



GLENN HEGAR TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

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

July 24, 2015

Ralph Traynham
Superintendent
Fort Stockton Independent School District
101 West Division Street
Fort Stockton, Texas 79735

Dear Superintendent Traynham:

On June 22, 2015, the Comptroller issued written notice that Buckthorn Westex, LLC (the applicant) submitted a completed application (Application #1063) for a limitation on appraised value under the provisions of Tax Code Chapter 313¹. This application was originally submitted on February 23, 2015, to the Fort Stockton Independent School District (the school district) by the applicant.

This presents the results of the Comptroller's review of the application and determinations required:

- 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 issue a certificate for a limitation on appraised value of the property and provide the certificate to the governing body of the school district or provide the governing body a written explanation of the comptroller's decision not to issue a certificate, using the criteria set out in Section 313.026.

Determination required by 313.025(h)

- | | |
|-------------------|--|
| Sec. 313.024(a) | Applicant is subject to tax imposed by Chapter 171. |
| Sec. 313.024(b) | Applicant is proposing to use the property for an eligible project. |
| Sec. 313.024(d) | Applicant has requested a waiver from the school district to create the required number of new qualifying jobs and pay all jobs created that are not qualifying jobs a wage that exceeds the county average weekly wage for all jobs in the county where the jobs are located. |
| Sec. 313.024(d-2) | Not applicable to Application #1063. |

Based on the information provided by the applicant, the Comptroller has determined that the property meets the requirements of Section 313.024 for eligibility for a limitation on appraised value under Chapter 313, Subchapter C.

¹ All statutory references are to the Texas Tax Code, unless otherwise noted.

Certificate decision required by 313.025(d)

Determination required by 313.026(c)(1)

The Comptroller has determined that the project proposed by the applicant is reasonably likely to generate tax revenue in an amount sufficient to offset the school district maintenance and operations ad valorem tax revenue lost as a result of the agreement before the 25th anniversary of the beginning of the limitation period. See Attachment B.

Determination required by 313.026(c)(2)

The Comptroller has determined that the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in this state. See Attachment C.

Based on these determinations, the Comptroller issues a certificate for a limitation on appraised value. This certificate is contingent on the school district's receipt and acceptance of the Texas Education Agency's determination per 313.025(b-1).

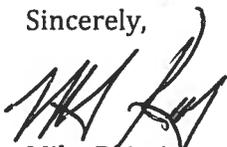
The Comptroller's review of the application assumes the accuracy and completeness of the statements in the application. If the application is approved by the school district, the applicant shall perform according to the provisions of the Texas Economic Development Act Agreement (Form 50-286) executed with the school district. The school district shall comply with and enforce the stipulations, provisions, terms, and conditions of the agreement, applicable Texas Administrative Code and Chapter 313, per TAC 9.1054(i)(3).

This certificate is no longer valid if the application is modified, the information presented in the application changes, or the limitation agreement does not conform to the application. Additionally, this certificate is contingent on the school district approving and executing the agreement within a year from the date of this letter.

Note that any building or improvement existing as of the application review start date of June 22, 2015, or any tangible personal property placed in service prior to that date may not become "Qualified Property" as defined by 313.021(2) and the Texas Administrative Code.

Should you have any questions, please contact Korry Castillo, Director, Data Analysis & Transparency, by email at korry.castillo@cpa.texas.gov or by phone at 1-800-531-5441, ext. 3-3806, or direct in Austin at 512-463-3806.

Sincerely,



Mike Reissig
Deputy Comptroller

Enclosure

cc: Korry Castillo

Attachment A – Economic Impact Analysis

This following tables summarizes the Comptroller’s economic impact analysis of Buckthorn Westex, LLC (the project) applying to Fort Stockton Independent School District (the district), as required by Tax Code, 313.026 and Texas Administrative Code 9.1055(d)(2).

Table 1 is a summary of investment, employment and tax impact of Buckthorn Westex, LLC.

