

S U S A N

C O M B S

TEXAS COMPTROLLER *of* PUBLIC ACCOUNTS

P.O. Box 13528 • AUSTIN, TX 78711-3528



March 19, 2014

Blair Brown  
Superintendent  
Panhandle Independent School District  
P.O. Box 1030  
Panhandle, Texas 79068-1030

Dear Superintendent Brown:

On Dec. 20, 2013, the Comptroller received the completed application (Application # 393) for a limitation on appraised value under the provisions of Tax Code Chapter 313<sup>1</sup>. This application was originally submitted in December 2013 to the Panhandle Independent School District (the school district) by Pattern Panhandle Wind 3, LLC (the applicant). This letter presents the results of the Comptroller's review of the application:

- 1) under Section 313.025(h) to determine if the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C; and
- 2) under Section 313.025(d), to make a recommendation to the governing body of the school district as to whether the application should be approved or disapproved using the criteria set out by Section 313.026.

The school district is currently classified as a rural school district in Category 2 according to the provisions of Chapter 313. Therefore, the applicant properly applied under the provisions of Subchapter C, applicable to rural school districts. The amount of proposed qualified investment (\$250 million) is consistent with the proposed appraised value limitation sought (\$20 million). The property value limitation amount noted in this recommendation is based on property values available at the time of application and may change prior to the execution of any final agreement.

The applicant is an active franchise taxpayer in good standing, as required by Section 313.024(a), and is proposing the construction of a wind power electric generation facility in Carson County, an eligible property use under Section 313.024(b). The Comptroller has determined that the property, as described by the application, meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C.

After reviewing the application using the criteria listed in Section 313.026, and the information provided by the applicant, the Comptroller's recommendation is that this application under Tax Code Chapter 313 be approved.

Our review of the application assumes the truth and accuracy of the statements in the application and that, if the application is approved, the applicant would perform according to the provisions of the agreement reached with the school district. Our recommendation does not address whether the applicant has complied with all Chapter 313 requirements; the school district is responsible for verifying that all requirements of the statute have been fulfilled. Additionally, Section 313.025 requires the school district to only approve an application if the school district finds that the information in the application is true and

<sup>1</sup> All statutory references are to the Texas Tax Code, unless otherwise noted.

correct, finds that the applicant is eligible for a limitation and determines that granting the application is in the best interest of the school district and this state. When approving a job waiver requested under Section 313.025(f-1), the school district must also find that the statutory jobs creation requirement exceeds the industry standard for the number of employees reasonably necessary for the operation of the facility. As stated above, the Comptroller's recommendation is prepared by generally reviewing the application and supporting documentation in light of the Section 313.026 criteria and a cursory review of the industry standard evidence necessary to support the waiver of the required number of jobs.

Note that any new building or other improvement existing as of the application review start date of Dec. 20, 2013, or any tangible personal property placed in service prior to that date may not become "Qualified Property" as defined by 313.021(2).

The Comptroller's recommendation is based on the application submitted by the school district and reviewed by the Comptroller. The recommendation may not be used by the school district to support its approval of the property value limitation agreement if the application is modified, the information presented in the application changes, or the limitation agreement does not conform to the application. Additionally, this recommendation is contingent on future compliance with the Chapter 313 and the Texas Administrative Code, with particular reference to the following requirements related to the execution of the agreement:

- 1) The applicant must provide the Comptroller a copy of the proposed limitation on appraised value agreement no later than ten (10) days prior to the meeting scheduled by the school district to consider approving the agreement, so that the Comptroller may review it for compliance with the statutes and the Comptroller's rules as well as consistency with the application;
- 2) The Comptroller must confirm that it received and reviewed the draft agreement and affirm the recommendation made in this letter;
- 3) The school district must approve and execute a limitation agreement that has been reviewed by the Comptroller within a year from the date of this letter; and
- 4) The school district must provide a copy of the signed limitation agreement to the Comptroller within seven (7) days after execution, as required by Section 313.025..

Should you have any questions, please contact Robert Wood, director of Economic Development & Analysis Division, by email at [robert.wood@cpa.state.tx.us](mailto:robert.wood@cpa.state.tx.us) or by phone at 1-800-531-5441, ext. 3-3973, or direct in Austin at 512-463-3973.

Sincerely,



Martin A. Hubert  
Deputy Comptroller

Enclosure

cc: Robert Wood

**Economic Impact for Chapter 313 Project**

Applicant	Pattern Panhandle Wind 3, LLC
Tax Code, 313.024 Eligibility Category	Renewable Energy - Wind
School District	Panhandle ISD
2012-13 Enrollment in School District	665
County	Carson
Total Investment in District	\$250,000,000
Qualified Investment	\$250,000,000
Limitation Amount	\$20,000,000
Number of total jobs committed to by applicant	6*
Number of qualifying jobs committed to by applicant	6
Average Weekly Wage of Qualifying Jobs committed to by applicant	\$885
Minimum Weekly Wage Required Tax Code, 313.051(b)	\$885
Minimum Annual Wage committed to by applicant for qualified jobs	\$46,035
Investment per Qualifying Job	\$41,666,667
Estimated 15 year M&O levy without any limit or credit:	\$26,641,212
Estimated gross 15 year M&O tax benefit	\$17,355,342
Estimated 15 year M&O tax benefit ( <i>after</i> deductions for estimated school district revenue protection--but not including any deduction for supplemental payments or extraordinary educational expenses):	\$15,594,583
Tax Credits (estimated - part of total tax benefit in the two lines above - appropriated through Foundation School Program)	\$2,392,000
Net M&O Tax (15 years) After Limitation, Credits and Revenue Protection:	\$11,046,629
Tax benefit as a percentage of what applicant would have paid without value limitation agreement (percentage exempted)	58.5%
Percentage of tax benefit due to the limitation	86.2%
Percentage of tax benefit due to the credit	13.8%
* Applicant is requesting district to waive requirement to create minimum number of qualifying jobs pursuant to Tax Code, 313.025 (f-1).	

This presents the Comptroller's economic impact evaluation of Pattern Panhandle Wind 3, LLC (the project) applying to Panhandle Independent School District (the district), as required by Tax Code, 313.026. This evaluation is based on information provided by the applicant and examines the following criteria:

- (1) the recommendations of the comptroller;
- (2) the name of the school district;
- (3) the name of the applicant;
- (4) the general nature of the applicant's investment;
- (5) the relationship between the applicant's industry and the types of qualifying jobs to be created by the applicant to the long-term economic growth plans of this state as described in the strategic plan for economic development submitted by the Texas Strategic Economic Development Planning Commission under Section 481.033, Government Code, as that section existed before February 1, 1999;
- (6) the relative level of the applicant's investment per qualifying job to be created by the applicant;
- (7) the number of qualifying jobs to be created by the applicant;
- (8) the wages, salaries, and benefits to be offered by the applicant to qualifying job holders;
- (9) the ability of the applicant to locate or relocate in another state or another region of this state;
- (10) the impact the project will have on this state and individual local units of government, including:
  - (A) tax and other revenue gains, direct or indirect, that would be realized during the qualifying time period, the limitation period, and a period of time after the limitation period considered appropriate by the comptroller; and
  - (B) economic effects of the project, including the impact on jobs and income, during the qualifying time period, the limitation period, and a period of time after the limitation period considered appropriate by the comptroller;
- (11) the economic condition of the region of the state at the time the person's application is being considered;
- (12) the number of new facilities built or expanded in the region during the two years preceding the date of the application that were eligible to apply for a limitation on appraised value under this subchapter;
- (13) the effect of the applicant's proposal, if approved, on the number or size of the school district's instructional facilities, as defined by Section 46.001, Education Code;
- (14) the projected market value of the qualified property of the applicant as determined by the comptroller;
- (15) the proposed limitation on appraised value for the qualified property of the applicant;
- (16) the projected dollar amount of the taxes that would be imposed on the qualified property, for each year of the agreement, if the property does not receive a limitation on appraised value with assumptions of the projected appreciation or depreciation of the investment and projected tax rates clearly stated;
- (17) the projected dollar amount of the taxes that would be imposed on the qualified property, for each tax year of the agreement, if the property receives a limitation on appraised value with assumptions of the projected appreciation or depreciation of the investment clearly stated;
- (18) the projected effect on the Foundation School Program of payments to the district for each year of the agreement;
- (19) the projected future tax credits if the applicant also applies for school tax credits under Section 313.103; and
- (20) the total amount of taxes projected to be lost or gained by the district over the life of the agreement computed by subtracting the projected taxes stated in Subdivision (17) from the projected taxes stated in Subdivision (16).

