



Biennial Progress Report for Texas Economic Development Act

Economic Development and Analysis
Form 50-773-A

INTRODUCTION

- You have been assigned an application number. Please verify this number on the website prior to completing the form. This form will indicate the sections you need to complete based on application number.
- This form must be filled out by each applicant that is party to a limitation agreement.
- If the original application was made by a group of two or more companies, each company must complete this form.
- If the original applicant split into two or more applicants after the original agreement, all current agreement holders must complete this form.
- Applicants should only complete the information for their years as an agreement holder, noting what year they were formed after the original agreement was approved.
- Each agreement holder should respond as a current agreement holder in Section 2.
- Applicants should report their proportionate share of required employment and investment information.
- In addition to the Biennial Progress Report required from each applicant that is a party to an agreement, a separate Biennial Progress Report summarizing the combined applicants' data for the entire agreement must be completed.
- If one of the applicants cannot provide this information, a summarization report must be completed by the school district.
- Projects spanning more than one school district must complete forms for each school district.
- Please return signed hard copy forms and electronic spreadsheets to the school district before May 15 of each even-numbered year.

Note:

- The school district that is a party to the Chapter 313 agreement is collecting the data required by Chapter 313.008 on this form for the Comptroller of Public Accounts (CPA).
- The CPA requests companies complete the electronic spreadsheet version of the form. Please submit both an *electronic version* and a *signed hard copy version* of the spreadsheet (with any attachments) to the district. Please contact CPA if you have questions about the form. The spreadsheet version of this form can be downloaded at: www.texasahead.org/tax_programs/chapter313/forms.php.
- After ensuring that all forms are complete, the school district will forward that data to the CPA for inclusion in a statutorily required report to the Texas Legislature.

SECTION 1: Applicant Information

1. Application number No. 39
2. Name of school district Clyde CISD
3. Name of central appraisal district (CAD) appraising the qualified property in this school district Callahan and Shackelford County Appraisal District
4. Name of project on original application (or short description of facility) Mesquite Wind LLC
5. Name of applicant on original application Mesquite Wind LLC
6. Name of company entering into original agreement with district Mesquite Wind LLC
7. 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.)

Not Applicable

SECTION 4: Value Limitation Details

- 1 Original limitation amount (*for entire agreement*): 5,000,000.00
- 2 Amount of qualified investment during the qualifying time period the recipient committed to spend or allocate for this project on application (*not total investment*): 285,000,000.00
- 3 Total qualified investment made from the beginning of the qualifying time period through the end of the qualifying time period or the last complete tax year, if still in the qualifying time period. 358,960,155.00
- 4 Has the description of the qualified property changed from that in the application? Yes No
 - 4a. If yes, please describe on an attachment how the actual qualified property — for which you are providing actual and estimated market values on subsequent pages — differs from that property described in the agreement. Include only property located in this school district.
- 5 What was the number of permanent existing jobs at this facility prior to application? 0
(*See guidelines for definition of existing job.*)

SECTION 5: Job Details

- 1 For agreements before Jan. 1, 2014, does the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), as the rule existed at the time of application? Yes No
 - 1a. If yes, please provide the definition of "new job" as used in the agreement. (*Use attachments if needed.*)

Biennial Progress Report for Texas Economic Development Act

CHART A1: Job Data for Applications 1 through 999

App Number: No. 39
 District Name: Clyde CISD
 Company Name: Mesquite Wind LLC & Post Oak Wind LLC

Project Name: Mesquite Wind LLC / Post Oak Wind LLC
 1st Yr. of Qualifying Time Period: 2006

CHART A1 – Only complete this for applications 1 through 999.