Applicant	Buckthorn Westex, LLC
Tax Code, 313.024 Eligibility Category	Renewable Energy – Wind
School District	Fort Stockton ISD
2013-14 Enrollment in School District	2486
County	Pecos
Proposed Total Investment in District	\$172,500,000
Proposed Qualified Investment	\$172,500,000
Limitation Amount	\$30,000,000
Number of new qualifying jobs committed to by applicant*	2
Number of new non-qualifying jobs estimated by applicant	0
Average weekly wage of qualifying jobs committed to by applicant	\$769
Minimum weekly wage required for each qualifying job by Tax Code, 313.021(5)	\$760
Minimum annual wage committed to by applicant for qualified jobs	\$40,000
Minimum weekly wage required for non-qualifying jobs	
Minimum annual wage required for non-qualifying jobs	
Investment per Qualifying Job	\$86,250,000
Estimated M&O levy without any limit (15 years)	\$11,399,382
Estimated M&O levy with Limitation (15 years)	\$4,914,000
Estimated gross M&O tax benefit (15 years)	\$6,485,382
* Applicant is requesting district to waive requirement to create minimum number of qualifying jobs pursuant to Tax Code, 313.025 (f-1).	

Table 2 is the estimated statewide economic impact of Buckthorn Westex, LLC (modeled).

Year	Employment			Personal Income		
	Direct	Indirect + Induced	Total	Direct	Indirect + Induced	Total
2016	200	216	416	\$7,506,800	\$17,493,200	\$25,000,000
2017	2	25	27	\$80,000	\$3,920,000	\$4,000,000
2018	2	10	12	\$80,000	\$1,920,000	\$2,000,000
2019	2	(2)	0	\$80,000	\$1,920,000	\$2,000,000
2020	2	(6)	-4	\$80,000	\$920,000	\$1,000,000
2021	2	(12)	-10	\$80,000	-\$80,000	\$0
2022	2	(16)	-14	\$80,000	-\$80,000	\$0
2023	2	(10)	-8	\$80,000	-\$80,000	\$0
2024	2	(16)	-14	\$80,000	-\$80,000	\$0
2025	2	(25)	-23	\$80,000	-\$2,080,000	-\$2,000,000
2026	2	(20)	-18	\$80,000	-\$1,080,000	-\$1,000,000
2027	2	(16)	-14	\$80,000	-\$2,080,000	-\$2,000,000
2028	2	(16)	-14	\$80,000	-\$2,080,000	-\$2,000,000
2029	2	(12)	-10	\$80,000	-\$2,080,000	-\$2,000,000
2030	2	(16)	-14	\$80,000	-\$1,080,000	-\$1,000,000
2031	2	(10)	-8	\$80,000	-\$1,080,000	-\$1,000,000

Source: CPA, REMI, Buckthorn Westex, LLC

Table 3 examines the estimated direct impact on ad valorem taxes to the region if all taxes are assessed.

Year	Estimated Taxable Value for I&S	Estimated Taxable Value for M&O	Tax Rate ¹	Fort Stockton ISD I&S Tax Levy	Fort Stockton ISD M&O Tax Levy	Fort Stockton ISD M&O and I&S Tax Levies	Pecos County Tax Levy	Midland College Tax Levy	Middle Pecos Groundwater District Tax Levy	Estimated Total Property Taxes	
2017	\$172,500,000	\$172,500,000	0.1992	\$343,620	\$1,794,000	\$2,137,620	\$1,240,275	\$48,300	\$42,953	\$3,469,148	
2018	\$146,625,000	\$146,625,000		\$292,077	\$1,524,900	\$1,816,977	\$1,054,234	\$41,055	\$36,510	\$2,948,775	
2019	\$124,631,250	\$124,631,250		\$248,265	\$1,296,165	\$1,544,430	\$896,099	\$34,897	\$31,033	\$2,506,459	
2020	\$105,936,563	\$105,936,563		\$211,026	\$1,101,740	\$1,312,766	\$761,684	\$29,662	\$26,378	\$2,130,490	
2021	\$90,046,078	\$90,046,078		\$179,372	\$936,479	\$1,115,851	\$647,431	\$25,213	\$22,421	\$1,810,917	
2022	\$76,539,166	\$76,539,166		\$152,466	\$796,007	\$948,473	\$550,317	\$21,431	\$19,058	\$1,539,279	
2023	\$65,058,291	\$65,058,291		\$129,596	\$676,606	\$806,202	\$467,769	\$18,216	\$16,200	\$1,308,387	
2024	\$55,299,548	\$55,299,548		\$110,157	\$575,115	\$685,272	\$397,604	\$15,484	\$13,770	\$1,112,129	
2025	\$47,004,616	\$47,004,616		\$93,633	\$488,848	\$582,481	\$337,963	\$13,161	\$11,704	\$945,310	
2026	\$39,953,923	\$39,953,923		\$79,588	\$415,521	\$495,109	\$287,269	\$11,187	\$9,949	\$803,513	
2027	\$34,500,000	\$34,500,000		\$68,724	\$358,800	\$427,524	\$248,055	\$9,660	\$8,591	\$693,830	
2028	\$34,500,000	\$34,500,000		\$68,724	\$358,800	\$427,524	\$248,055	\$9,660	\$8,591	\$693,830	
2029	\$34,500,000	\$34,500,000		\$68,724	\$358,800	\$427,524	\$248,055	\$9,660	\$8,591	\$693,830	
2030	\$34,500,000	\$34,500,000		\$68,724	\$358,800	\$427,524	\$248,055	\$9,660	\$8,591	\$693,830	
2031	\$34,500,000	\$34,500,000		\$68,724	\$358,800	\$427,524	\$248,055	\$9,660	\$8,591	\$693,830	
						Total	\$13,582,802	\$7,880,919	\$306,906	\$272,928	\$22,043,555

