



Chapter 313 Annual Eligibility Report Form

Form 50-772
(May 2010)

2012

Tax Year covered in this report

Archer City ISD

School district name

0.08

I&S Tax Rate

1.04

M&O Tax Rate

Bobcat Bluff Wind Project

Project Name

Bobcat Bluff Wind Project, LLC

Company Name

15445 Innovation Drive, San Diego, CA 92128

Company Address

Ken Andrews / 858-521-3368

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.

32039891240

Texas Taxpayer ID of Applicant

August 27, 2012

Date of Agreement Approval

2013

First complete tax year of the qualifying time period

2015

First tax year of the limitation

32045799452

Texas Taxpayer ID Reporting Entity (if appropriate)

Briar Creek LLC

Original Applicant Name

2014

Last tax year of the qualifying time period

\$10 million

Amount of the limitation at the time of application approval

QUALIFIED PROPERTY INFORMATION

\$270,411,330

Market Value

\$270,411,330

I&S Taxable Value

\$270,411,330

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
- What was the application review start date for your application (the date your application was determined to be complete)? 2/7/2012
(This question must only be answered for projects with applications approved after June 1, 2010.)
- How many new jobs were based on the qualified property in the year covered by this report? (See note on page 3.) 11
- 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? 10
- If the applicant requested a waiver of minimum jobs requirement, how many new jobs must the approved applicant create under the waiver? 7
- 80 percent of New Jobs (0.80 x number of new jobs based on the qualified property in the year covered by this report.) 6

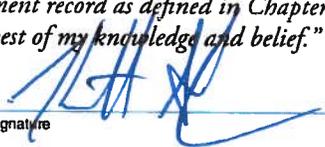
NOTE: For job definitions see TAC §9.1051(14) and Tax Code, §313.021(3). If the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), then please provide the definition "new job" as used in the agreement.

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


Vice President - Tax

Title

Ken Andrews

Printed name of authorized company representative

05/03/2013

Date

CONTACT INFORMATION FOR AUTHORIZED REPRESENTATIVE

15445 Innovation Drive, San Diego, CA 92128

Address

858-521-3368

Phone

Ken.Andrews@edf-re.com

E-mail



TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

SUSAN COMBS • COMPTROLLER • AUSTIN, TEXAS 78774

May 2, 2013

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

BRIAR CREEK LLC

DBA

BRIAR CREEK WIND LLC

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 May 15, 2013.

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
May 2013 A.D.

A handwritten signature in cursive script, reading "Susan Combs", is positioned above the typed name and title.

Susan Combs
Texas Comptroller
Taxpayer number: 32039891240
File number: 0801145434

Attachment 14

Calculations of wages information---Based on Most Recent Data Available

110% of County Average Weekly Wage for all Jobs

Year	Period	Wages
2010	3Q	607
2010	4Q	660
2011	1Q	576
2011	2Q	582

Average= \$606.25 average weekly salary
X 1.1 (110%)
\$666.88 110% of County Average Weekly Wage for all Jobs

110% of County Average Weekly Wage for manufacturing Jobs

Year	Period	Wages
2010	3Q	542
2010	4Q	557
2011	1Q	486
2011	2Q	532

Average= \$529.25 average weekly salary
X 1.1 (110%)
\$582.18 110% of County Average Weekly Wage for all Jobs

110 % of County Average Weekly Wage for Manufacturing Jobs In Region
(South East Texas Regional Planning Commission)

\$18.34 per hour
X 40 hr per week
\$ 733.60 average weekly salary
X 1.10 (110%)
\$806.96
X 52 weeks
\$41,961.92 110% of County Average Weekly Wage for all Jobs in Region

**2010 Manufacturing Wages by Council of Government Region
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
Texas		
<u>1. Panhandle Regional Planning Commission</u>	\$18.60	\$38,683
<u>2. South Plains Association of Governments</u>	\$16.21	\$33,717
<u>3. NORTEX Regional Planning Commission</u>	\$18.34	\$38,153
<u>4. North Central Texas Council of Governments</u>	\$23.45	\$48,777
<u>5. Ark-Tex Council of Governments</u>	\$15.49	\$32,224
<u>6. East Texas Council of Governments</u>	\$17.63	\$36,672
<u>7. West Central Texas Council of Governments</u>	\$17.48	\$36,352
<u>8. Rio Grande Council of Governments</u>	\$15.71	\$32,683
<u>9. Permian Basin Regional Planning Commission</u>	\$19.90	\$41,398
<u>10. Concho Valley Council of Governments</u>	\$15.33	\$31,891
<u>11. Heart of Texas Council of Governments</u>	\$17.91	\$37,257
<u>12. Capital Area Council of Governments</u>	\$25.37	\$52,778
<u>13. Brazos Valley Council of Governments</u>	\$15.24	\$31,705
<u>14. Deep East Texas Council of Governments</u>	\$15.71	\$32,682
<u>15. South East Texas Regional Planning Commission</u>	\$27.56	\$57,333
<u>16. Houston-Galveston Area Council</u>	\$24.52	\$51,002
<u>17. Golden Crescent Regional Planning Commission</u>	\$20.07	\$41,738
<u>18. Alamo Area Council of Governments</u>	\$17.28	\$35,952
<u>19. South Texas Development Council</u>	\$13.27	\$27,601
<u>20. Coastal Bend Council of Governments</u>	\$21.55	\$44,822
<u>21. Lower Rio Grande Valley Development Council</u>	\$14.35	\$29,846
<u>22. Texoma Council of Governments</u>	\$18.10	\$37,651
<u>23. Central Texas Council of Governments</u>	\$17.21	\$35,788
<u>24. Middle Rio Grande Development Council</u>	\$13.21	\$27,471

Source: Texas Occupational Employment and Wages

Data published: June 2011

Data published annually, next update will be June 2012.

Note: Data is not supported by the Bureau of Labor Statistics (BLS).

Wage data is produced from Texas OES data, and is not to be compared to BLS estimates.

Data intended for TAC 313 purposes only.

Quarterly Employment and Wages (QCEW)

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Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2010	1st Qtr	Archer County	Private	00	0	10	Total, All Industries	\$551
2010	2nd Qtr	Archer County	Private	00	0	10	Total, All Industries	\$610
2010	3rd Qtr	Archer County	Private	00	0	10	Total, All Industries	\$607
2010	4th Qtr	Archer County	Private	00	0	10	Total, All Industries	\$660
2011	1st Qtr	Archer County	Private	00	0	10	Total, All Industries	\$576
2011	2nd Qtr	Archer County	Private	00	0	10	Total, All Industries	\$582
2011	2nd Qtr	Archer County	Private	31	2	31-33	Manufacturing	\$532
2011	1st Qtr	Archer County	Private	31	2	31-33	Manufacturing	\$486
2010	4th Qtr	Archer County	Private	31	2	31-33	Manufacturing	\$557
2010	3rd Qtr	Archer County	Private	31	2	31-33	Manufacturing	\$542
2010	2nd Qtr	Archer County	Private	31	2	31-33	Manufacturing	\$1,159
2010	1st Qtr	Archer County	Private	31	2	31-33	Manufacturing	\$520