### **Wages, salaries and benefits [313.026(6-8)]**

After construction, the project will create six new jobs when fully operational. All six jobs will meet the criteria for qualifying jobs as specified in Tax Code Section 313.021(3). According to the Texas Workforce Commission (TWC), the regional manufacturing wage for the Panhandle Regional Planning Commission, where Carson County is located was \$41,850 in 2012. The annual average manufacturing wage for 2012-2013 for Carson County is not available. During that same period, the county annual average wage for all industries was \$76,011. In addition to an annual average salary of \$46,035 each qualifying position will receive benefits such as medical, dental and vision insurance coverage, paid holidays, paid vacations, 401k, short and long term disability, life insurance, sick time, and flexible spending accounts. The project's total investment is \$250 million, resulting in a relative level of investment per qualifying job of \$41.7 million.

### **Ability of applicant to locate to another state and [313.026(9)]**

According to Pattern Panhandle Wind 3, LLC's application, "A wind energy project can be located in any state, or any county in the State, with a commercially viable wind resource, and access to transmission and an attractive market" The application also states "The Applicant's parent company - Pattern Energy Group LP - currently has projects under development at viable sites in numerous states, as well as in Canada."

### **Number of new facilities in region [313.026(12)]**

During the past two years, thirty-five projects in the Panhandle Regional Planning Commission applied for value limitation agreements under Tax Code, Chapter 313.

### **Relationship of applicant's industry and jobs and Texas's economic growth plans [313.026(5)]**

The Texas Economic Development Plan focuses on attracting and developing industries using technology. It also identifies opportunities for existing Texas industries. The plan centers on promoting economic prosperity throughout Texas and the skilled workers that the Pattern Panhandle Wind 3, LLC project requires appear to be in line with the focus and themes of the plan. Texas identified renewable energy as one of six target clusters in the Texas Cluster Initiative. The plan stresses the importance of technology in all sectors of the renewable energy industry.

### **Economic Impact [313.026(10)(A), (10)(B), (11), (13-20)]**

Table 1 depicts Pattern Panhandle Wind 3, LLC's estimated economic impact to Texas. It depicts the direct, indirect and induced effects to employment and personal income within the state. The Comptroller's office calculated the economic impact based on 16 years of annual investment and employment levels using software from Regional Economic Models, Inc. (REMI). The impact includes the construction period and the operating period of the project.

**Table 1: Estimated Statewide Economic Impact of Investment and Employment in Pattern Panhandle Wind 3, LLC**

Year	Employment			Personal Income		
	Direct	Indirect + Induced	Total	Direct	Indirect + Induced	Total
2014	11	11	22	\$551,250	\$448,750	\$1,000,000
2015	32	34	66	\$1,653,750	\$2,346,250	\$4,000,000
2016	6	4	10	\$276,210	\$723,790	\$1,000,000
2017	6	5	11	\$276,210	\$723,790	\$1,000,000
2018	6	12	18	\$276,210	\$723,790	\$1,000,000
2019	6	15	21	\$276,210	\$1,723,790	\$2,000,000
2020	6	15	21	\$276,210	\$1,723,790	\$2,000,000
2021	6	21	27	\$276,210	\$1,723,790	\$2,000,000
2022	6	17	23	\$276,210	\$1,723,790	\$2,000,000
2023	6	19	25	\$276,210	\$2,723,790	\$3,000,000
2024	6	17	23	\$276,210	\$1,723,790	\$2,000,000
2025	6	19	25	\$276,210	\$1,723,790	\$2,000,000
2026	6	14	20	\$276,210	\$1,723,790	\$2,000,000
2027	6	12	18	\$276,210	\$1,723,790	\$2,000,000
2028	6	15	21	\$276,210	\$1,723,790	\$2,000,000
2029	6	8	14	\$276,210	\$723,790	\$1,000,000

Source: CPA, REMI, Pattern Panhandle Wind 3, LLC

The statewide average ad valorem tax base for school districts in Texas was \$1.65 billion in 2012-2013. Panhandle ISD's ad valorem tax base in 2012-2013 was \$402 million. The statewide average wealth per WADA was estimated at \$343,155 for fiscal 2012-2013. During that same year, Panhandle ISD's estimated wealth per WADA was \$386,248. The impact on the facilities and finances of the district are presented in Attachment 2.

Table 2 examines the estimated direct impact on ad valorem taxes to the school district, Carson County, and Panhandle Ground Water Conservation District #3 with all property tax incentives sought being granted using estimated market value from Pattern Panhandle Wind 3, LLC's application. Pattern Panhandle Wind 3, LLC has applied for both a value limitation under Chapter 313, Tax Code and tax abatement with the county. Table 3 illustrates the estimated tax impact of the Pattern Panhandle Wind 3, LLC project on the region if all taxes are assessed.

**Table 2 Estimated Direct Ad Valorem Taxes with all property tax incentives sought**

Year	Estimated Taxable Value for I&S	Estimated Taxable Value for M&O	Tax Rate <sup>1</sup>	Panhandle ISD I&S Levy	Panhandle ISD M&O Levy	Panhandle ISD M&O and I&S Tax Levies (Before Credit Credited)	Panhandle ISD M&O and I&S Tax Levies (After Credit Credited)	Carson County Tax Levy	Panhandle Ground WCD #3 Tax Levy	Estimated Total Property Taxes
			0.4400	0.4400	1.0400			0.51623	0.00887	
2015	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0	\$0
2016	250,000,000	\$250,000,000		\$1,100,000	\$2,600,000	\$3,700,000	\$3,700,000	\$0	\$22,175	\$3,722,175
2017	237,500,000	\$20,000,000		\$1,045,000	\$208,000	\$1,253,000	\$1,253,000	\$0	\$21,066	\$1,274,066
2018	225,625,000	\$20,000,000		\$992,750	\$208,000	\$1,200,750	\$859,036	\$0	\$20,013	\$879,049
2019	214,343,750	\$20,000,000		\$943,113	\$208,000	\$1,151,113	\$809,399	\$0	\$19,012	\$828,411
2020	203,626,560	\$20,000,000		\$895,957	\$208,000	\$1,103,957	\$762,243	\$0	\$18,062	\$780,305
2021	193,445,230	\$20,000,000		\$851,159	\$208,000	\$1,059,159	\$717,445	\$0	\$17,159	\$734,604
2022	183,772,970	\$20,000,000		\$808,601	\$208,000	\$1,016,601	\$674,887	\$0	\$16,301	\$691,188
2023	174,584,230	\$20,000,000		\$768,171	\$208,000	\$976,171	\$634,457	\$0	\$15,486	\$649,942
2024	165,885,100	\$20,000,000		\$0	\$208,000	\$208,000	\$104,000	\$0	\$14,714	\$118,714
2025	157,562,350	\$157,562,350		\$0	\$1,638,648	\$1,638,648	\$1,400,934	\$0	\$13,976	\$1,414,910
2026	149,684,230	\$149,684,230		\$0	\$1,556,716	\$1,556,716	\$1,556,716	\$772,707	\$13,277	\$2,342,700
2027	142,200,020	\$142,200,020		\$0	\$1,478,880	\$1,478,880	\$1,478,880	\$734,072	\$12,613	\$2,225,565
2028	135,090,020	\$135,090,020		\$0	\$1,404,936	\$1,404,936	\$1,404,936	\$697,368	\$11,982	\$2,114,287
2029	128,335,520	\$128,335,520		\$0	\$1,334,689	\$1,334,689	\$1,334,689	\$662,500	\$11,383	\$2,008,573
						<b>Total</b>	<b>\$16,690,622</b>	<b>\$2,866,648</b>	<b>\$227,219</b>	<b>\$19,784,489</b>

Assumes School Value Limitation and Tax Abatement with the County.