	Qualifying Time Period							Limitation Period							Viable Presence Period		
	Year 1 (First Complete Tax Year)	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	
1 Number of qualifying jobs ¹ applicant committed to create on application (cumulative)	2006	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	
2 Number of qualifying jobs ¹ applicant actually created (cumulative)		67	68	69	69	52	52	40	40	40	40	40	40	40	40	40	
3 Number of new jobs ² created (cumulative)		67	68	69	69	52	52	40	40	40	40	40	40	40	40	40	
4 Median annual wage of new jobs applicant created		40,000.00	40,080.00	57,715.00	58,869.00	60,046.00	61,247.00	62,472.00	63,721.00	64,995.00	64,995.00	64,995.00	64,995.00	64,995.00	64,995.00	64,995.00	
5 Total wages for new jobs applicant created		43,117.00	43,979.00	55,350.00	56,547.00	57,678.00	58,532.00	60,009.00	61,209.00	62,443.00	62,443.00	62,443.00	62,443.00	62,443.00	62,443.00	62,443.00	

Actual and projected data. Use actual data for prior years. Estimates are required for current and future years.

Notes:

- Jobs meeting all of the requirements of Tax Code §313.021(3) as the statute existed before Jan. 1, 2014. Do not include construction jobs in counts of qualifying jobs.
- For new job definition see TAC §9.1051(14) as rules existed before Jan. 1, 2014.

By signing below, I, John Taylor, certify that I am the authorized representative of Mesquite Wind LLC & Post Oak Wind LLC, a current agreement holder of a limitation on appraised value, and the contents of this form and the attached documentation are true and correct to the best of my knowledge and belief.

print here

John Taylor - Property Tax Manager

Print Name/Title

713-356-2531

Phone

sign here

[Signature]
 Authorized Official Signature

Date

5/1/2014



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

The CPA requests companies complete the electron

ronic version and a signed hard copy version of the spreadsheet (with any attachments) to the district.

**Biennial Progress Report for Texas Economic Development Act
CHART A2: Investment and Market Values for Applications 1 through 999**

Form 50-773A
Revised Jan 2014

Application Number **39**
Current Agreement Holder Name **Mesquite Wind LLC & Post Oak Wind LLC**
ISD Name **Clyde CIRD**

CHART A2 - Only complete this for applications 1 through 999.

Year	School Year (YYYY-YYYY)	Tax Year (actual tax year) YYYY	Total Investment ¹ (cumulative)	Market value of qualified property on Jan. 1 BEFORE any exemptions ²	Market value less any exemptions (such as pollution control) and before limitation ³	Taxable value of qualified property for purposes of M&O
1	2006-2007	2006	232,803,008.00			
2	2007-2008	2007	591,763,163.00	100,188,397.00	100,188,397.00	100,188,397.00
3	2007-2008	2008	700,848,923.00	396,660,432.00	396,660,432.00	5,000,000.00
4	2008-2009	2009	700,848,923.00	385,034,740.00	385,034,740.00	5,000,000.00
5	2009-2010	2010	700,848,923.00	395,995,210.00	395,995,210.00	5,000,000.00
6	2010-2011	2011	700,848,923.00	340,853,530.00	340,853,530.00	5,000,000.00
7	2011-2012	2012	700,848,923.00	341,737,960.00	341,737,960.00	5,000,000.00
8	2012-2013	2013	700,848,923.00	288,125,030.00	288,125,030.00	5,000,000.00
9	2013-2014	2014	700,848,923.00	276,000,000.00	276,000,000.00	5,000,000.00
10	2014-2015	2015	700,848,923.00	248,000,000.00	248,000,000.00	5,000,000.00
11	2015-2016	2016	700,848,923.00	223,000,000.00	223,000,000.00	223,000,000.00
12	2016-2017	2017	700,848,923.00	201,000,000.00	201,000,000.00	201,000,000.00
13	2017-2018	2018	700,848,923.00	190,000,000.00	190,000,000.00	190,000,000.00

Prior to start of value limitation period

Value limitation period

Viable presence period

Notes:

- Total investment is all investment at original cost, including land acquired after filing of application. Investments made in a year should be reflected in the subsequent year's market value.
- Use appraisal values from CAD as available. For future years, use market value that the entity estimates will approximate the market value for ad valorem tax purposes in that year.
- This amount is typically the taxable value for the purpose of I&S fund or debt service reserve fund.

By signing below, I, John Taylor, certify that I am the authorized representative of Mesquite Wind LLC & Post Oak Wind LLC, a current agreement holder of a limitation on appraised value, and the contents of this form and the attached documentation are true and correct to the best of my knowledge and belief.

