**GLENN HEGAR** TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

P.O. Box 13528 • Austin, TX 78711-3528

May 19, 2025

AMENDED COMPLETENESS, CERTIFICATE & AGREEMENT APPROVAL

Dr. James Rosebrock
Superintendent
Rosebud-Lott Independent School District
1789 US HWY 77
Lott, Texas 76656

Re: Amendment Agreement for Limitation on Appraised Value of Property for School District Maintenance and Operations taxes by and between Rosebud-Lott Independent School District and Yaupon Solar, LLC, Application 1753

Dear Superintendent Rosebrock:

This application (Application 1753) was originally submitted on March 29, 2022, to the Rosebud-Lott Independent School District (school district) by Yaupon Solar, LLC (applicant) for a limitation on appraised value under the provisions of Tax Code Chapter 313.[1] On June 14, 2022, the Comptroller issued written notice that the applicant submitted a completed application; and later issued a certificate for a limitation on appraised value on August 31, 2022. The applicant and school district executed an agreement for a limitation on appraised value (agreement) on October 17, 2022.

On May 9, 2025, the Comptroller received an amendment to the agreement to add affiliate Yaupon Solar Energy Storage, LLC and change the start of the limitation period from 2028 to 2027 and, subsequently, determined that it includes the information necessary to be determined as complete. This presents the Comptroller's review of that amendment per Section 10.2 of the agreement and determinations required:

1) under Section 313.025(h) to determine if the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C; and
2) under Section 313.025(d), to issue a certificate for a limitation on appraised value of the property and provide the certificate to the governing body of the school district or provide the governing body a written explanation of the Comptroller's decision not to issue a certificate, using the criteria set out in Section 313.026.

**Determination required by 313.025(h)**

The information provided by the applicant related to eligibility has not changed and therefore, the Comptroller has determined that the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C.

[1] All statutory references are to the Texas Tax Code, unless otherwise noted.

**Certificate decision required by 313.025(d)**

Determination required by 313.026(c)(1)

Based on the amended information provided by the applicant, the Comptroller has determined that the project proposed by the applicant is reasonably likely to generate tax revenue in an amount sufficient to offset the school district's maintenance and operations *ad valorem tax* revenue lost as a result of the agreement before the 25th anniversary of the beginning of the limitation period, see Attachment B.

Determination required by 313.026(c)(2)

The Comptroller previously determined that the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in this state.

Based on these determinations, the Comptroller approves changes to the certificate for a limitation on appraised value for the amendment.

The Comptroller's review of the amended application and amended agreement assumes the accuracy and completeness of the statements in the amendment. If the amendment is approved by the school district, the applicant shall perform according to the provisions of the Texas Economic Development Act Agreement (Form 50-826) and all amendments, executed with the school district. The school district shall comply with and enforce the stipulations, provisions, terms, and conditions of the agreement, applicable Texas Administrative Code and Chapter 313, per TAC 9.1054(i)(3).

This approval is no longer valid if the information presented in the amendment changes, or the amended limitation agreement does not conform to the amended application. Additionally, this approval is contingent on the school district approving and executing the amendment to the agreement by **December 31, 2025.**

This office has also been provided with the Amended Agreement for Limitation on Appraised Value. As requested, the amendment to the Agreement has been reviewed pursuant to 34 TAC 9.1055(e)(1). Based on our review, this office concludes that the agreement complies with the provisions of Tax Code, Chapter 313 and 34 TAC Chapter 9, Subchapter F.

Should you have any questions, please contact Desiree Caufield, Manager, Data Analysis & Transparency, by email at desiree.caufield@cpa.texas.gov or by phone toll-free at 1-800-531-5441, ext. 6-8597, or at 512-936-8597.

Sincerely,

DocuSigned by:

8FDFC70F5753487...