Source: CPA, Pattern Panhandle Wind 3, LLC

<sup>1</sup>Tax Rate per \$100 Valuation

**Table 3 Estimated Direct Ad Valorem Taxes without property tax incentives**

Year	Estimated Taxable Value for I&S	Estimated Taxable Value for M&O	Tax Rate <sup>1</sup>	Panhandle ISD I&S Levy	Panhandle ISD M&O Levy	Panhandle ISD M&O and I&S Tax Levies	Carson County Tax Levy	Panhandle Ground WCD #3 Tax Levy	Estimated Total Property Taxes	
			0.4400	0.4400	1.0400		0.51623	0.00887		
2015	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0	
2016	250,000,000	\$250,000,000		\$1,100,000	\$2,600,000	\$3,700,000	\$1,290,563	\$22,175	\$5,012,738	
2017	237,500,000	\$237,500,000		\$1,045,000	\$2,470,000	\$3,515,000	\$1,226,034	\$21,066	\$4,762,101	
2018	225,625,000	\$225,625,000		\$992,750	\$2,346,500	\$3,339,250	\$1,164,733	\$20,013	\$4,523,996	
2019	214,343,750	\$214,343,750		\$943,113	\$2,229,175	\$3,172,288	\$1,106,496	\$19,012	\$4,297,796	
2020	203,626,560	\$203,626,560		\$895,957	\$2,117,716	\$3,013,673	\$1,051,171	\$18,062	\$4,082,906	
2021	193,445,230	\$193,445,230		\$851,159	\$2,011,830	\$2,862,989	\$998,613	\$17,159	\$3,878,761	
2022	183,772,970	\$183,772,970		\$808,601	\$1,911,239	\$2,719,840	\$948,682	\$16,301	\$3,684,823	
2023	174,584,230	\$174,584,230		\$768,171	\$1,815,676	\$2,583,847	\$901,247	\$15,486	\$3,500,580	
2024	165,885,100	\$165,885,100		\$0	\$1,725,205	\$1,725,205	\$856,340	\$14,714	\$2,596,259	
2025	157,562,350	\$157,562,350		\$0	\$1,638,648	\$1,638,648	\$813,376	\$13,976	\$2,466,000	
2026	149,684,230	\$149,684,230		\$0	\$1,556,716	\$1,556,716	\$772,707	\$13,277	\$2,342,700	
2027	142,200,020	\$142,200,020		\$0	\$1,478,880	\$1,478,880	\$734,072	\$12,613	\$2,225,565	
2028	135,090,020	\$135,090,020		\$0	\$1,404,936	\$1,404,936	\$697,368	\$11,982	\$2,114,287	
2029	128,335,520	\$128,335,520		\$0	\$1,334,689	\$1,334,691	\$662,500	\$11,383	\$2,008,575	
						<b>Total</b>	<b>\$34,045,964</b>	<b>\$13,223,903</b>	<b>\$227,219</b>	<b>\$47,497,086</b>

Source: CPA, Pattern Panhandle Wind 3, LLC

<sup>1</sup>Tax Rate per \$100 Valuation

Attachment 1 includes schedules A, B, C, and D provided by the applicant in the application. Schedule A shows proposed investment. Schedule B is the projected market value of the qualified property. Schedule C contains employment information, and Schedule D contains tax expenditures and other tax abatement information.

Attachment 2, provided by the district and reviewed by the Texas Education Agency, contains information relating to the financial impact of the proposed project on the finances of the district as well as the tax benefit of the value limitation. "Table II" in this attachment shows the estimated 13 year M&O tax levy without the value limitation agreement would be \$26,641,212. The estimated gross 13 year M&O tax benefit, or levy loss, is \$17,355,342.

Attachment 3 is an economic overview of Carson County.

**Disclaimer:** This examination is based on information from the application submitted to the school district and forwarded to the comptroller. It is intended to meet the statutory requirement of Chapter 313 of the Tax Code and is not intended for any other purpose.

# Attachments

1. Schedules A, B, C, and D provided by applicant in application
2. School finance and tax benefit provided by district
3. County Economic Overview

# Attachment 1

Schedule A (Rev. May 2010): Investment

Form 50-298

Applicant Name: Pattern Panhandle Wind 3 LLC  
 ISD Name: Panhandle Independent School District

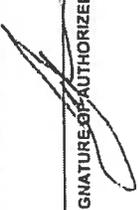
PROPERTY INVESTMENT AMOUNTS										
(Estimated investment in each year. Do not put cumulative totals.)										
	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	Column A: Tangible Personal Property The amount of new investment (original cost) placed in service during this year	Column B: Building or permanent nonremovable component of building (annual amount only)	Column C: Sum of A and B Qualifying investment (during the qualifying time period)	Column D: Other investment that is not qualified affecting economic impact and total value	Column E: Total Investment (A+B+D)			
	2014-2015	2014	0	0	0	0	0	0	0	
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)			0	0	0	0	0	0	0	
Investment made after filing complete application with district (neither qualified property nor eligible to become qualified investment)	Investment made after filing complete application with district, but before final board approval of application (eligible to become qualified property)	2015-2016	250,000,000	0	0	0	0	250,000,000	0	
	Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period (qualified investment and eligible to become qualified property)	2016-2017	0	0	0	0	0	0	0	
	Completa tax years of qualifying time period	1	2015	250,000,000	0	0	0	0	250,000,000	0
		2	2016	0	0	0	0	0	0	0
		3	2017	0	0	0	0	0	0	0
		4	2018	0	0	0	0	0	0	0
		5	2019	0	0	0	0	0	0	0
		6	2020	0	0	0	0	0	0	0
		7	2021	0	0	0	0	0	0	0
		8	2022	0	0	0	0	0	0	0
		9	2023	0	0	0	0	0	0	0
		10	2024	0	0	0	0	0	0	0
	Value Limitation Period	11	2025	0	0	0	0	0	0	0
		12	2026	0	0	0	0	0	0	0
		13	2027	0	0	0	0	0	0	0
14		2028	0	0	0	0	0	0	0	
15		2029	0	0	0	0	0	0	0	
Credit Settle-Up Period (with 50% cap on credit)	Continues to Maintain Viable Plusminus	2025-2026	0	0	0	0	0	0	0	
	Post-Settle-Up Period	2026-2027	0	0	0	0	0	0	0	
Credit Settle-Up Period	Post-Settle-Up Period	2027-2028	0	0	0	0	0	0	0	
	Post-Settle-Up Period	2028-2029	0	0	0	0	0	0	0	
Qualifying Time Period usually begins with the final board approval of the application and extends generally for the following two complete tax years	2029-2030	2029	0	0	0	0	0	0	0	

Column A: This represents the total dollar amount of planned investment in tangible personal property the applicant considers qualified investment - as defined in Tax Code §313.021(1)(A)-(D). For the purposes of investment, please list amount invested each year, not cumulative totals.

Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings that the applicant considers qualified investment under Tax Code §313.021(1)(E).

Column D: Dollar value of other investment that may not be qualified investment but that may affect economic impact and total value for planning, construction and operation of the facility. The most significant example for many projects would be land. Other examples may be items such as professional services, etc.

