



# Chapter 313 Annual Eligibility Report Form

**Form 50-772**  
(May 2010)

2009  
Tax Year covered in this report

Snyder Independent School District  
School district name

0.124  
I&S Tax Rate

1.04  
M&O Tax Rate

Scurry County Wind, LP  
Project Name

Scurry County Wind, LP  
Company Name

One South Wacker Drive, Suite 200; Chicago, IL 60606  
Company Address

John Majewski  
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.

32028046459  
Texas Taxpayer ID of Applicant

Texas Taxpayer ID Reporting Entity (if appropriate)

October 22, 2007  
Date of Agreement Approval

Scurry County Wind, LP  
Original Applicant Name

Date of Agreement Approval

2008  
First complete tax year of the qualifying time period

2009  
Last tax year of the qualifying time period

First complete tax year of the qualifying time period

2010  
First tax year of the limitation

Last tax year of the qualifying time period

\$30,000,000  
Amount of the limitation at the time of application approval

First tax year of the limitation

Amount of the limitation at the time of application approval

## QUALIFIED PROPERTY INFORMATION

\$143,320,900  
Market Value

\$143,320,900  
I&S Taxable Value

\$143,320,900  
M&O Taxable Value

Is the business entity in good standing 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

Please identify business activity: Renewable Energy Electric Generation

N/A

What was the application review start date for your application (the date your application was determined to be complete)?  
(This question must only be answered for projects with applications approved after June 1, 2010.)

0

How many new jobs were based on the qualified property in the year covered by this report? (See note on page 3.)

10

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?

0

If the applicant requested a waiver of minimum jobs requirement, how many new jobs must the approved applicant create under the waiver?

8

80 percent of New Jobs (0.80 x number of new jobs based on the qualified property in the year covered by this report.)

What is the minimum required annual wage for each qualifying job in the year covered by the report? ..... \$37,294

For agreements executed prior to June 19, 2009, please identify which of the two Tax Code sections is used to determine the wage standard required by the agreement: §313.021(5)(A) or §313.051(b). For agreements executed after June 19, 2009, please identify which of the four Tax Code sections is used to determine the wage standard required by the agreement: §313.021(5)(A), §313.021(5)(B), §313.021(3)(E)(ii), or §313.051(b). ..... 313.051(b)

Attach calculations and cite (or attach) exact Texas Workforce Commission data sources. .... see attachment

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? ..... 10

Of the qualifying job-holders last year, how many were employees of the approved applicant? ..... 10

Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant? ..... 0

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? .....

**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? ..... \$115,462,855

Was any of the land classified as qualified investment? .....  Yes  No

Was any of the qualified investment leased under a capitalized lease? .....  Yes  No

Was any of the qualified investment leased under an operating lease? .....  Yes  No

Was any property not owned by the applicant part of the qualified investment? .....  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.  
\_\_\_\_\_  
\_\_\_\_\_  
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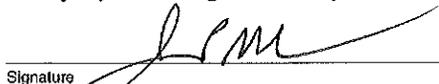
NOTE: For job definitions see TAC §9.1051(14) and Tax Code, §313.021(3). If the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), then please provide the definition "new job" as used in the agreement.

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.

**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

  
Asset Manager

Title

John Majewski

Printed name of authorized company representative

Date

8 / 2 / 10

**CONTACT INFORMATION FOR AUTHORIZED REPRESENTATIVE**

One South Wacker Drive, Suite 200; Chicago, IL 60606

Address

312-582-1488

Phone

jmajewski@invenergyllc.com

E-mail



# TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

SUSAN COMBS • COMPTROLLER • AUSTIN, TEXAS 78774

July 2, 2010

## CERTIFICATE OF ACCOUNT STATUS

THE STATE OF TEXAS  
COUNTY OF TRAVIS

I, Susan Combs, Comptroller of Public Accounts of the State of Texas, DO  
HEREBY CERTIFY that according to the records of this office

SCURRY COUNTY WIND, L.P.

DBA

SCURRY COUNTY WIND, L.P.

is, as of this date, in good standing with this office having no franchise  
tax reports or payments due at this time. This certificate is valid through  
the date that the next franchise tax report will be due November 15, 2010.

This certificate does not make a representation as to the status of the  
entity's registration, if any, with the Texas Secretary of State.

This certificate is valid for the purpose of conversion when the converted  
entity is subject to franchise tax as required by law. This certificate is  
not valid for any other filing with the Texas Secretary of State.

GIVEN UNDER MY HAND AND  
SEAL OF OFFICE in the City of  
Austin, this 2nd day of  
July 2010 A.D.

A handwritten signature in cursive script, reading "Susan Combs", is written over the printed name and title.

Susan Combs  
Texas Comptroller

Taxpayer number: 32028046459  
File number: 0800616113

Chapter 313 Annual Eligibility Form  
Scurry County Wind, LP

Additional Information and Calculations

The required qualifying job annual wage was calculated as follows:

1. Chapter 313.051 is applicable because Scurry County was an area qualified as a strategic investment area before that subchapter expired.<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, except that a qualifying job must pay 110% of the average weekly wage for manufacturing jobs in the region.<sup>3</sup>
4. Scurry County is 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, Scurry County Wind is required to employ at least 8 people at an annual 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).