Will Counihan
Director
Data Analysis & Transparency

cc: Shelly Leung, Powell Law Group, LLP
Stuart McCurdy, NextEra Energy Resources, LLC
Christian Edge, NextEra Energy Resources, LLC
Mike Fry, KE Andrews

## Amended Attachment A – Economic Impact Analysis

The following tables summarize the Comptroller's economic impact analysis of Yaupon Solar, LLC (project) applying to Rosebud-Lott Independent School District (district), as required by Tax Code, 313.026 and Texas Administrative Code 9.1055(d)(2).

**Table 1** is a summary of investment, employment and tax impact of Yaupon Solar, LLC.

| | **Original** | **Amendment No. 1** |
|---|---|---|
| Applicant | Yaupon Solar, LLC | Yaupon Solar, LLC, Yaupon Solar Energy Storage, LLC |
| Tax Code, 313.024 Eligibility Category | Renewable Energy - Solar | Renewable Energy - Solar |
| School District | Rosebud-Lott ISD | Rosebud-Lott ISD |
| 2020-2021 Average Daily Attendance | 623 | 623 |
| County | Milam | Milam |
| Proposed Total Investment in District | $200,000,000 | $200,000,000 |
| Proposed Qualified Investment | $200,000,000 | $200,000,000 |
| Limitation Amount | $20,000,000 | $20,000,000 |
| | | |
| Qualifying Time Period (Full Years) | 2026-2027 | 2025-2026 |
| Number of new qualifying jobs committed to by applicant | 1* | 1* |
| Number of new non-qualifying jobs estimated by applicant | 0 | 0 |
| Average weekly wage of qualifying jobs committed to by applicant | $939 | $939 |
| Minimum weekly wage required for each qualifying job by Tax Code, 313.021(5)(B) | $939 | $939 |
| Minimum annual wage committed to by applicant for qualified jobs | $48,829 | $48,829 |
| Minimum weekly wage required for non-qualifying jobs | $840.50 | $840.50 |
| Minimum annual wage required for non-qualifying jobs | $43,706 | $43,706 |
| Investment per Qualifying Job | $200,000,000 | $200,000,000 |
| | | |
| Estimated M&O levy without any limit (15 years) | $8,328,391 | $9,209,063 |
| Estimated M&O levy with Limitation (15 years) | $3,060,101 | $2,785,273 |
| Estimated gross M&O tax benefit (15 years) | $5,268,290 | $6,423,790 |

** Applicant is requesting district to waive requirement to create minimum number of qualifying jobs pursuant to Tax Code, 313.025 (f-1).*

**Table 2** is the estimated statewide economic impact of Yaupon Solar, LLC (modeled).

| | Employment | | | Personal Income | | |
|---|---|---|---|---|---|---|
| Year | Direct | Indirect + Induced | Total | Direct | Indirect + Induced | Total |
| 2025 | 250 | 219 | 469 | $13,750,000 | $23,237,000 | $36,987,000 |
| 2026 | 250 | 232 | 482 | $13,750,000 | $28,242,000 | $41,992,000 |
| 2027 | 1 | 26 | 27 | $48,829 | $7,519,171 | $7,568,000 |
| 2028 | 1 | 1 | 2 | $48,829 | $4,101,171 | $4,150,000 |
| 2029 | 1 | (15) | -14 | $48,829 | $1,660,171 | $1,709,000 |
| 2030 | 1 | (17) | -16 | $48,829 | -$48,829 | $0 |
| 2031 | 1 | (19) | -18 | $48,829 | -$780,829 | -$732,000 |
| 2032 | 1 | (19) | -18 | $48,829 | -$1,269,829 | -$1,221,000 |
| 2033 | 1 | (15) | -14 | $48,829 | -$1,269,829 | -$1,221,000 |
| 2034 | 1 | (17) | -16 | $48,829 | -$1,269,829 | -$1,221,000 |
| 2035 | 1 | (13) | -12 | $48,829 | -$1,025,829 | -$977,000 |
| 2036 | 1 | (9) | -8 | $48,829 | -$1,269,829 | -$1,221,000 |
| 2037 | 1 | (3) | -2 | $48,829 | -$780,829 | -$732,000 |
| 2038 | 1 | (5) | -4 | $48,829 | -$780,829 | -$732,000 |
| 2039 | 1 | (3) | -2 | $48,829 | -$292,829 | -$244,000 |
| 2040 | 1 | (1) | 0 | $48,829 | -$536,829 | -$488,000 |
| 2041 | 1 | 3 | 4 | $48,829 | -$292,829 | -$244,000 |