Notes: For advanced clean energy projects, nuclear projects, projects with deferred qualifying time periods, and projects with lengthy application review periods, insert additional rows as needed. This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE:  DATE: 12/10/13

**Schedule B (Rev. May 2010): Estimated Market And Taxable Value**  
**Pattern Panhandle Wind 3 LLC**

Applicant Name  
 ISD Name

Panhandle Independent School District

Form 50-296

Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Qualified Property			Reductions from Market Value		Estimated Taxable Value	
			Estimated Market Value of Land	Estimated Market Value of new buildings or other new improvements	Estimated Total Market Value of tangible personal property in the new building or "in or on the new improvement"	Exempted Value	Final taxable value for M&O-after reductions	Final taxable value for M&O-after all reductions	
pre- year 1	2014-2015	2014	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Complete tax years of qualifying time period	1	2015-2016	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	2	2016-2017	\$ -	\$ -	\$ -	\$ -	\$ -	250,000,000	250,000,000
Value Limitation Period	3	2017-2018	\$ -	\$ -	\$ -	\$ -	\$ -	237,500,000	20,000,000
	4	2018-2019	\$ -	\$ -	\$ -	\$ -	\$ -	225,625,000	20,000,000
Tax Credit Period (with 50% cap on credit)	5	2019-2020	\$ -	\$ -	\$ -	\$ -	\$ -	214,343,750	20,000,000
	6	2020-2021	\$ -	\$ -	\$ -	\$ -	\$ -	203,626,560	20,000,000
Credit Settle-Up Period	7	2021-2022	\$ -	\$ -	\$ -	\$ -	\$ -	193,445,230	20,000,000
	8	2022-2023	\$ -	\$ -	\$ -	\$ -	\$ -	183,772,970	20,000,000
Post- Settle-Up Period	9	2023-2024	\$ -	\$ -	\$ -	\$ -	\$ -	174,584,320	20,000,000
	10	2024-2025	\$ -	\$ -	\$ -	\$ -	\$ -	165,885,100	20,000,000
Post- Settle-Up Period	11	2025-2026	\$ -	\$ -	\$ -	\$ -	\$ -	157,562,350	157,562,350
	12	2026-2027	\$ -	\$ -	\$ -	\$ -	\$ -	149,684,230	149,684,230
Post- Settle-Up Period	13	2027-2028	\$ -	\$ -	\$ -	\$ -	\$ -	142,200,020	142,200,020
	14	2028-2029	\$ -	\$ -	\$ -	\$ -	\$ -	135,090,020	135,090,020
Post- Settle-Up Period	15	2029-2030	\$ -	\$ -	\$ -	\$ -	\$ -	128,335,520	128,335,520

Notes: Market value in future years is good faith estimate of future taxable value for the purposes of property taxation.

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

*Carroll*

12/10/2023

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE

Schedule C- Application: Employment Information

Applicant Name: Pattern Panhandle Wind 3 LLC  
 ISD Name: Panhandle Independent School District

Form 50-296

	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Construction		New Jobs		Qualifying Jobs	
				Column A: Number of Construction FTE's or man-hours (specify)	Column B: Average annual wage rates for construction workers	Column C: Number of new jobs applicant commits to create (cumulative)	Column D: Average annual wage rate for all new jobs.	Column E: Number of qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column F: Average annual wage of qualifying jobs
	pre-year 1	2014-2015	2014	22,050 man-hours	\$52,000	0	\$0	0	\$0
Complete tax years of qualifying time period	1	2015-2016	2015	66,150 man-hours	\$52,000	0	\$0	0	\$0
	2	2016-2017	2016			6	\$46,035	6	\$46,035
Tax Credit Period (with 50% cap on credit)	3	2017-2018	2017			6	\$46,035	6	\$46,035
	4	2018-2019	2018			6	\$46,035	6	\$46,035
	5	2019-2020	2019			6	\$46,035	6	\$46,035
	6	2020-2021	2020			6	\$46,035	6	\$46,035
	7	2021-2022	2021			6	\$46,035	6	\$46,035
Value Limitation Period	8	2022-2023	2022			6	\$46,035	6	\$46,035
	9	2023-2024	2023			6	\$46,035	6	\$46,035
	10	2024-2025	2024			6	\$46,035	6	\$46,035
Credit Settle-Up Period	11	2025-2026	2025			6	\$46,035	6	\$46,035
	12	2026-2027	2026			6	\$46,035	6	\$46,035
	13	2027-2028	2027			6	\$46,035	6	\$46,035
Post-Settle-Up Period	14	2028-2029	2028			6	\$46,035	6	\$46,035
	15	2029-2030	2029			6	\$46,035	6	\$46,035

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

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

*Clara Hodges*

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE 12/20/2013

Schedule D: (Rev. May 2010): Other Tax Information

Applicant Name: Pattern Panhandle Wind 3 LLC  
 ISD Name: Panhandle Independent School District  
 Franchise Tax: Other Property Tax Abatements Sought  
 Form 50-296

Sales Tax Information		Other Property Tax Abatements Sought				
Sales Taxable Expenditures		County	City	Hospital	Other	
Column F: Estimate of total annual expenditures* subject to state sales tax	Column G: Estimate of total annual expenditures* made in Texas NOT subject to sales tax	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	
Year	School Year (YYYY-YYYY)	Tax/ Calendar Year YYYY	Franchise Tax	Column H: Estimate of Franchise tax due from (or attributable to) the applicant	Column I: Estimate of total annual expenditures* subject to state sales tax	
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)	2014-2015	2014	\$1,563,500	\$10,937,500		
Complete tax years of qualifying time period	1	2015-2016	\$29,687,500	\$ -	0% n/a	n/a
	2	2016-2017	\$80,000	\$207,812,500	100% n/a	n/a
Value Limitation Period	3	2017-2018	\$80,000	170,000	100% n/a	n/a
	4	2018-2019	\$80,000	170,000	100% n/a	n/a
	5	2019-2020	\$80,000	170,000	100% n/a	n/a
	6	2020-2021	\$80,000	170,000	100% n/a	n/a
	7	2021-2022	\$80,000	170,000	100% n/a	n/a
	8	2022-2023	\$80,000	170,000	100% n/a	n/a
	9	2023-2024	\$80,000	170,000	100% n/a	n/a
	10	2024-2025	\$80,000	170,000	100% n/a	n/a
	11	2025-2026	\$80,000	170,000	100% n/a	n/a
	12	2026-2027	\$80,000	170,000	0% n/a	n/a
Credit Settle-Up Period	13	2027-2028	\$80,000	170,000	0% n/a	n/a
	14	2028-2029	\$80,000	170,000	0% n/a	n/a
	15	2029-2030	\$80,000	170,000	0% n/a	n/a

\*For planning, construction and operation of the facility.

12/10/13  
 DATE

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

# **Attachment 2**

# **Panhandle ISD Financial Impact of Chapter 313 Agreement**

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## **Summary of the District's Financial Impact of Chapter 313 Agreement with Pattern Panhandle Wind 3, LLC**

**Prepared by**

**Randy McDowell, RTSBA**

**&**

**Neal Brown**

**School Finance Consultants**

# **Panhandle ISD Financial Impact of Chapter 313 Agreement**

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## **Summary of Panhandle ISD Financial Impact of the Limited Appraised Value Application from Pattern Panhandle Wind 3, LLC**

### **Introduction**

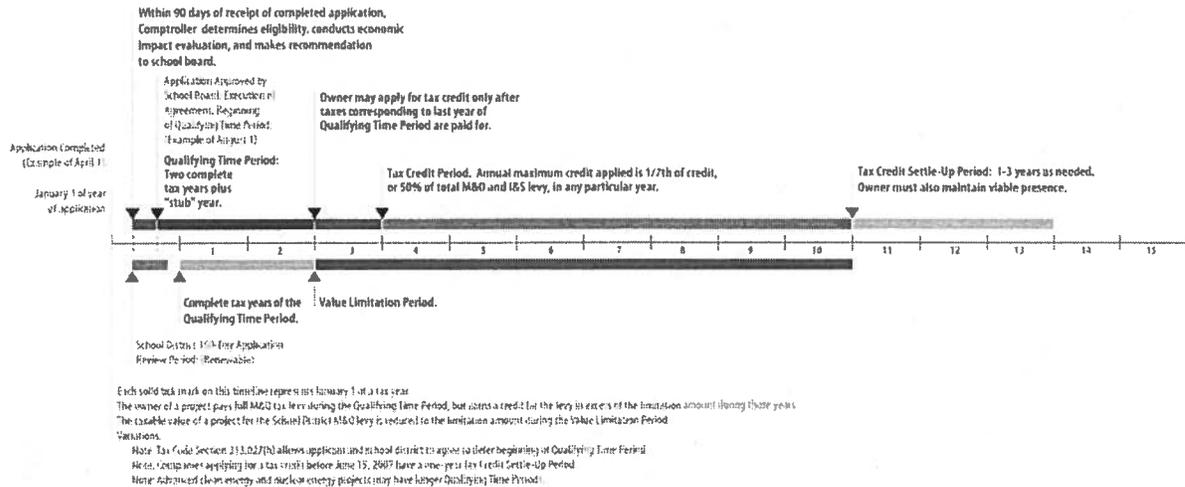
Pattern Panhandle Wind 3, LLC applied for a property value limitation from Panhandle Independent School District under Chapter 313 of the Tax Code. The application was submitted on December 3, 2013 and subsequently approved for consideration by the Panhandle ISD Board of Trustees. Pattern Panhandle Wind 3, LLC ("Pattern Wind 3"), is requesting the property value limitation as a "renewable energy electric generation" project as listed in Sec. 313.024.(b) of the Tax Code.

