



Chapter 313 Annual Eligibility Report Form

Economic Development
and Analysis
Form 50-772-A

SECTION 1: Applicant and District Information

- Tax year covered by this report: 2014
NOTE: This report must be completed and submitted to the school district by May 15 of every year using information from the previous tax (calendar) year.
- Application number: 140
NOTE: You can find your application number and all agreement documents and reports on the website www.texasahead.org/tax_programs/chapter313/applicants
- Name of school district: Kennedy County-Wide Common School
- Name of project on original application (or short description of facility): Wind Farm
- Name of applicant on original application: Heartland Wind, LLC (Penascal Wind Power, LLC)
- Name the company entering into original agreement with district: Penascal Wind Power, LLC
- Amount of limitation at time of application approval: \$10,000,000
- If you are one of two or more companies originally applying for a limitation, list all other applicants here and describe their relationships. (Use attachments if necessary.)

N/A

SECTION 2: Current Agreement Information

- Name of current agreement holder(s) Iberdrola Texas Renewables, LLC(formerly Penascal Wind Power, LLC)
- Complete mailing address of current agreement holder 1125 NW Couch Street, Suite 700, Portland, OR 97209
- Company contact person for agreement holder:

<u>Stephen Shaw</u>	<u>Ld/Sr-Tax Consultant</u>
Name	Title
<u>(281) 379-7454</u>	<u>stephen.shaw@iberdrolaren.com</u>
Phone	Email
- Texas franchise tax ID number of current agreement holder: 12618532621
- If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity:

<u>Iberdrola Renewables Holdings, Inc.</u>	<u>19313111601</u>
Name	Tax ID
- If the authorized company representative (same as signatory for this form) is different from the contact person listed above, complete the following:

<u>N/A</u>	
Name	Title
<u>Complete Mailing Address</u>	
<u></u>	<u></u>
Phone	Email
- If you are a current agreement holder who was not an original applicant, please list all other current agreement holders. Please describe the chain of ownership from the original applicant to the new entities. (Use attachments if necessary.)

N/A

SECTION 3: Applicant Eligibility Information

- 1. Does the business entity have the right to transact business with respect to Tax Code, Chapter 171? (Attach printout from Comptroller Web site: <http://www.window.state.tx.us/taxinfo/coasintr.html>) Yes No
- 2. Is the business entity current on all taxes due to the State of Texas? Yes No
- 3. Is the business activity of the project an eligible business activity under Section 313.024(b)? Yes No

3a. Please identify business activity: Renewable Energy Electric Generation - Wind

SECTION 4: Qualified Property Information

- 1. Market value for reporting year: \$ 146,016,260.00
- 2. I&S taxable value for reporting year: \$ 146,016,260.00
- 3. M&O taxable value for reporting year: \$ 10,000,000.00

SECTION 5A: Wage and Employment Information for Applications Prior to Jan. 1, 2014 (#1 Through 999)

ONLY COMPLETE THE WAGE SECTION (5A or 5B) THAT APPLIES TO YOUR APPLICATION. You can find your application number on the website at www.texasahead.org/tax_programs/chapter313/applicants.

NOTE: All statutory references in Section 5A are for statute as it existed prior to Jan. 1, 2014. 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.

- 1. How many new jobs were based on the qualified property in the year covered by this report? (See note above) 20
- 2. 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
- 3. Did the applicant request that the governing body waive the minimum job requirement, as provided under Tax Code §313.025(f-1)? Yes No
 - 3a. If yes, how many new jobs must the approved applicant create under the waiver? _____
- 4. Calculate 80 percent of new jobs (0.80 x number of new jobs based on the qualified property in the year covered by this report.) 16
- 5. What is the minimum required annual wage for each qualifying job in the year covered by the report? \$ 51,741.00
- 6. Identify which of the four Tax Code sections is used to determine the wage standard required by the agreement:
 - §313.021(5)(A) or §313.021(5)(B) or §313.021(3)(E)(ii) or §313.051(b)
 - 6a. Attach calculations and cite exact Texas Workforce Commission data source as defined in TAC §9.1051.
- 7. Does the agreement require the applicant to provide a specified number of jobs at a specified wage? Yes No
 - 7a. If yes, how many qualifying jobs did the approved applicant commit to create in the year covered by the report? _____
 - 7b. If yes, what annual wage did the approved applicant commit to pay in the year covered by the report? \$ _____
 - 7c. If yes, how many qualifying jobs were created at the specified wage in the year covered by the report? _____
- 8. 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? 20
 - 8a. Of the qualifying job-holders last year, how many were employees of the approved applicant? 20
 - 8b. Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? 0
 - 8c. 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? Yes No N/A

SECTION 5B: Wage and Employment Information for Applications After Jan. 1, 2014 (#1000 and Above)

ONLY COMPLETE THE WAGE SECTION (5A or 5B) THAT APPLIES TO YOUR APPLICATION. You can find your application number on the website at www.texasahead.org/tax_programs/chapter313/applicants.