Source: CPA REMI, Yaupon Solar, LLC

**Table 3** examines the estimated direct impact on ad valorem taxes to the region if all taxes are assessed.

| Year | Estimated Taxable Value for I&S | Estimated Taxable Value for M&O | | Rosebud-Lott ISD I&S Tax Levy | Rosebud-Lott ISD M&O Tax Levy | Rosebud-Lott ISD M&O and I&S Tax Levies | Milam County Tax Levy | Estimated Total Property Taxes |
|---|---|---|---|---|---|---|---|---|
| | | | Tax Rate* | 0.4199 | 0.6692 | | 0.6132 | |
| 2027 | $200,000,000 | $200,000,000 | | $839,800 | $1,338,400 | $2,178,200 | $1,226,400 | $3,404,600 |
| 2028 | $184,027,500 | $184,027,500 | | $772,731 | $1,231,512 | $2,004,244 | $1,128,457 | $3,132,700 |
| 2029 | $166,762,553 | $166,762,553 | | $700,236 | $1,115,975 | $1,816,211 | $1,022,588 | $2,838,799 |
| 2030 | $147,960,212 | $147,960,212 | | $621,285 | $990,150 | $1,611,435 | $907,292 | $2,518,727 |
| 2031 | $128,036,560 | $128,036,560 | | $537,626 | $856,821 | $1,394,446 | $785,120 | $2,179,566 |
| 2032 | $106,335,862 | $106,335,862 | | $446,504 | $711,600 | $1,158,104 | $652,052 | $1,810,155 |
| 2033 | $82,816,089 | $82,816,089 | | $347,745 | $554,205 | $901,950 | $507,828 | $1,409,778 |
| 2034 | $57,430,292 | $57,430,292 | | $241,150 | $384,324 | $625,473 | $352,163 | $977,636 |
| 2035 | $43,280,971 | $43,280,971 | | $181,737 | $289,636 | $471,373 | $265,399 | $736,772 |
| 2036 | $43,270,763 | $43,270,763 | | $181,694 | $289,568 | $471,262 | $265,336 | $736,598 |
| 2037 | $43,260,810 | $43,260,810 | | $181,652 | $289,501 | $471,153 | $265,275 | $736,429 |
| 2038 | $43,251,106 | $43,251,106 | | $181,611 | $289,436 | $471,048 | $265,216 | $736,264 |
| 2039 | $43,241,644 | $43,241,644 | | $181,572 | $289,373 | $470,945 | $265,158 | $736,103 |
| 2040 | $43,232,419 | $43,232,419 | | $181,533 | $289,311 | $470,844 | $265,101 | $735,945 |
| 2041 | $43,223,425 | $43,223,425 | | $181,495 | $289,251 | $470,746 | $265,046 | $735,792 |
| | | | | | | | | |
| | | | Total | $5,778,371 | $9,209,063 | $14,987,434 | $8,438,430 | $23,425,864 |

Source: CPA, Yaupon Solar, LLC
*Tax Rate per $100 Valuation

**Table 4** examines the estimated direct impact on ad valorem taxes to the school district and Milam County, with all property tax incentives sought being granted using estimated market value from the application. The project has applied for a value limitation under Chapter 313, Tax Code.