"The Economic Development Act", Tax Code Chapter 313, was created by House Bill 1200 of the 77<sup>th</sup> Texas Legislature in 2001. Further amendments were made to Chapter 313 as a result of House Bill 1470 from the 80<sup>th</sup> Texas Legislative Session in 2007.

The Economic Development Act was created to attract qualifying businesses to Texas by allowing school districts the option of approving a property value limitation to these qualifying entities. The purpose of the property value limitation is to reduce the maintenance and operations taxes paid by the company, to a school district during the applicable years as displayed below.

# Panhandle ISD Financial Impact of Chapter 313 Agreement

## Appraised Value Limitation and Credit under Tax Code Chapter 313 for School District Maintenance & Operations (M&O) Tax



The company must file an application with the school district to qualify for consideration of a Limited Appraised Value Agreement (“LAVA” or “Agreement”) to begin the following tax year or a later year if agreed upon by the District and the Company. The first two years of the agreement are considered the qualifying time period and the company’s school district taxes will be levied at one-hundred percent of the appraised value. The applicant may then file a separate application with the school district to request tax credits (for taxes paid during the qualifying time period) to be applied during years four through ten of the LAVA, but not to exceed 50% of their tax levy for those years. Any tax credit balance remaining after this period can then be applied during years eleven through thirteen of the agreement, but cannot exceed the actual amount of taxes paid to the school district during the Settle-Up Period. After year thirteen, any leftover credits will not be applied and will expire.

During years three through ten of the LAVA, the qualifying entity’s taxable value will be reduced to the minimum qualified investment for the applicable school district as determined by the State Comptroller’s Office. Panhandle ISD is considered a Rural category 2 District as categorized with total taxable value of industrial property of at least \$10 million but less than \$200 million, thus Panhandle ISD

## Panhandle ISD Financial Impact of Chapter 313 Agreement

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has a minimum qualified investment amount of \$20 million. A qualifying entity's taxable value would be reduced to \$20 million during years three through ten of the agreement for the purposes of computing the tax levy for the maintenance and operations (M&O) tax of Panhandle ISD. The entire appraised value will be used for computing the interest and sinking (I&S) tax levy.

### Taxable Value Impact from LAVA

The "Additional Value from Pattern Wind 3" represents the values that the company estimated as their taxable values in the application that was filed with the district. During years three through ten, the company's taxable value will be limited to the \$20,000,000 minimum qualified investment of Panhandle ISD.

**TABLE I- Calculation of Taxable Value:**

Tax Year	Additional Value From Pattern Wind 3	Minimum Qualified Investment	Abated Value	Taxable Value
Jan. 1, 2015	0	n/a	0	0
Jan. 1, 2016	250,000,000	n/a	0	250,000,000
Jan. 1, 2017	237,500,000	(20,000,000)	217,500,000	20,000,000
Jan. 1, 2018	225,625,000	(20,000,000)	205,625,000	20,000,000
Jan. 1, 2019	214,343,750	(20,000,000)	194,343,750	20,000,000
Jan. 1, 2020	203,626,560	(20,000,000)	183,626,560	20,000,000
Jan. 1, 2021	193,445,230	(20,000,000)	173,445,230	20,000,000
Jan. 1, 2022	183,772,970	(20,000,000)	163,772,970	20,000,000
Jan. 1, 2023	174,584,320	(20,000,000)	154,584,320	20,000,000
Jan. 1, 2024	165,885,100	(20,000,000)	145,885,100	20,000,000
Jan. 1, 2025	157,562,350	n/a	0	157,562,350
Jan. 1, 2026	149,684,230	n/a	0	149,684,230
Jan. 1, 2027	142,200,020	n/a	0	142,200,020

# Panhandle ISD Financial Impact of Chapter 313 Agreement

## Pattern Panhandle Wind 3's Tax Benefit from Agreement

The projected amount of the net tax savings for Pattern Wind 3 is \$15.594 million over the life of the Agreement. This net savings is after all tax credits have been applied and after estimated payments have been made to the district to offset their revenue losses that were a direct result of entering into this Agreement. Tax credits during years four through ten are limited to the lesser of 1/7 of the total tax credit or 50% of the total taxes paid for that tax year. Any tax credits not refunded to the company during those years will be refunded up to 100% of the taxes paid in years eleven through thirteen.

Panhandle ISD's projected tax rates for maintenance & operations (M&O) and interest & sinking (I&S) are based on the following assumptions:

- The District has not held a tax ratification election that would approve a M&O tax rate in excess of \$1.04; therefore, the study assumes that they will maintain a M&O tax rate of \$1.04. This does not suggest that Panhandle ISD will not exercise its authority to hold an agreement during this agreement period.
- The district has outstanding bonds that are scheduled to payoff in 2037 and currently have a \$.44 I&S tax rate. The district has received guidance their financial advisor and bond counsel that they can maintain a \$.44 I&S tax rate and pay the bonds off in 2024 or earlier. The district could pursue a bond election and issue additional bonded debt during the life of this agreement.

**TABLE II- Computation of Net Tax Savings:**

Fiscal Year	Projected M&O Tax Rate	Projected I&S Tax Rate	Taxes w/o Agreement	Tax Savings with Agreement	Tax Credits	Payment of District's Revenue Losses	Net Tax Savings
2015-2016	1.04	0.44	0	0	n/a	0	0
2016-2017	1.04	0.44	2,600,000	0	n/a	0	0
2017-2018	1.04	0.44	2,470,000	2,262,000	n/a	(1,731,970)	530,030
2018-2019	1.04	0.44	2,346,500	2,138,500	341,714	0	2,480,214
2019-2020	1.04	0.44	2,229,175	2,021,175	341,714	0	2,362,889
2020-2021	1.04	0.44	2,117,716	1,909,716	341,714	(16,091)	2,235,339
2021-2022	1.04	0.44	2,011,830	1,803,830	341,714	(9,315)	2,136,230
2022-2023	1.04	0.44	1,911,239	1,703,239	341,714	(3,383)	2,041,570
2023-2024	1.04	0.44	1,815,677	1,607,677	341,714	0	1,949,391
2024-2025	1.04	0	1,725,205	1,517,205	104,000	0	1,621,205
2025-2026	1.04	0	1,638,648	0	237,714	0	237,714
2026-2027	1.04	0	1,556,716	0	0	0	0
2027-2028	1.04	0	1,478,880	0	0	0	0
<b>Totals</b>			<b>23,901,587</b>	<b>14,963,342</b>	<b>2,392,000</b>	<b>(1,760,759)</b>	<b>15,594,583</b>

# Panhandle ISD Financial Impact of Chapter 313 Agreement

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## Financial Impact Study

This Financial Impact Study was performed to determine the financial impact of the Limited Appraised Value Agreement on Panhandle ISD. First, a thirteen year financial forecast was prepared to establish a baseline without the added values of the renewable energy electric generation company. Second, a thirteen year financial forecast was prepared that incorporated the additional taxable value of the company without a LAVA in effect. Third, a thirteen year financial forecast was prepared that incorporates the additional taxable value of the company with an approved LAVA. These three forecasts are detailed in the "Calculation of LAVA Impact on District's Finances" section. The following assumptions were used to compare the financial impact of the LAVA:

- The current state funding formulas (in effect for 2013-2014 fiscal year) were used for state aid and recapture calculation purposes
  - Level 2 of Tier II yield - \$61.86 per weighted student in average daily attendance (WADA) per penny of tax effort
- The district's tax rate for maintenance & operations (M&O) will remain at the same rate as for tax year 2013.
- A tax collection rate of 100% on current year tax levy with no projected delinquent taxes
- An annual taxable value increase of 1.0% was used to project the district's taxable value, except as it related to the requested LAVA. The district's 2012 taxable value was used as a baseline for all projections
- The district's enrollment is projected to decrease slightly; therefore, the projected ADA and WADA for school year 2013-2014 was decreased by .25% per year for the life of the agreement.