Source: CPA, Buckthorn Westex, LLC

¹Tax Rate per \$100 Valuation

Table 4 examines the estimated direct impact on ad valorem taxes to the school district, Pecos County and the Middle Pecos Groundwater District, with all property tax incentives sought being granted using estimated market value from the application. The project has applied for a value limitation under Chapter 313, Tax Code and tax abatement with the county.

The difference noted in the last line is the difference between the totals in Table 3 and Table 4.

Table 4 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 ¹	Fort Stockton ISD I&S Tax Levy	Fort Stockton ISD M&O Tax Levy	Fort Stockton ISD M&O and I&S Tax Levies	Pecos County Tax Levy	Midland College Tax Levy	Middle Pecos Groundwater District Tax Levy	Estimated Total Property Taxes	
2017	\$172,500,000	\$30,000,000	0.1992	\$343,620	\$312,000	\$655,620	\$620,138	\$48,300	\$21,476	\$1,345,534	
2018	\$146,625,000	\$30,000,000		\$292,077	\$312,000	\$604,077	\$527,117	\$41,055	\$18,255	\$1,190,504	
2019	\$124,631,250	\$30,000,000		\$248,265	\$312,000	\$560,265	\$448,049	\$34,897	\$15,517	\$1,058,728	
2020	\$105,936,563	\$30,000,000		\$211,026	\$312,000	\$523,026	\$380,842	\$29,662	\$13,189	\$946,719	
2021	\$90,046,078	\$30,000,000		\$179,372	\$312,000	\$491,372	\$323,716	\$25,213	\$11,211	\$851,511	
2022	\$76,539,166	\$30,000,000		\$152,466	\$312,000	\$464,466	\$275,158	\$21,431	\$9,529	\$770,584	
2023	\$65,058,291	\$30,000,000		\$129,596	\$312,000	\$441,596	\$233,885	\$18,216	\$8,100	\$701,797	
2024	\$55,299,548	\$30,000,000		\$110,157	\$312,000	\$422,157	\$198,802	\$15,484	\$6,885	\$643,327	
2025	\$47,004,616	\$30,000,000		\$93,633	\$312,000	\$405,633	\$168,982	\$13,161	\$5,852	\$593,628	
2026	\$39,953,923	\$30,000,000		\$79,588	\$312,000	\$391,588	\$143,634	\$11,187	\$4,974	\$551,384	
2027	\$34,500,000	\$34,500,000		\$68,724	\$358,800	\$427,524	\$248,055	\$9,660	\$8,591	\$693,830	
2028	\$34,500,000	\$34,500,000		\$68,724	\$358,800	\$427,524	\$248,055	\$9,660	\$8,591	\$693,830	
2029	\$34,500,000	\$34,500,000		\$68,724	\$358,800	\$427,524	\$248,055	\$9,660	\$8,591	\$693,830	
2030	\$34,500,000	\$34,500,000		\$68,724	\$358,800	\$427,524	\$248,055	\$9,660	\$8,591	\$693,830	
2031	\$34,500,000	\$34,500,000		\$68,724	\$358,800	\$427,524	\$248,055	\$9,660	\$8,591	\$693,830	
						Total	\$7,097,420	\$4,560,597	\$306,906	\$157,940	\$12,122,864
						Diff	\$6,485,382	\$3,320,322	\$0	\$114,988	\$9,920,692

Assumes School Value Limitation and Tax Abatements with the County and the Middle Pecos Groundwater District.