NOTE: For job definitions see TAC §9.1051(14) and Tax Code, §313.021(3).

QUALIFYING JOBS

1. What is the number of new qualifying jobs the applicant committed to create in the year covered by this report? _____
2. Did the applicant request that the governing body waive the minimum qualifying job requirement, as provided under Tax Code §313.025(f-1)? Yes No
 - 2a. If yes, how many new qualifying jobs must the approved applicant create under the waiver? _____
3. Which Tax Code section are you using to determine the wage standard required for this project? §313.021(5)(A) or §313.021(5)(B)
 - 3a. Attach calculations and cite exact Texas Workforce Commission data sources as defined in TAC §9.1051.
4. What is the minimum required annual wage for each qualifying job in the year covered by this report? \$ _____
5. What is the annual wage the applicant committed to pay for each of the qualifying jobs in the year covered by this report? \$ _____
6. Do the qualifying jobs meet all minimum requirements set out in Tax Code §313.021(3)? Yes No

NON-QUALIFYING JOBS

7. What is the number of non-qualifying jobs the applicant had on Dec. 31 of the year covered by this report? _____
8. What was the average wage you were paying for non-qualifying jobs on Dec. 31 of the year covered by this report? .. \$ _____
9. What is the county average weekly wage for non-qualifying jobs, as defined in TAC §9.1051? \$ _____

MISCELLANEOUS

10. Did the applicant rely on a determination by the Texas Workforce Commission under the provisions §313.024(3)(F) in meeting the minimum qualifying job requirements? Yes No
 - 10a. If yes, attach supporting documentation to evidence that the requirements of §313.021(3)(F) were met.
11. Are you part of a Single Unified Project (SUP) and relying on the provisions in Tax Code §313.024(d-2) to meet the qualifying job requirements? Yes No
 - 11a. If yes, attach supporting documentation from the Texas Economic Development and Tourism Office including a list of the other school district(s) and the qualifying jobs located in each.

SECTION 6: Qualified Investment During Qualified Time Period

ENTITIES ARE NOT REQUIRED TO COMPLETE THIS SECTION IF THE YEAR COVERED BY THE REPORT IS AFTER THE QUALIFYING TIME PERIOD OF THEIR AGREEMENT.

1. 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? \$ _____
2. Was any of the land classified as qualified investment? Yes No
3. Was any of the qualified Investment leased under a capitalized lease? Yes No
4. Was any of the qualified Investment leased under an operating lease? Yes No
5. Was any property not owned by the applicant part of the qualified investment? Yes No

SECTION 7: Partial Interest

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

1. What was your limitation amount (or portion of original limitation amount) during the year covered by this report? _____
2. Please describe your interest in the agreement and identify all the documents creating that interest.

N/A

SECTION 8: 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."

**print
here** ➔

David M. DeGabriele

Print Name (Authorized Company Representative)

VP, Tax & Finance

Title

**sign
here** ➔



Signature (Authorized Company Representative)

5/15/2015

Date

**print
here** ➔

Stephen Shaw

Print Name of Preparer (Person Who Completed the Form)

(281) 379-7454

Phone

**2008 Manufacturing Wages by Council of Government Region
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
Texas	\$20.61	\$42,872
<u>1. Panhandle Regional Planning Commission</u>	\$18.23	\$37,916
<u>2. South Plains Association of Governments</u>	\$14.81	\$30,799
<u>3. NORTEX Regional Planning Commission</u>	\$17.78	\$36,982
<u>4. North Central Texas Council of Governments</u>	\$22.60	\$47,011
<u>5. Ark-Tex Council of Governments</u>	\$15.50	\$32,239
<u>6. East Texas Council of Governments</u>	\$16.07	\$33,431
<u>7. West Central Texas Council of Governments</u>	\$16.30	\$33,904
<u>8. Rio Grande Council of Governments</u>	\$14.93	\$31,048
<u>9. Permian Basin Regional Planning Commission</u>	\$17.51	\$36,422
<u>10. Concho Valley Council of Governments</u>	\$14.07	\$29,274
<u>11. Heart of Texas Council of Governments</u>	\$17.19	\$35,749
<u>12. Capital Area Council of Governments</u>	\$24.50	\$50,969
<u>13. Brazos Valley Council of Governments</u>	\$14.93	\$31,052
<u>14. Deep East Texas Council of Governments</u>	\$15.42	\$32,066
<u>15. South East Texas Regional Planning Commission</u>	\$24.60	\$51,161
<u>16. Houston-Galveston Area Council</u>	\$21.80	\$45,353
<u>17. Golden Crescent Regional Planning Commission</u>	\$18.72	\$38,932
<u>18. Alamo Area Council of Governments</u>	\$16.50	\$34,330
<u>19. South Texas Development Council</u>	\$13.76	\$28,631
<u>20. Coastal Bend Council of Governments</u>	\$22.61	\$47,037 x 1.10=\$51,741
<u>21. Lower Rio Grande Valley Development Council</u>	\$13.05	\$27,145
<u>22. Texoma Council of Governments</u>	\$17.99	\$37,415
<u>23. Central Texas Council of Governments</u>	\$16.47	\$34,255
<u>24. Middle Rio Grande Development Council</u>	\$13.85	\$28,810

Source: Texas Occupational Employment and Wages

Data published: 9 June 2009

Data published annually, next update will be June 2010.