Although these assumptions were used to develop a baseline scenario for comparison purposes, many of these factors will not remain constant for the thirteen years of this proposed agreement. Also, Legislative changes to the school finance formulas are likely during the near future and almost certain during the life of this agreement.

# Panhandle ISD Financial Impact of Chapter 313 Agreement

## Calculation of LAVA Impact on District's Finances

The tables displayed below (Table III, IV, V) show the different impacts on the school district's finances. These scenarios were computed to compare the District's revenue without the additional taxable value of Pattern Wind 3 (Table III), the addition of Pattern Wind 3's taxable values without a Chapter 313 Agreement (Table IV), and the addition of Pattern Wind 3's taxable values with a Chapter 313 Agreement (Table V).

**TABLE III – District Revenues *without* Pattern Wind 3:**

Fiscal Year	Total Taxable Value	M&O Taxes		Recapture Amount	Hold Harmless Revenue	M&O Taxes > Comp Rate	Total District Revenue
		Compressed Rate	State Revenue				
2015-2016	435,143,261	4,351,433	1,354,506	0	5,705,939	263,189	5,969,128
2016-2017	439,394,693	4,393,947	1,298,568	0	5,692,515	262,532	5,955,046
2017-2018	443,688,640	4,436,886	1,240,134	0	5,677,021	261,876	5,938,897
2018-2019	448,025,527	4,480,255	1,186,438	0	5,666,694	261,222	5,927,916
2019-2020	560,951,295	5,609,513	1,116,481	0	6,725,994	323,088	7,049,082
2020-2021	555,891,712	5,558,917	405,003	376,292	5,587,629	255,080	5,842,709
2021-2022	551,635,060	5,516,351	401,978	339,575	5,578,753	254,792	5,833,545
2022-2023	548,121,088	5,481,211	399,120	310,679	5,569,652	254,485	5,824,137
2023-2024	545,294,402	5,452,944	400,990	289,042	5,564,892	254,158	5,819,051
2024-2025	543,104,080	5,431,041	398,399	274,144	5,555,296	253,814	5,809,109
2025-2026	541,503,317	5,415,033	400,394	265,506	5,549,921	253,451	5,803,372
2026-2027	540,449,090	5,404,491	397,902	262,683	5,539,710	253,071	5,792,781
2027-2028	539,901,862	5,399,019	396,620	265,263	5,530,375	252,675	5,783,050

## Panhandle ISD Financial Impact of Chapter 313 Agreement

**TABLE IV- District Revenues with Pattern Wind 3 without Chapter 313 Agreement:**

Fiscal Year	Total Taxable Value	M&O Taxes		Recapture Amount	Hold Harmless Revenue	M&O Taxes > Comp Rate	Total District Revenue
		Compressed Rate	State Revenue				
2015-2016	435,143,261	4,351,433	1,354,506	0	5,705,939	262,531	5,968,470
2016-2017	689,394,693	6,893,947	1,273,568	0	8,167,515	410,874	8,578,388
2017-2018	681,188,640	6,811,886	406,003	1,592,342	5,625,548	272,475	5,898,023
2018-2019	673,650,527	6,736,505	407,747	1,525,598	5,618,655	269,460	5,888,115
2019-2020	775,295,045	7,752,950	393,724	1,703,843	6,442,832	310,118	6,752,950
2020-2021	759,518,272	7,595,183	422,469	2,458,969	5,558,683	303,807	5,862,490
2021-2022	745,080,290	7,450,803	417,884	2,320,422	5,548,265	298,032	5,846,298
2022-2023	731,894,058	7,318,941	413,558	2,194,543	5,537,956	292,758	5,830,714
2023-2024	719,878,722	7,198,787	413,988	2,080,535	5,532,240	287,951	5,820,192
2024-2025	708,989,180	7,089,892	410,094	1,977,740	5,522,246	283,596	5,805,841
2025-2026	699,065,667	6,990,657	410,816	1,885,433	5,516,040	279,626	5,795,666
2026-2027	690,133,320	6,901,333	407,167	1,802,576	5,505,924	276,053	5,781,977
2027-2028	682,101,882	6,821,019	406,328	1,729,135	5,498,211	272,841	5,771,052

**TABLE V – District Revenues with Pattern Wind 3 with Chapter 313 Agreement:**

Fiscal Year	Total Taxable Value	M&O Taxes Comp Rate	State Revenue	Recapture Amount	Hold Harmless Revenue	M&O		Total District Revenue
						Taxes > Comp Rate	Payment for District Losses	
2015-2016	435,143,261	4,351,433	1,354,506	0	5,705,939	262,531	0	5,968,470
2016-2017	689,394,693	6,893,947	1,273,568	0	8,167,515	410,874	0	8,578,388
2017-2018	463,688,640	4,636,886	427,607	1,083,915	3,980,578	185,475	1,731,970	5,898,023
2018-2019	468,025,527	4,680,255	984,438	0	5,664,694	260,460	0	5,925,154
2019-2020	580,951,295	5,809,513	914,481	0	6,723,994	319,508	0	7,043,501
2020-2021	575,891,712	5,758,917	394,634	561,675	5,591,877	254,522	16,091	5,862,490
2021-2022	571,635,060	5,716,351	391,619	525,210	5,582,759	254,223	9,315	5,846,298
2022-2023	568,121,088	5,681,211	388,771	496,557	5,573,425	253,905	3,383	5,830,714
2023-2024	565,294,402	5,652,944	390,656	475,155	5,568,445	253,569	0	5,822,015
2024-2025	563,104,080	5,631,041	388,081	460,482	5,558,640	253,215	0	5,811,855
2025-2026	699,065,667	6,990,657	374,616	562,807	6,802,466	314,788	0	7,117,254
2026-2027	690,133,320	6,901,333	407,167	1,802,576	5,505,924	276,053	0	5,781,977
2027-2028	682,101,882	6,821,019	406,328	1,729,135	5,498,211	272,841	0	5,771,052

# Panhandle ISD Financial Impact of Chapter 313 Agreement

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## Current School Finance Law

A major overhaul of the school finance formulas was implemented as a result of House Bill 1 of the 79<sup>th</sup> Legislative Session and became effective for the 2006-2007 school year. Those formula changes had an effect on the district's financial impact from granting a property value limitation. Due to the district's "Hold Harmless" provision that was enacted in the funding formulas, some districts had the majority of the district's revenue losses in year three of the LAVA offset with additional state funding. The funding that was available to offset those revenue losses was called Additional State Aid for Tax Reduction (ASATR) and those funds were phased out as a result of legislation in the 82<sup>nd</sup> Legislative Session in 2011. This legislation eliminated the ASATR funding for fiscal year 2017-2018 and thereafter and can have a significant financial impact for LAVA agreements that have a year three in 2017-2018 or later. The loss of ASATR funding can again cause a district to experience a significant loss of funds in year three of the agreement and consequently cause the company to have revenue protection payments during that year that are similar to those experienced prior to 2006-2007.

# Panhandle ISD Financial Impact of Chapter 313 Agreement

## Payments in Lieu of Taxes

Assuming that the District and Pattern Panhandle Wind 3, LLC mutually agree in the LAVA that \$100 per student in average daily attendance (ADA) will be paid to Panhandle ISD by Pattern Wind 3, the projected amount of these payments over the life of the agreement is \$776,038 of the \$15.594 million net tax savings amount. This amount will be computed annually according to Section IV of the Agreement.