The difference noted in the last line is the difference between the totals in Table 3 and Table 4.

| Year | Estimated Taxable Value for I&S | Estimated Taxable Value for M&O | | Rosebud-Lott ISD I&S Tax Levy | Rosebud-Lott ISD M&O Tax Levy | Rosebud-Lott ISD M&O and I&S Tax Levies | Milam County Tax Levy | Estimated Total Property Taxes |
|---|---|---|---|---|---|---|---|---|
| | | | Tax Rate* | 0.4199 | 0.6692 | | 0.6132 | |
| 2027 | $200,000,000 | $20,000,000 | | $839,800 | $133,840 | $973,640 | $1,226,400 | $2,200,040 |
| 2028 | $184,027,500 | $20,000,000 | | $772,731 | $133,840 | $906,571 | $1,128,457 | $2,035,028 |
| 2029 | $166,762,553 | $20,000,000 | | $700,236 | $133,840 | $834,076 | $1,022,588 | $1,856,664 |
| 2030 | $147,960,212 | $20,000,000 | | $621,285 | $133,840 | $755,125 | $907,292 | $1,662,417 |
| 2031 | $128,036,560 | $20,000,000 | | $537,626 | $133,840 | $671,466 | $785,120 | $1,456,586 |
| 2032 | $106,335,862 | $20,000,000 | | $446,504 | $133,840 | $580,344 | $652,052 | $1,232,396 |
| 2033 | $82,816,089 | $20,000,000 | | $347,745 | $133,840 | $481,585 | $507,828 | $989,413 |
| 2034 | $57,430,292 | $20,000,000 | | $241,150 | $133,840 | $374,990 | $352,163 | $727,152 |
| 2035 | $43,280,971 | $20,000,000 | | $181,737 | $133,840 | $315,577 | $265,399 | $580,976 |
| 2036 | $43,270,763 | $20,000,000 | | $181,694 | $133,840 | $315,534 | $265,336 | $580,870 |
| 2037 | $43,260,810 | $43,260,810 | | $181,652 | $289,501 | $471,153 | $265,275 | $736,429 |
| 2038 | $43,251,106 | $43,251,106 | | $181,611 | $289,436 | $471,048 | $265,216 | $736,264 |
| 2039 | $43,241,644 | $43,241,644 | | $181,572 | $289,373 | $470,945 | $265,158 | $736,103 |
| 2040 | $43,232,419 | $43,232,419 | | $181,533 | $289,311 | $470,844 | $265,101 | $735,945 |
| 2041 | $43,223,425 | $43,223,425 | | $181,495 | $289,251 | $470,746 | $265,046 | $735,792 |
| | | | | | | | | |
| | | | **Total** | **$5,778,371** | **$2,785,273** | **$8,563,644** | **$8,438,430** | **$17,002,074** |
| | | | | | | | | |
| | | | **Diff** | **$0** | **$6,423,790** | **$6,423,790** | **$0** | **$6,423,790** |
| Assumes School Value Limitation. | | | | | | | | |

Source: CPA, Yaupon Solar, LLC
*Tax Rate per $100 Valuation

**Disclaimer:** This examination is based on information from the application submitted to the school district and forwarded to the comptroller. It is intended to meet the statutory requirement of Chapter 313 of the Tax Code and is not intended for any other purpose.

## Attachment B – Tax Revenue before 25th Anniversary of Limitation Start

This represents the Comptroller's determination that Yaupon Solar, LLC (project) is reasonably likely to generate, before the 25th anniversary of the beginning of the limitation period, tax revenue in an amount sufficient to offset the school district maintenance and operations ad valorem tax revenue lost as a result of the agreement. This evaluation is based on an analysis of the estimated M&O portion of the school district property tax levy directly related to this project, using estimated taxable values provided in the application.