Source: CPA, Buckthorn Westex, LLC

¹Tax Rate per \$100 Valuation

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.

Attachment B – Tax Revenue over 25 Years

This represents the Comptroller’s determination that Buckthorn Westex, LLC (project) is reasonably likely to generate, before the 25th anniversary of the beginning of the limitation period, tax revenue in an amount sufficient to offset the school district maintenance and operations ad valorem tax revenue lost as a result of the agreement. This evaluation is based on an analysis of the estimated M&O portion of the school district property tax levy directly related to this project, using estimated taxable values provided in the application.

	Tax Year	Estimated ISD M&O Tax Levy Generated (Annual)	Estimated ISD M&O Tax Levy Generated (Cumulative)	Estimated ISD M&O Tax Levy Loss as Result of Agreement (Annual)	Estimated ISD M&O Tax Levy Loss as Result of Agreement (Cumulative)
Limitation Pre-Years	2014	\$0	\$0	\$0	\$0
	2015	\$0	\$0	\$0	\$0
	2016	\$0	\$0	\$0	\$0
Limitation Period (10 Years)	2017	\$312,000	\$312,000	\$1,482,000	\$1,482,000
	2018	\$312,000	\$624,000	\$1,212,900	\$2,694,900
	2019	\$312,000	\$936,000	\$984,165	\$3,679,065
	2020	\$312,000	\$1,248,000	\$789,740	\$4,468,805
	2021	\$312,000	\$1,560,000	\$624,479	\$5,093,284
	2022	\$312,000	\$1,872,000	\$484,007	\$5,577,292
	2023	\$312,000	\$2,184,000	\$364,606	\$5,941,898
	2024	\$312,000	\$2,496,000	\$263,115	\$6,205,013
	2025	\$312,000	\$2,808,000	\$176,848	\$6,381,861
	2026	\$312,000	\$3,120,000	\$103,521	\$6,485,382
Maintain Viable Presence (5 Years)	2027	\$358,800	\$3,478,800	\$0	\$6,485,382
	2028	\$358,800	\$3,837,600	\$0	\$6,485,382
	2029	\$358,800	\$4,196,400	\$0	\$6,485,382
	2030	\$358,800	\$4,555,200	\$0	\$6,485,382
	2031	\$358,800	\$4,914,000	\$0	\$6,485,382
Additional Years as Required by 313.026(c)(1) (10 Years)	2032	\$358,800	\$5,272,800	\$0	\$6,485,382
	2033	\$358,800	\$5,631,600	\$0	\$6,485,382
	2034	\$358,800	\$5,990,400	\$0	\$6,485,382
	2035	\$358,800	\$6,349,200	\$0	\$6,485,382
	2036	\$358,800	\$6,708,000	\$0	\$6,485,382
	2037	\$358,800	\$7,066,800	\$0	\$6,485,382
	2038	\$358,800	\$7,425,600	\$0	\$6,485,382
	2039	\$358,800	\$7,784,400	\$0	\$6,485,382
	2040	\$358,800	\$8,143,200	\$0	\$6,485,382
	2041	\$358,800	\$8,502,000	\$0	\$6,485,382
		\$8,502,000	is greater than	\$6,485,382	

Analysis Summary	
Is the project reasonably likely to generate M&O tax revenue in an amount sufficient to offset the M&O levy loss as a result of the limitation agreement?	Yes

NOTE: The analysis above only takes into account this project’s estimated impact on the M&O portion of the school district property tax levy directly related to this project.

Source: CPA, Buckthorn Westex, LLC

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.

Attachment C – Limitation as a Determining Factor

Tax Code 313.026 states that the Comptroller may not issue a certificate for a limitation on appraised value under this chapter for property described in an application unless the comptroller determines that “the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in this state.” This represents the basis for the Comptroller’s determination.

