



renewables

May 10, 2013

Cert: 7011 2000 0001 8497 9429

Mr. Keith Scharnhorst, Superintendent
Clyde CISD
P.O. Box 479
526 Shalimar Drive
Clyde, TX 79510

Dear Mr. Scharnhorst:

Attached are Chapter 313 Annual Eligibility Report Forms (Form 50-772) for Mesquite Wind Farm and Post Oak Wind Farm. Should you require anything further or have any questions, please contact me.

Respectfully,

John P. Taylor
Property Tax Manager
713-356-2531 direct
713-408-6699 cell

john.taylor@edpr.com



Chapter 313 Annual Eligibility Report Form

Form 50-772
(March 2010)

Clyde CISD School district name	.3597 I&S Tax Rate	2012 Tax Year covered in this report
Post Oak Wind Farm Project Name	Post Oak Wind, LLC Company Name	1.04 M&O Tax Rate
808 Travis St., Ste 700 Houston, TX 77002 Company Address	John Taylor, Property Tax Manager 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.

15625535719 Texas Taxpayer ID of Applicant	32003192591 Texas Taxpayer ID Reporting Entity (if appropriate)
November 23, 2005 Date of Agreement Approval	Mesquite Wind, LLC Original Applicant Name
2006 First complete tax year of the qualifying time period	2007 Last tax year of the qualifying time period
2008 First tax year of the limitation	\$5,000,000.00 Amount of the limitation at the time of application approval

QUALIFIED PROPERTY INFORMATION

\$174,688,080 Market Value	\$174,688,080 I&S Taxable Value	\$2,500,000 M&O Taxable Value
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Is the business entity in good standing with respect to Tax Code, Chapter 171? (Attach certificate) 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)?
(For projects with agreements approved before January 1, 2010, use the date submitted to school district.) N/A

What was the actual number of permanent jobs (more than 1600 hours a year), with the applicant or a contractor of the applicant, on the qualified property during the last complete calendar quarter before the application review start date?
(For projects with applications approved before January 1, 2010, use the applicaion submitted to school district.) N/A

What year and quarter was that: _____

How many new jobs were on the qualified property in the year covered by this report? (See note on page 2.) 35

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? N/A

80 percent of New Jobs 28

What is the minimum required annual wage for each qualifying job in the year covered by the report? \$28,300

How was this calculated? (Cite applicable section of Chapter 313. Attach calculation and cite exact data sources.) 313.051(b)

How many qualifying jobs (employees of this entity and employees of a contractor with this entity) were located on the qualified property in the year covered by the report?	70	35
Of the qualifying job-holders last year, how many were employees of the approved applicant?	6	3
Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant?	64	32

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?

NA Yes No

THE FOLLOWING QUESTIONS APPLY ONLY TO APPROVED APPLICANTS WITH AGREEMENTS THAT REQUIRE THE APPROVED APPLICANT TO PROVIDE A SPECIFIED NUMBER OF JOBS AT A SPECIFIED WAGE.

How many qualifying jobs did the approved applicant commit to create in the year covered by the report?

At what annual wage?

How many qualifying jobs were created at the specified wage?

N/A
 N/A
 N/A

ENTITIES ARE NOT REQUIRED TO ANSWER THE FOLLOWING FIVE QUESTIONS IF THE YEAR COVERED BY THE REPORT IS AFTER THE QUALIFYING TIME PERIOD OF THEIR AGREEMENT.

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?

Was any of the land classified as qualified investment?

Was any of the qualified investment leased under a capitalized lease?

Was any of the qualified investment leased under and operating lease?

Was any property not owned by the applicant part of the qualified investment?

 Yes No
 Yes No
 Yes No
 Yes No

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

What was your limitation amount (or portion of original limitation amount) during the year covered by this report?

Please describe your interest in the agreement and identify all the documents creating that interest.

Please see attachment A

NOTE: A new job is a permanent, paid full time job with the approved applicant, or a contractor of the approved applicant, to perform work on the qualified property of the approved applicant for at least 1600 hours a year, created after the application review start date, in support of the activity described by Section 313.024(b), that was not transferred from one area of the state to another, and that has not been created to replace a previous employee. See TAC 9.1051(14).