| | Tax Year | Estimated ISD M&O Tax Levy Generated (Annual) | Estimated ISD M&O Tax Levy Generated (Cumulative) | Estimated ISD M&O Tax Levy Loss as Result of Agreement (Annual) | Estimated ISD M&O Tax Levy Loss as Result of Agreement (Cumulative) |
|---|---|---|---|---|---|
| Limitation Pre-Years | 2024 | $0 | $0 | $0 | $0 |
| | 2025 | $0 | $0 | $0 | $0 |
| | 2026 | $234,220 | $234,220 | $0 | $0 |
| Limitation Period (10 Years) | 2027 | $133,840 | $368,060 | $1,204,560 | $1,204,560 |
| | 2028 | $133,840 | $501,900 | $1,097,672 | $2,302,232 |
| | 2029 | $133,840 | $635,740 | $982,135 | $3,284,367 |
| | 2030 | $133,840 | $769,580 | $856,310 | $4,140,677 |
| | 2031 | $133,840 | $903,420 | $722,981 | $4,863,657 |
| | 2032 | $133,840 | $1,037,260 | $577,760 | $5,441,417 |
| | 2033 | $133,840 | $1,171,100 | $420,365 | $5,861,782 |
| | 2034 | $133,840 | $1,304,940 | $250,484 | $6,112,266 |
| | 2035 | $133,840 | $1,438,780 | $155,796 | $6,268,062 |
| | 2036 | $133,840 | $1,572,620 | $155,728 | $6,423,790 |
| Maintain Viable Presence (5 Years) | 2037 | $289,501 | $1,862,121 | $0 | $6,423,790 |
| | 2038 | $289,436 | $2,151,558 | $0 | $6,423,790 |
| | 2039 | $289,373 | $2,440,931 | $0 | $6,423,790 |
| | 2040 | $289,311 | $2,730,242 | $0 | $6,423,790 |
| | 2041 | $289,251 | $3,019,493 | $0 | $6,423,790 |
| Additional Years as Required by 313.026(c)(1) (10 Years) | 2042 | $289,192 | $3,308,686 | $0 | $6,423,790 |
| | 2043 | $289,135 | $3,597,821 | $0 | $6,423,790 |
| | 2044 | $289,079 | $3,886,901 | $0 | $6,423,790 |
| | 2045 | $289,025 | $4,175,926 | $0 | $6,423,790 |
| | 2046 | $288,972 | $4,464,898 | $0 | $6,423,790 |
| | 2047 | $274,575 | $4,739,473 | $0 | $6,423,790 |
| | 2048 | $269,074 | $5,008,546 | $0 | $6,423,790 |
| | 2049 | $269,024 | $5,277,571 | $0 | $6,423,790 |
| | 2050 | $268,976 | $5,546,547 | $0 | $6,423,790 |
| | 2051 | $268,930 | $5,815,477 | $0 | $6,423,790 |
| | | **$5,815,477** | is less than | **$6,423,790** | |

| **Analysis Summary** | |
|---|---|
| Is the project reasonably likely to generate tax revenue in an amount sufficient to offset the M&O levy loss as a result of the limitation agreement? | No |

NOTE: The analysis above only takes into account this project's estimated impact on the M&O portion of the school district property tax levy directly related to this project.

