TAB 13 TO CHAPTER 313 APPLICATION

SEYMOUR ISD - BAYLOR COUNTY CHAPTER 313 WAGE CALCULATION - ALL JOBS - ALL INDUSTRIES

QUARTER	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
FIRST	2018	\$ 648.00	\$ 33,696.00
SECOND	2018	\$ 668.00	\$ 34,736.00
THIRD	2018	\$ 685.00	\$ 35,620.00
FOURTH	2018	\$ 702.00	\$ 36,504.00
	AVERAGE	\$ 675.75	\$ 35,139.00

SEYMOUR ISD - BAYLOR COUNTY CHAPTER 313 WAGE CALCULATION - MANUFACTURING JOBS

QUARTER	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
FIRST	2018	\$ -	\$ -
SECOND	2018	\$ -	\$ -
THIRD	2018	\$ 780.00	\$ 40,560.00
FOURTH	2018	\$ 955.00	\$ 49,660.00
	AVERAGE	\$ 433.75	\$ 22,555.00
	X	110%	110%
		\$ 477.13	\$ 24,810.50

CHAPTER 313 WAGE CALCULATION - REGIONAL WAGE RATE

REGION	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
NORTEX	2017	\$ 938.25	\$ 48,789.00
	X	110%	110%
		\$ 1,032.08	\$ 53,667.90

* SEE ATTACHED TWC DOCUMENTATION

Year	Period	Area	Ownership	Industry	Average Weekly Wage
2018	01	Baylor	Total All	Total, All Industries	648
2018	02	Baylor	Total All	Total, All Industries	668
2018	03	Baylor	Total All	Total, All Industries	685
2018	04	Baylor	Total All	Total, All Industries	702

Year	Period	Area	Ownership	Industry Code	Industry	Average Weekly Wage
2018	03	Baylor	Private	31-33	Manufacturing	780
2018	04	Baylor	Private	31-33	Manufacturing	955

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SECTION 16: Authorized Signatures and Applicant Certification

After the application and schedules are complete, an authorized representative from the school district and the business should review the application documents and complete this authorization page. Attach the completed authorization page in **Tab 17**. **NOTE:** If you amend your application, you will need to obtain new signatures and resubmit this page, Section 16, with the amendment request.

1. Authorized School District Representative Signature

I am the authorized representative for the school district to which this application is being submitted. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code.

print
here

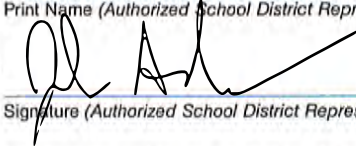
John Anderson

Print Name (Authorized School District Representative)

Superintendent

Title

sign
here



Signature (Authorized School District Representative)

5-23-19

Date

2. Authorized Company Representative (Applicant) Signature and Notarization

I am the authorized representative for the business entity for the purpose of filing this application. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code. The information contained in this application and schedules is true and correct to the best of my knowledge and belief.

I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

print
here

Jay Sutton

Print Name (Authorized Company Representative (Applicant))

Vice President - Construction & Operations

Title

sign
here



Signature (Authorized Company Representative (Applicant))

17 May 2019

Date

MAXIME LEVEILLE
Barrister & Solicitor
INNERGEX RENEWABLE ENERGY INC.
888 DUNSMUIR STREET, SUITE 1100
VANCOUVER, B.C. V6C 3K4
TEL: 604-833-9990 FAX: 604-833-9991

(Notary Seal)

GIVEN under my hand and seal of office this, the

17th day of May, 2019

Notary Public in and for the State of Texas

My Commission expires:

Province of British Columbia
my commission does not expire.

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.