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. A qualifying job is a new job that meets the minimum wage requirement for that school district, and is covered by a group health benefits plan for which the employer offers to pay at least 80 percent of the employee-only premium. See Tax Code §313.021(3).

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

Property Tax Manager

Title

John Taylor

Printed name of authorized company representative

05/13/2013

Date

CONTACT INFORMATION FOR AUTHORIZED REPRESENTATIVE**808 Travis St., Ste 700, Houston, TX 77002**

Address

713-356-2531

Phone



renewables

John Taylor, Property Tax Manager
EDP Renewables NA LLC
713-356-2531-o 904-477-9661-c**John.Taylor@edpr.com**

E-mail

ATTACHMENT C

**Mesquite Wind LLC and Post Oak Wind LLC's Calculation of the
Minimum Required Annual Wage for Qualifying Jobs***

SHACKELFORD COUNTY MANUFACTURING WAGE INFORMATION

Year	Quarter	Average Weekly Wage
2004	4th Quarter	\$563
2005	1st Quarter	\$436
2005	2nd Quarter	\$453
2005	3rd Quarter	\$527

$$563 + 436 + 453 + 527 = 1,979$$

$$1,979 / 4 = 494.75$$

$$494.75 \times 1.1 = 544.225$$

$$544.225 \times 52 = 28,299.7$$

Thus, to the nearest dollar, the minimum required annual wage is \$28,300.

*Please note that when Mesquite and Post Oak's amended application was submitted in November 2005, § 313.051(b) required qualifying jobs under Chapter 313 subchapter C to pay 110% of the manufacturing wage in the county, not the region.

Quarterly Employment and Wages (QCEW)

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<input type="text" value="2004"/>	<input type="text" value="4th Qtr"/>	<input type="text" value="Shackelford County"/>	<input type="text" value="Private"/>	<input type="text" value="31"/>	<input type="text" value="2"/>	<input type="text" value="31-33"/>	<input type="text" value="Manufacturing"/>	<input type="text" value="\$563"/>
<input type="text" value="Year"/>	<input type="text" value="Period"/>	<input type="text" value="Area"/>	<input type="text" value="Ownership"/>	<input type="text" value="Division"/>	<input type="text" value="Level"/>	<input type="text" value="Ind Code"/>	<input type="text" value="Industry"/>	<input type="text" value="Avg Weekly Wages"/>

Quarterly Employment and Wages (QCEW)

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Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2005	1st Qtr	Shackelford County	Private	31	2	31-33	Manufacturing	\$436
2005	2nd Qtr	Shackelford County	Private	31	2	31-33	Manufacturing	\$453
2005	3rd Qtr	Shackelford County	Private	31	2	31-33	Manufacturing	\$527

Attachment A

Chapter 313 Annual Eligibility Report Form – Post Oak Wind, LLC

Form 50-772, Bottom of Page 2, Section Titled “The following questions must be answered by entities having a partial interest in an agreement.”

Please describe your interest in the agreement and identify all documents creating that interest.

Mesquite Wind, LLC, the original property owner, assigned part of its interest in the value limitation agreement to Post Oak Wind, LLC via an assignment agreement executed by Mesquite Wind, LLC, Post Oak Wind, LLC and Clyde CISD on October 10, 2006. Pursuant to that assignment, both Mesquite and Post Oak have been jointly responsible for fulfilling the requirements of the agreement, including the maintenance of the required number of new jobs and qualifying jobs. 50% of such jobs will be reported by Post Oak on this Form 50-772 and the remaining 50% will be reported by Mesquite on its separately filed Form 50-772. The entities split the \$5 million value limitation under the agreement, with each entity responsible for paying M&O property tax to Clyde CISD on \$2,500,000 of property value.



Franchise Tax Account Status

As of: 05/15/2013 08:00:28 AM

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

POST OAK WIND, LLC

Texas Taxpayer Number	15625535719
Mailing Address	808 TRAVIS ST STE 700 HOUSTON, TX 77002-5774
Right to Transact Business in Texas	ACTIVE
State of Formation	DE
SOS Registration Date	11/15/2005
Texas SOS File Number	0800570992
Registered Agent Name	C T CORPORATION SYSTEM
Registered Office Street Address	350 N. ST. PAUL ST. STE. 2900 DALLAS, TX 75201