### Wages by Profession

Bar

Page 1 of 1 (40 results/pa

<input type="text" value="Year"/>	<input type="text" value="Period"/>	<input type="text" value="Area"/>	<input type="text" value="Ind Code"/>	<input type="text" value="Industry"/>	<input type="text" value="Occ Code"/>	<input type="text" value="Occupation"/>	<input type="text" value="Wage Source"/>	<input type="text" value="Rate Type"/>	<input type="text" value="Mean Wages"/>	<input type="text" value="Median Wa"/>
2008	Annual	West Central WDA	1013	Manufacturing	000000	Total All Occupations	BLS Occupational Employment Statistics Survey	Annual wage or salary	\$33,904	\$26

# TEXAS COUNTIES BY WORKFORCE DEVELOPMENT AREA

<b>ALAMO</b> Atascosa Bandera Bexar Comal Frio Gillespie Guadalupe Karnes Kendall Kerr Medina Wilson	<b>COASTAL BEND CONT.</b> Jim Wells Kenedy Kleberg Live Oak Mc Mullen Nueces Refugio San Patricio	<b>EAST TEXAS</b> Anderson Camp Cherokee Gregg Harrison Henderson Marion Panola Rains Rusk Smith Upshur Van Zandt Wood	<b>HEART OF TEXAS</b> Bosque Falls Freestone Hill Limestone Mc Lennan
<b>BRAZOS VALLEY</b> Brazos Burleson Grimes Leon Madison Robertson Washington	<b>CONCHO VALLEY</b> Coke Concho Crockett Irion Kimble Mason Mc Culloch Menard Reagan Schleicher Sterling Sutton Tom Green	<b>GOLDEN CRESCENT</b> Calhoun De Witt Goliad Gonzales Jackson Lavaca Victoria	<b>LOWER RIO GRANDE VALLEY</b> Hidalgo Starr Willacy
<b>CAMERON COUNTY</b> Cameron	<b>DALLAS COUNTY</b> Dallas	<b>GULF COAST</b> Austin Brazoria Chambers Colorado Fort Bend Galveston Harris Liberty Matagorda Montgomery Walker Waller Wharton	<b>MIDDLE RIO GRANDE</b> Dimmit Edwards Kinney La Salle Maverick Real Uvalde Val Verde Zavala
<b>CAPITAL AREA</b> Travis	<b>DEEP EAST TEXAS</b> Angelina Houston Jasper Nacogdoches Newton Polk Sabine San Augustine San Jacinto Shelby Trinity Tyler		<b>NORTH CENTRAL</b> Collin Denton Ellis Erath Hood Hunt Johnson Kaufman Navarro Palo Pinto Parker Rockwall Somervell Wise
<b>CENTRAL TEXAS</b> Bell Coryell Hamilton Lampasas Milam Mills San Saba			
<b>COASTAL BEND</b> Aransas Bee Brooks Duval			

## TEXAS COUNTIES BY WORKFORCE DEVELOPMENT AREA

### NORTH EAST

Bowie  
Cass  
Delta  
Franklin  
Hopkins  
Lamar  
Morris  
Red River  
Titus

### NORTH TEXAS

Archer  
Baylor  
Clay  
Cottle  
Foard  
Hardeman  
Jack  
Montague  
Wichita  
Wilbarger  
Young

### PANHANDLE

Armstrong  
Briscoe  
Carson  
Castro  
Childress  
Collingsworth  
Dallam  
Deaf Smith  
Donley  
Gray  
Hall  
Hansford  
Hartley  
Hemphill  
Hutchinson  
Lipscomb  
Moore  
Ochiltree  
Oldham  
Parmer  
Potter  
Randall  
Roberts

### PANHANDLE CONT.

Sherman  
Swisher  
Wheeler

### PERMIAN BASIN

Andrews  
Borden  
Crane  
Dawson  
Ector  
Gaines  
Glasscock  
Howard  
Loving  
Martin  
Midland  
Pecos  
Reeves  
Terrell  
Upton  
Ward  
Winkler

### RURAL CAPITAL

Bastrop  
Blanco  
Burnet  
Caldwell  
Fayette  
Hays  
Lee  
Llano  
Williamson

### SOUTH EAST TEXAS

Hardin  
Jefferson  
Orange

### SOUTH PLAINS

Bailey  
Cochran  
Crosby  
Dickens  
Floyd

### SOUTH PLAINS CONT.

Garza  
Hale  
Hockley  
King  
Lamb  
Lubbock  
Lynn  
Motley  
Terry  
Yoakum

### SOUTH TEXAS

Jim Hogg  
Webb  
Zapata

### TARRANT COUNTY

Tarrant

### TEXOMA

Cooke  
Fannin  
Grayson

### UPPER RIO GRANDE

Brewster  
Culberson  
El Paso  
Hudspeth  
Jeff Davis  
Presidio

### WEST CENTRAL

Brown  
Callahan  
Coleman  
Comanche  
Eastland  
Fisher  
Haskell  
Jones  
Kent  
Knox  
Mitchell

### WEST CENTRAL CONT.

Nolan  
Runnels  
Scurry  
Shackelford  
Stephens  
Stonewall  
Taylor  
Throckmorton