**TABLE VI - Calculation of the Payment in Lieu of Taxes:**

Fiscal Year	Net Tax Savings	Panhandle ISD Share \$100/ADA	Pattern Wind 3's Share
2015-2016	0	60,596	(60,596)
2016-2017	0	60,444	(60,444)
2017-2018	530,030	60,293	469,737
2018-2019	2,480,214	60,143	2,420,072
2019-2020	2,362,889	59,992	2,302,897
2020-2021	2,235,339	59,842	2,175,497
2021-2022	2,136,230	59,693	2,076,537
2022-2023	2,041,570	59,543	1,982,027
2023-2024	1,949,391	59,395	1,889,997
2024-2025	1,621,205	59,246	1,561,959
2025-2026	237,714	59,098	178,616
2026-2027	0	58,950	(58,950)
2027-2028	0	58,803	(58,803)
<b>Totals</b>	<b>15,594,583</b>	<b>776,038</b>	<b>14,818,545</b>

# Panhandle ISD Financial Impact of Chapter 313 Agreement

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## Impact of Projected Student Growth

### On District Facilities

**TABLE VII – Campus Capacity and Available Growth**

Grade Level	# of Regular Classrooms	Building Capacity	Current Enrollment	Enrollment Growth Available
PreK thru 5	28	616	321	295
6-8	18	360	143	217
9-12	25	500	204	296
<b>Total</b>	<b>71</b>	<b>1,476</b>	<b>668</b>	<b>808</b>

The building capacities are based on 22 students per classroom for the elementary campuses, 20 students for the Jr. High and high school. Panhandle ISD is a pre-kindergarten through 12<sup>th</sup> grade district.

Pattern Panhandle Wind 3, LLC provided supplemental information with their application that projected the number of full-time employees that are expected for permanent employment after construction of the project is completed. They projected that six full-time employees are expected. It is not known whether these would be new employees to the Panhandle ISD, or if current residents would occupy these positions; however, it is assumed that these employees would be new residents to the district.

Based on average statewide figures provided by a demographer, it is projected that each new household would produce .5 students. Thus, the new six positions equates to 3 new students.

This minimal projected student growth can easily be accommodated with the current facilities of Panhandle ISD as displayed in Table VII above.

# Panhandle ISD Financial Impact of Chapter 313 Agreement

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## Conclusion

This Financial Impact Study displays that entering into a Limited Appraised Value Agreement with Pattern Panhandle Wind 3, LLC, would be beneficial to both Pattern Wind 3 and Panhandle ISD under the current school finance system.

Pattern Panhandle Wind 3, LLC would benefit from reduced property taxes during years three through ten of the LAVA. Although some of the tax savings would be used to offset district's revenue losses and payments in lieu of taxes to the District, Pattern Wind 3 is projected to benefit from a 83% tax savings over the first eleven year period of this agreement. Pattern Wind 3 also has the option of terminating the Agreement if the amount paid to the District during a tax year is greater than the amount of taxes that would have been paid without the agreement; therefore, there is no inherent risk for the company from entering into the Agreement.

Panhandle ISD would also have no inherent risk under the current school finance system and with the provisions in the LAVA that require Pattern Wind 3 to offset any district losses caused by the LAVA. An annual calculation will be performed each year to determine if a loss to the District has been incurred. The revenue impact to the District will be computed by comparing the District's revenues with and without the LAVA in effect.



1701 North Congress Ave. • Austin, Texas 78701-1494 • 512 463-9734 • 512 463-9838 FAX • [www.tea.state.tx.us](http://www.tea.state.tx.us)

Michael Williams  
Commissioner

March 18, 2014

Mr. Robert Wood  
Director, Economic Development and Analysis  
Texas Comptroller of Public Accounts  
Lyndon B. Johnson State Office Building  
111 East 17th Street  
Austin, Texas 78774

Dear Mr. Wood:

As required by the Tax Code, §313.025 (b-1), the Texas Education Agency (TEA) has evaluated the impact of the proposed Pattern Panhandle Wind 3 LLC project on the number and size of school facilities in Panhandle Independent School District (PISD). Based on the analysis prepared by Randy McDowell and Neal Brown for the school district and a conversation with the PISD superintendent, Blair Brown, the TEA has found that the Pattern Panhandle Wind 3 LLC project would not have a significant impact on the number or size of school facilities in PISD.

Please feel free to contact me by phone at (512) 463-9186 or by email at [al.mckenzie@tea.state.tx.us](mailto:al.mckenzie@tea.state.tx.us) if you need further information about this issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "Al McKenzie".

Al McKenzie, Manager  
Foundation School Program Support

AM/rk



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Austin, Texas 78774

Dear Mr. Wood:

The Texas Education Agency (TEA) has analyzed the revenue gains that would be realized by the proposed Pattern Panhandle Wind 3 LLC project for the Panhandle Independent School District (PISD). Projections prepared by the TEA State Funding Division confirm the analysis that was prepared by Randy McDowell and Neal Brown and provided to us by your division. We believe their assumptions regarding the potential revenue gain are valid, and their estimates of the impact of the Pattern Panhandle Wind 3 LLC project on PISD are correct.

Please feel free to contact me by phone at (512) 463-9186 or by email at [al.mckenzie@tea.state.tx.us](mailto:al.mckenzie@tea.state.tx.us) if you need further information about this issue.

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A handwritten signature in blue ink, appearing to read "Al McKenzie".

Al McKenzie, Manager  
Foundation School Program Support

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# **Attachment 3**

# Carson County

## Population

- Total county population in 2010 for Carson County: 6,008 , down 1.0 percent from 2009. State population increased 1.8 percent in the same time period.
- Carson County was the state's 194th largest county in population in 2010 and the 236 th fastest growing county from 2009 to 2010.
- Carson County's population in 2009 was 86.7 percent Anglo (above the state average of 46.7 percent), 1.8 percent African-American (below the state average of 11.3 percent) and 9.5 percent Hispanic (below the state average of 36.9 percent).
- 2009 population of the largest cities and places in Carson County:

<b>Panhandle:</b>	2,425	<b>White Deer:</b>	982
<b>Skellytown:</b>	569	<b>Groom:</b>	548

## Economy and Income

### Employment

- September 2011 total employment in Carson County: 3,099 , up 0.8 percent from September 2010. State total employment increased 0.9 percent during the same period.

*(October 2011 employment data will be available November 18, 2011).*

- September 2011 Carson County unemployment rate: 5.4 percent, up from 4.7 percent in September 2010. The statewide unemployment rate for September 2011 was 8.5 percent, up from 8.2 percent in September 2010.
- September 2011 unemployment rate in the city of:

**(Note: County and state unemployment rates are adjusted for seasonal fluctuations, but the Texas Workforce Commission city unemployment rates are not. Seasonally-adjusted unemployment rates are not comparable with unadjusted rates).**

### Income

- Carson County's ranking in per capita personal income in 2009: 57th with an average per capita income of \$37,163, down 0.2 percent from 2008. Statewide average per capita personal income was \$38,609 in 2009, down 3.1 percent from 2008.

### Industry

- Agricultural cash values in Carson County averaged \$66.85 million annually from 2007 to 2010. County total agricultural values in 2010 were up 42.1 percent from 2009. Major agriculture related commodities in Carson County during 2010 included:
  - Sorghum
  - Other Beef
  - Wheat
  - Cotton
  - Corn
- 2011 oil and gas production in Carson County: 158,747.0 barrels of oil and 8.8 million Mcf of gas. In September 2011, there were 1420 producing oil wells and 543 producing gas wells.

## Taxes

### Sales Tax - Taxable Sales

**(County and city taxable sales data for 1st quarter 2011 is currently targeted for release in mid-September 2011).**

*Quarterly (September 2010 through December 2010)*

- Taxable sales in Carson County during the fourth quarter 2010: \$4.29 million, down 3.9 percent from the same quarter in 2009.
- Taxable sales during the fourth quarter 2010 in the city of:

<b>Panhandle:</b>	\$1.50 million, up 0.9 percent from the same quarter in 2009.
<b>White Deer:</b>	\$1.04 million, down 2.7 percent from the same quarter in 2009.
<b>Skellytown:</b>	\$133,132.00, up 0.3 percent from the same quarter in 2009.
<b>Groom:</b>	\$599,521.00, up 7.9 percent from the same quarter in 2009.