Source: CPA, Yaupon Solar, LLC

| | Employment | | | Personal Income | | | Revenue & Expenditure | | |
|---|---|---|---|---|---|---|---|---|---|
| Year | Direct | Indirect + Induced | Total | Direct | Indirect + Induced | Total | Revenue | Expenditure | Net Tax Effect |
| 2025 | 250 | 219 | 469 | $13,750,000 | $23,237,000 | $36,987,000 | 1640000 | -877000 | $2,517,000 |
| 2026 | 250 | 232 | 482 | $13,750,000 | $28,242,000 | $41,992,000 | 1770000 | -557000 | $2,327,000 |
| 2027 | 1 | 26 | 27 | $48,829 | $7,519,171 | $7,568,000 | 259000 | 641000 | -$382,000 |
| 2028 | 1 | 1 | 2 | $48,829 | $4,101,171 | $4,150,000 | 130000 | 618000 | -$488,000 |
| 2029 | 1 | (15) | -14 | $48,829 | $1,660,171 | $1,709,000 | 76000 | 587000 | -$511,000 |
| 2030 | 1 | (17) | -16 | $48,829 | -$48,829 | $0 | 15000 | 511000 | -$496,000 |
| 2031 | 1 | (19) | -18 | $48,829 | -$780,829 | -$732,000 | -8000 | 427000 | -$435,000 |
| 2032 | 1 | (19) | -18 | $48,829 | -$1,269,829 | -$1,221,000 | -31000 | 381000 | -$412,000 |
| 2033 | 1 | (15) | -14 | $48,829 | -$1,269,829 | -$1,221,000 | -46000 | 252000 | -$298,000 |
| 2034 | 1 | (17) | -16 | $48,829 | -$1,269,829 | -$1,221,000 | -69000 | 214000 | -$283,000 |
| 2035 | 1 | (13) | -12 | $48,829 | -$1,025,829 | -$977,000 | -31000 | 145000 | -$176,000 |
| 2036 | 1 | (9) | -8 | $48,829 | -$1,269,829 | -$1,221,000 | -61000 | 76000 | -$137,000 |
| 2037 | 1 | (3) | -2 | $48,829 | -$780,829 | -$732,000 | -38000 | -8000 | -$30,000 |
| 2038 | 1 | (5) | -4 | $48,829 | -$780,829 | -$732,000 | -61000 | -15000 | -$46,000 |
| 2039 | 1 | (3) | -2 | $48,829 | -$292,829 | -$244,000 | -61000 | -92000 | $31,000 |
| 2040 | 1 | (1) | 0 | $48,829 | -$536,829 | -$488,000 | -61000 | -145000 | $84,000 |
| 2041 | 1 | 3 | 4 | $48,829 | -$292,829 | -$244,000 | -76000 | -183000 | $107,000 |
| 2042 | 1 | 3 | 4 | $48,829 | -$292,829 | -$244,000 | -92000 | -206000 | $114,000 |
| 2043 | 1 | (1) | 0 | $48,829 | -$48,829 | $0 | -46000 | -267000 | $221,000 |
| 2044 | 1 | (1) | 0 | $48,829 | -$48,829 | $0 | -76000 | -252000 | $176,000 |
| 2045 | 1 | (3) | -2 | $48,829 | -$536,829 | -$488,000 | -92000 | -336000 | $244,000 |
| 2046 | 1 | (1) | 0 | $48,829 | -$48,829 | $0 | 0 | -336000 | $336,000 |
| 2047 | 1 | (1) | 0 | $48,829 | -$48,829 | $0 | 15000 | -343000 | $358,000 |
| 2048 | 1 | (1) | 0 | $48,829 | $439,171 | $488,000 | 15000 | -381000 | $396,000 |
| 2049 | 1 | 3 | 4 | $48,829 | -$536,829 | -$488,000 | 46000 | -427000 | $473,000 |
| 2050 | 1 | (1) | 0 | $48,829 | -$48,829 | $0 | 15000 | -496000 | $511,000 |
| 2051 | 1 | (1) | 0 | $48,829 | $439,171 | $488,000 | 31000 | -504000 | $535,000 |
| 2052 | 1 | (1) | 0 | $48,829 | -$48,829 | $0 | -15000 | -504000 | $489,000 |
| | | | | | | Total | $3,148,000 | -$2,077,000 | $5,225,000 |
| | | | | | | | $11,040,477 | is greater than | $6,423,790 |

| Analysis Summary | |
|---|---|
| Is the project reasonably likely to generate tax revenue in an amount sufficient to offset the M&O levy loss as a result of the limitation agreement? | Yes |

**Disclaimer:** This examination is based on information from the application submitted to the school district and forwarded to the comptroller. It is intended to meet the statutory requirement of Chapter 313 of the Tax Code and is not intended for any other purpose.