





# Chapter 313 Annual Eligibility Report Form

## SECTION 3: Applicant Eligibility Information

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

## SECTION 4: Qualified Property Information

- Market value from previous tax year: \$ 114,003,400.00
- I&S taxable value from previous tax year: \$ 114,003,400.00
- M&O taxable value from previous tax 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](http://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.

- How many new jobs were based on the qualified property in the year covered by this report? (See note above) ..... 12
- 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
- Did the applicant request that the governing body waive the minimum job requirement, as provided under Tax Code §313.025(f-1)?  Yes  No
  - If yes, how many new jobs must the approved applicant create under the waiver? ..... \_\_\_\_\_
- 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.) ..... 10
- What is the minimum required annual wage for each qualifying job in the year covered by the report? ..... \$ 37,294.00
- 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)

  - Attach calculations and cite exact Texas Workforce Commission data source as defined in TAC §9.1051.
- Does the agreement require the applicant to provide a specified number of jobs at a specified wage?  Yes  No
  - If yes, how many qualifying jobs did the approved applicant commit to create in the year covered by the report? ..... \_\_\_\_\_
  - If yes, what annual wage did the approved applicant commit to pay in the year covered by the report? ..... \$ \_\_\_\_\_
  - If yes, how many qualifying jobs were created at the specified wage in the year covered by the report? ..... \_\_\_\_\_
- 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? ..... 12
  - Of the qualifying job-holders last year, how many were employees of the approved applicant? ..... \_\_\_\_\_
  - Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? ..... 12
  - 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](http://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 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.

**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 Azari  
Print Name (Authorized Company Representative)

Director, Asset Management  
Title

**sign here** ▶   
Signature (Authorized Company Representative)

4/29/2015  
Date

**print here** ▶ Evan Horn  
Print Name of Preparer (Person Who Completed the Form)



## Franchise Tax Account Status

As of: 06/11/2015 12:53:08 PM

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

TURKEY TRACK WIND ENERGY LLC	
Texas Taxpayer Number	32020316405
Mailing Address	1 S WACKER DR STE 1900 CHICAGO, IL 60606-4644
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	07/31/2006
Texas SOS File Number	0800687982
Registered Agent Name	ATTORNEY SERVICE ASSOCIATES, INC.
Registered Office Street Address	3610-2 N JOSEY LN, SUITE 223 CARROLLTON, TX 75007

Chapter 313 Annual Eligibility Form  
Turkey Track Wind Energy

Additional Information and Calculations

The required qualifying job annual wage was calculated as follows:

1. Chapter 313.051 is applicable because Nolan and Taylor County meet the eligibility requirements of the statute.<sup>1</sup>
2. Pursuant to 313.051(b), a property owner is required to create only at least 10 new jobs on the owner's qualified property.<sup>2</sup>
3. Further, at least 80% of these jobs (8 total) must be qualifying jobs. A qualifying job must pay 110% of the average weekly wage for manufacturing jobs in the region.<sup>3</sup>
4. Nolan and Taylor County are in the West Central WDA.<sup>4</sup>
5. Pursuant to the most recent data compiled by the Texas Workforce Commission, the mean annual wage for all jobs in the manufacturing industry in the West Central WDA is \$33,904.<sup>5</sup>
6. At the 110% rate required by 313.051(b), the required annual wage for a qualifying job is \$37,294.
7. Thus, Turkey Track Wind Energy, LLC is required to employ at least 8 people at an hourly wage of at least \$37,294.

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<sup>1</sup> Tex. Tax Code 313.051(a)(1); <http://www.window.state.tx.us/taxinfo/franchise/sia.html>

<sup>2</sup> Tex. Tax Code 313.051(b)

<sup>3</sup> *Id.*

<sup>4</sup> [http://www.tracer2.com/admin/uploadedpublications/1610\\_WDA\\_County\\_list.pdf](http://www.tracer2.com/admin/uploadedpublications/1610_WDA_County_list.pdf)

<sup>5</sup> <http://www.tracer2.com/cgi/dataanalysis/AreaSelection.asp?tableName=Oeswage> (select proper information).