Authorized Official Signature  Date 6/5/2014

Print Name/Title John Taylor - Property Tax Manager Phone Number 713-356-2531

From: [Thurber, Danielle](#)
To: [Mali Hanley](#)
Cc: [Taylor, John](#)
Subject: RE: Mesquite Wind/Clyde ISD (App 39) Comptroller reports
Date: Tuesday, June 03, 2014 5:11:52 PM

No objection as this was previously established with Dennis.



Danielle Thurber

EDP Renewables North America LLC

Tax

808 Travis St. , Suite 700

Houston, TX 77002

Direct: 713.356.2576 Fax: 713.265.0365

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From: Mali Hanley [<mailto:mhanley@808west.com>]
Sent: Tuesday, June 03, 2014 1:35 PM
To: Thurber, Danielle
Cc: Taylor, John
Subject: RE: Mesquite Wind/Clyde ISD (App 39) Comptroller reports

Would you object to me adding your email as an attachment to the 773a just to remind the Comptroller they already approved the combined report?

Thank you,

Mali

From: Thurber, Danielle [<mailto:Danielle.Thurber@edpr.com>]
Sent: Tuesday, June 03, 2014 1:30 PM
To: Mali Hanley
Cc: Taylor, John
Subject: RE: Mesquite Wind/Clyde ISD (App 39) Comptroller reports

Mali,

We don't have ability to reconstruct the schedule to separately identify each entity on the biennial progress report. Mesquite Wind LLC is the original applicant and agreement holder. The agreement was modified to extend half of the limitation amount to the second phase, Post Oak Wind.

Dennis Wycoff met with the Comptroller's Office and they approved to file the progress report combining both entities. Changing this could potentially confuse the Comptroller's Office, school district, and Texas Education Agency.

We will modify Chart A-2 in the Excel spreadsheet and provide the unexecuted and executed copies to you.

Thank you,



Danielle Thurber

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From: Mali Hanley [<mailto:mhanley@808west.com>]

Sent: Tuesday, June 03, 2014 11:21 AM

To: Thurber, Danielle

Cc: Taylor, John

Subject: RE: Mesquite Wind/Clyde ISD (App 39) Comptroller reports

We carried down the value because it's a little different than the how the application is

completed. The Comptroller has told us that the total cumulative investment should be shown for the entire project. At the end, the last row should reflect the final total cumulative investment.

Despite the oddity of it, each entity should complete a separate report.

Thank you,

Mali

From: Thurber, Danielle [<mailto:Danielle.Thurber@edpr.com>]
Sent: Tuesday, June 03, 2014 10:28 AM
To: Mali Hanley
Cc: Taylor, John
Subject: RE: Mesquite Wind/Clyde ISD (App 39) Comptroller reports

Hi Mali,

I have a question after looking at your Excel spreadsheet for Form 50-773A-Mesquite Wind and Post Oak Wind LLC. The question is for Chart A-2:

1. **Column 4-Total Investment-Year 3.** Why are you carrying \$700,848,923 after year 3? We did not have any additional investments after the third year

Also, are you requesting for separate 50-773A forms for Mesquite Wind LLC and Post Oak Wind LLC? Historically, we have completed only one form for both entities.

Thank you,

Danielle



Danielle Thurber

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From: Mali Hanley [<mailto:mhanley@808west.com>]
Sent: Wednesday, May 28, 2014 1:35 PM
To: Thurber, Danielle
Cc: Bob Popinski (bpopinski@moakcasey.com)
Subject: Mesquite Wind/Clyde ISD (App 39) Comptroller reports

Good afternoon. Thank you for timely submitting the reports on the new Comptroller forms. We are reviewing the reports, and we have the following notes.

Schedule A-2

1. School years were off; the first year of the school year should be the same as the tax year.
2. Total investment was not listed as a cumulative number and carried through the whole form
3. The taxable value was not listed in any year except the limitation years

I have attached an updated excel file. We also need excel schedules and signed copies of the reports for the individual portions of the project.

Please let me know if you have any questions.

Thank you,

Amalia Hanley
for Kevin O'Hanlon
O'HANLON, McCOLLOM & DEMERATH
Attorneys-at-law
808 West Ave.
Austin, Texas 78701

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FAX: 512.494.9919

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