*Taxable Sales through the end of 4th quarter 2010 (January 2010 through December 30, 2010)*

- Taxable sales in Carson County through the fourth quarter of 2010: \$15.97 million, down 1.8 percent from the same period in 2009.
- Taxable sales through the fourth quarter of 2010 in the city of:

<b>Panhandle:</b>	\$5.72 million, up 3.5 percent from the same period in 2009.
<b>White Deer:</b>	\$3.17 million, up 0.9 percent from the same period in 2009.
<b>Skellytown:</b>	\$570,791.00, up 4.5 percent from the same period in 2009.
<b>Groom:</b>	\$2.12 million, up 9.3 percent from the same period in 2009.

*Annual (2010)*

- Taxable sales in Carson County during 2010: \$15.97 million, down 1.8 percent from 2009.
- Carson County sent an estimated \$997,921.88 (or 0.01 percent of Texas' taxable sales) in state sales taxes to the state treasury in 2010.
- Taxable sales during 2010 in the city of:

<b>Panhandle:</b>	\$5.72 million, up 3.5 percent from 2009.
<b>White Deer:</b>	\$3.17 million, up 0.9 percent from 2009.
<b>Skellytown:</b>	\$570,791.00, up 4.5 percent from 2009.
<b>Groom:</b>	\$2.12 million, up 9.3 percent from 2009.

**Sales Tax – Local Sales Tax Allocations**

*(The release date for sales tax allocations to cities for the sales activity month of November 2011 is currently scheduled for December 7, 2011.)*

**Monthly**

- Statewide payments based on the sales activity month of September 2011: \$580.11 million, up 7.1 percent from September 2010.
- Payments to all cities in Carson County based on the sales activity month of September 2011: \$34,463.84, up 15.6 percent from September 2010.
- Payment based on the sales activity month of September 2011 to the city of:

<b>Panhandle:</b>	\$15,623.06, up 25.1 percent from September 2010.
<b>White Deer:</b>	\$8,402.20, down 3.5 percent from September 2010.
<b>Skellytown:</b>	\$2,585.01, up 26.6 percent from September 2010.
<b>Groom:</b>	\$7,853.57, up 19.4 percent from September 2010.

**Fiscal Year**

- Statewide payments based on sales activity months from September 2011 through September 2011: \$580.11 million, up 7.1 percent from the same period in 2011.
- Payments to all cities in Carson County based on sales activity months from September 2011 through September 2011: \$34,463.84, up 15.6 percent from fiscal 2011.
- Payments based on sales activity months from September 2011 through September 2011 to the city of:

<b>Panhandle:</b>	\$15,623.06, up 25.1 percent from fiscal 2011.
<b>White Deer:</b>	\$8,402.20, down 3.5 percent from fiscal 2011.
<b>Skellytown:</b>	\$2,585.01, up 26.6 percent from fiscal 2011.
<b>Groom:</b>	\$7,853.57, up 19.4 percent from fiscal 2011.

**January 2011 through September 2011 (Sales Activity Year-To-Date)**

- Statewide payments based on sales activity months through September 2011: \$4.57 billion, up 8.1 percent from the same period in 2010.
  - Payments to all cities in Carson County based on sales activity months through September 2011: \$268,804.31, up 1.3 percent from the same period in 2010.
  - Payments based on sales activity months through September 2011 to the city of:
- |                    |  |
|--------------------|--|
| <b>Panhandle:</b>  | \$128,199.08, up 13.5 percent from the same period in 2010.  |
| <b>White Deer:</b> | \$73,946.35, up 7.4 percent from the same period in 2010.    |
| <b>Skellytown:</b> | \$16,897.39, down 41.9 percent from the same period in 2010. |
| <b>Groom:</b>      | \$49,761.49, down 8.9 percent from the same period in 2010.  |

**12 months ending in September 2011**

- Statewide payments based on sales activity in the 12 months ending in September 2011: \$6.11 billion, up 7.9 percent from the previous 12-month period.
- Payments to all cities in Carson County based on sales activity in the 12 months ending in September 2011: \$363,896.24, up 0.4 percent from the previous 12-month period.
- Payments based on sales activity in the 12 months ending in September 2011 to the city of:

<b>Panhandle:</b>	\$170,642.09, up 13.0 percent from the previous 12-month period.
<b>White Deer:</b>	\$101,167.90, up 0.7 percent from the previous 12-month period.
<b>Skellytown:</b>	\$23,454.51, down 35.9 percent from the previous 12-month period.
<b>Groom:</b>	\$68,631.74, down 7.7 percent from the previous 12-month period.

**City Calendar Year-To-Date (RJ 2011)**

- Payment to the cities from January 2011 through November 2011:
- |                    |  |
|--------------------|--|
| <b>Panhandle:</b>  | \$158,841.56, up 14.0 percent from the same period in 2010.  |
| <b>White Deer:</b> | \$95,652.69, up 4.2 percent from the same period in 2010.    |
| <b>Skellytown:</b> | \$21,927.18, down 35.0 percent from the same period in 2010. |
| <b>Groom:</b>      | \$62,894.85, down 7.0 percent from the same period in 2010.  |

**Annual (2010)**

- Statewide payments based on sales activity months in 2010: \$5.77 billion, up 3.3 percent from 2009.

- Payments to all cities in Carson County based on sales activity months in 2010: \$360,548.74, up 5.1 percent from 2009.
- Payment based on sales activity months in 2010 to the city of:

<b>Panhandle:</b>	\$155,380.52, up 2.4 percent from 2009.
<b>White Deer:</b>	\$96,050.33, down 5.9 percent from 2009.
<b>Skellytown:</b>	\$35,649.27, up 50.3 percent from 2009.
<b>Groom:</b>	\$73,468.62, up 12.0 percent from 2009.

### ***Property Tax***

- As of January 2009, property values in Carson County: \$1.24 billion, up 14.1 percent from January 2008 values. The property tax base per person in Carson County is \$202,248, above the statewide average of \$85,809. About 43.7 percent of the property tax base is derived from oil, gas and minerals.

### **State Expenditures**

- Carson County's ranking in state expenditures by county in fiscal year 2010: 206th. State expenditures in the county for FY2010: \$16.67 million, down 0.5 percent from FY2009.
- In Carson County, 8 state agencies provide a total of 39 jobs and \$402,980.00 in annualized wages (as of 1st quarter 2011).
- Major state agencies in the county (as of first quarter 2011):
  - Department of Transportation
  - Department of Public Safety
  - Department of Aging and Disability Services
  - AgriLife Extension Service

### **Higher Education**

- Community colleges in Carson County preliminary fall 2011 enrollment:
  - None.
- Carson County is in the service area of the following:
  - Amarillo College with a preliminary fall 2011 enrollment of 11,461. Counties in the service area include:
    - Carson County
    - Castro County
    - Deaf Smith County
    - Moore County
    - Oldham County
    - Parmer County
    - Potter County
    - Randall County
    - Swisher County
- Institutions of higher education in Carson County preliminary fall 2011 enrollment:
  - None.

### **School Districts**

- Carson County had 3 school districts with 6 schools and 1,179 students in the 2009-10 school year.  
(Statewide, the average teacher salary in school year 2009-10 was \$48,263. The percentage of students, statewide, meeting the 2010 TAKS passing standard for all 2009-10 TAKS tests was 77 percent.)
  - Groom ISD had 134 students in the 2009-10 school year. The average teacher salary was \$43,590. The percentage of students meeting the 2010 TAKS passing standard for all tests was 91 percent.
  - Panhandle ISD had 660 students in the 2009-10 school year. The average teacher salary was \$42,798. The percentage of students meeting the 2010 TAKS passing standard for all tests was 81 percent.
  - White Deer ISD had 385 students in the 2009-10 school year. The average teacher salary was \$42,681. The percentage of students meeting the 2010 TAKS passing standard for all tests was 79 percent.