Methodology

Texas Administrative Code 9.1055(d) states the Comptroller shall review any information available to the Comptroller including:

- the application, including the responses to the questions in Section 8 (Limitation as a Determining Factor);
- public documents or statements by the applicant concerning business operations or site location issues or in which the applicant is a subject;
- statements by officials of the applicant, public documents or statements by governmental or industry officials concerning business operations or site location issues;
- existing investment and operations at or near the site or in the state that may impact the proposed project;
- announced real estate transactions, utility records, permit requests, industry publications or other sources that may provide information helpful in making the determination; and
- market information, raw materials or other production inputs, availability, existing facility locations, committed incentives, infrastructure issues, utility issues, location of buyers, nature of market, supply chains, other known sites under consideration.

Determination

The Comptroller **determines** that the limitation on appraised value is a determining factor in the Buckthorn Westex, LLC’s decision to invest capital and construct the project in this state. This is based on information available, including information provided by the applicant. Specifically, the comptroller notes the following:

- The applicant recently registered with the Texas Secretary of State on 2/12/2015.
- On, 2/24/2015, a notice was posted by the Federal Energy Regulatory Commission which received an electronic rate filing for “Buckthorn Westex Interconnection Agreement” to be effective 1/26/2015, which was filed on 2/18/2015.
- On 2/18/2015, the Public Utility Commission of Texas received an ERCOT Standard Generation Interconnection Agreement between AEP Texas North Company and Buckthorn Westex, LLC.
- On 2/24/2015, the City of Georgetown, in an action taken from executive session, approved a power purchase agreement with the applicant.
- Applicant states that even with a signed power purchase agreement, without the 313 incentive, the applicant would abandon the project and spend its development capital in another state. “Without the tax incentives in Texas, a project with a power purchase agreement becomes un-financeable.”

Supporting Information

- a) Section 8 of the Application for a Limitation on Appraised Value
- b) Attachments provided in Tab 5 of the Application for a Limitation on Appraised Value
- c) Additional information provided by the Applicant or located by the Comptroller

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.

Supporting Information

**Section 8 of the Application for
a Limitation on Appraised Value**

SECTION 6: Eligibility Under Tax Code Chapter 313.024

1. Are you an entity subject to the tax under Tax Code, Chapter 171? Yes No
2. The property will be used for one of the following activities:
 - (1) manufacturing Yes No
 - (2) research and development Yes No
 - (3) a clean coal project, as defined by Section 5.001, Water Code Yes No
 - (4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code Yes No
 - (5) renewable energy electric generation Yes No
 - (6) electric power generation using integrated gasification combined cycle technology Yes No
 - (7) nuclear electric power generation Yes No
 - (8) a computer center that is used as an integral part or as a necessary auxiliary part for the activity conducted by applicant in one or more activities described by Subdivisions (1) through (7) Yes No
 - (9) a Texas Priority Project, as defined by 313.024(e)(7) and TAC 9.1051 Yes No
3. Are you requesting that any of the land be classified as qualified investment? Yes No
4. Will any of the proposed qualified investment be leased under a capitalized lease? Yes No
5. Will any of the proposed qualified investment be leased under an operating lease? Yes No
6. Are you including property that is owned by a person other than the applicant? Yes No
7. Will any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment? Yes No

SECTION 7: Project Description

1. In Tab 4, attach a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information.
2. Check the project characteristics that apply to the proposed project:

<input checked="" type="checkbox"/> Land has no existing improvements	<input type="checkbox"/> Land has existing improvements (<i>complete Section 13</i>)
<input type="checkbox"/> Expansion of existing operation on the land (<i>complete Section 13</i>)	<input type="checkbox"/> Relocation within Texas

SECTION 8: Limitation as Determining Factor

1. Does the applicant currently own the land on which the proposed project will occur? Yes No
2. Has the applicant entered into any agreements or contracts for work to be performed related to the proposed project? Yes No
3. Does the applicant have current business activities at the location where the proposed project will occur? Yes No
4. Has the applicant made public statements in SEC filings or other official documents regarding its intentions regarding the proposed project location? Yes No
5. Has the applicant received any local or state permits for activities on the proposed project site? Yes No
6. Has the applicant received commitments for state or local incentives for activities at the proposed project site? Yes No
7. Are you submitting information to assist in the determination as to whether the limitation on appraised value is a determining factor in the applicant's decision to invest capital and construct the project in Texas? Yes No
8. Has the applicant considered or is the applicant considering other locations not in Texas for the proposed project? Yes No
9. Has the applicant provided capital investment or return on investment information for the proposed project in comparison with other alternative investment opportunities? Yes No
10. Has the applicant provided information related to the applicant's inputs, transportation and markets for the proposed project? Yes No

If you answered "yes" to any of the questions in Section 8, attach supporting information in Tab 5.