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.

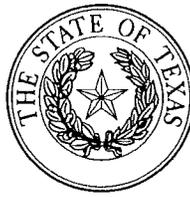


Franchise Tax Account Status

As of: 07/20/2015 02:44:28 PM

This Page is Not Sufficient for Filings with the Secretary of State

IBERDROLA TEXAS RENEWABLES, LLC	
Texas Taxpayer Number	12618532621
Mailing Address	1125 NW COUCH ST STE 700 PORTLAND, OR 97209-4129
Right to Transact Business in Texas	ACTIVE
State of Formation	OR
Effective SOS Registration Date	01/31/2008
Texas SOS File Number	0800931710
Registered Agent Name	CORPORATION SERVICE COMPANY D/B/A CSC- LAWYERS INCO
Registered Office Street Address	211 E. 7TH STREET SUITE 620 AUSTIN, TX 78701



Office of the Secretary of State

August 05, 2014

Attn: Kelly Courtney

Corporation Service Company
211 E. 7th Street, Suite 620
Austin, TX 78701 USA

RE: Iberdrola Texas Renewables, LLC
File Number: 800931710

It has been our pleasure to file the Application for Amended Registration for the referenced entity. Enclosed is the certificate evidencing filing. Payment of the filing fee is acknowledged by this letter.

If we may be of further service at any time, please let us know.

Sincerely,

Corporations Section
Business & Public Filings Division
(512) 463-5555

Enclosure



Office of the Secretary of State

CERTIFICATE OF AMENDED REGISTRATION OF

Iberdrola Texas Renewables, LLC
800931710

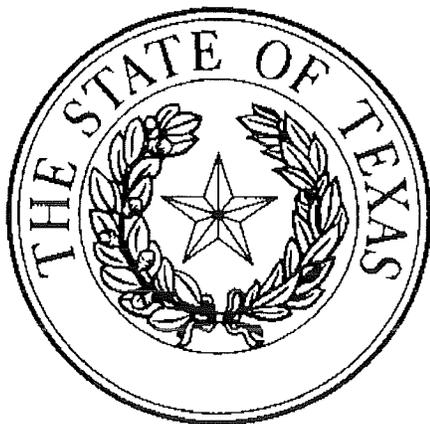
[formerly: Penascal Wind Power LLC]

The undersigned, as Secretary of State of Texas, hereby certifies that an Application for Amended Registration to transact business in this state for the above named entity has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this Certificate of Amended Registration to transact business in this state under the name of:

Iberdrola Texas Renewables, LLC

Dated: 08/04/2014
Effective: 08/04/2014



NANDITA BERRY

Nandita Berry
Secretary of State

**Form 406
(Revised 05/11)**

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512/463-5709
Filing Fee: See instructions



This space reserved for office use.

FILED
In the Office of the
Secretary of State of Texas

AUG 04 2014

Corporations Section

Amendment to Registration

Entity Information

1. The legal name of the filing entity is:

Penascal Wind Power LLC

State the name of the entity as currently shown in the records of the secretary of state.

2. If the entity attained its registration under an assumed name, the qualifying assumed name as shown on the records of the secretary of state is:

3. The registration was issued to the entity on:

01/31/2008

The file number issued to the filing entity by the secretary of state is:

800931710
mm/dd/yyyy

Amendments to Application

4. The registration is amended to change the legal name of the entity as amended in the entity's jurisdiction of formation. The new name is:

Iberdrola Texas Renewables, LLC

5. The new name of the entity is not available for use in Texas or fails to include an appropriate organizational designation. Or, the entity wishes to amend the qualifying assumed name stated on its application for registration or amended registration. The assumed name the entity elects to adopt for purposes of maintaining its registration is:

6. The registration is amended to change the business or activity stated in its application for registration or amended registration. The business or activity that the entity proposes to pursue in this state is:

The entity certifies that it is authorized to pursue the same business or activity under the laws of the entity's jurisdiction of formation.

Other Changes to the Application for Registration

7. The foreign filing entity desires to amend its application for registration to make changes other than or in addition to those stated above. Statements contained in the original application or any amended application are identified by number or description and changed to read as follows:

Effectiveness of Filing (Select either A, B, or C.)

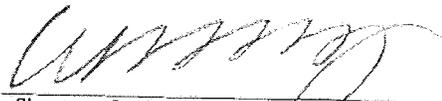
- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Date: 08/01/2014



Signature of authorized person (see instructions)

W. Benjamin Lackey
Printed or typed name of authorized person.