Supporting Information

**Attachments provided in Tab 5
of the Application for a
Limitation on Appraised Value**

TAB 5

Documentation to assist in determining if limitation is a determining factor

The applicant's parent company for this project is an national solar developer with the ability to locate projects of this type in other countries and states in the US with strong solar characteristics. The applicant is actively developing and constructing other projects throughout the US and internationally. The applicant requires this appraised value limitation in order to move forward with constructing this project in Texas. Specifically, without the available tax incentives, the economics of the project become unappealing to investors and the likelihood of constructing the project in Texas becomes unlikely.

Property taxes can be the highest operating expense for a solar generation facility as solar plants do not have any associated fuel costs for the production of electricity, and with Texas wholesale electricity prices already below the national average in Texas, it is necessary to limit the property tax liabilities for a solar project in order to be able to offer electricity at prices that are marketable to Texas customers at competitive rates, including power sales under a bi-lateral contract. Markets such as California that have state wide available subsidies for renewable energy projects, and which have higher average contracted power rates, offer an attractive incentive for developers to build projects in those markets over Texas.

The property tax liabilities of a project without tax incentives in Texas lowers the return to investors and financiers to an unacceptable level at today's contracted power rates under a power purchase agreement. As such, the applicant is not able to finance and build its project in Texas even with a signed power purchase agreement because of the low price in the power purchase agreement. Without the tax incentive, the applicant would be forced to abandon the project and spend its development capital and prospective investment funds in other states where the rate of return is higher on a project basis.

This is true even if the entity is able to contract with an off-taker under a power purchase agreement because the low rate contracted for is not financeable without the tax incentives. More specifically, a signed power purchase agreement in the Texas market is at a much lower rate than other states because of competitively low electricity prices. Other states have high electricity prices where a developer can obtain a PPA with a much higher contracted rate, combined with state subsidies, the other states offer a much higher rate of return for the project financiers. Without the tax incentives in Texas, a project with a power purchase agreement becomes unfinanciable.

Supporting Information

**Additional information
provided by the Applicant or
located by the Comptroller**

**Minutes of a Meeting of the
Governing Body of the
City of Georgetown, Texas
Tuesday, February 24, 2015**

The Georgetown City Council will meet on Tuesday, February 24, 2015 at 6:00 PM at the Council Chambers at 101 E. 7th St., Georgetown, Texas

The city of Georgetown is committed to compliance with the Americans with Disabilities Act (ADA). If you require assistance in participating at a public meeting due to a disability, as defined under the ADA, reasonable assistance, adaptations, or accommodations will be provided upon request. Please contact the City Secretary's Office, at least four (4) days prior to the scheduled meeting date, at (512) 930-3652 or City Hall at 113 East 8th Street for additional information; TTY users route through Relay Texas at 711.

Regular Session

(This Regular session may, at any time, be recessed to convene an Executive Session for any purpose authorized by the Open Meetings Act, Texas Government Code 551.)

A **Call to Order** – Mayor called the meeting to order at 6:00PM. All members of the Council were present.

Invocation

Pledge of Allegiance

Comments from the Mayor

- Welcome and Meeting Procedures
- Presentation of Proclamation in honor of Bob Payne

City Council Regional Board Reports

Announcements

- Georgetown Swirl March 7, 2015
- Elections for City Council seats for District 1 and District 5 will be held May 9, 2015
- Downtown Parking Online Survey

Action from Executive Session

Motion by Jonrowe, second by Brainard to approve a solar power purchase agreement with Buckthorn Westex LLC and to authorize the Mayor to sign the agreement. **Approved 7-0**

Statutory Consent Agenda

The Statutory Consent Agenda includes non-controversial and routine items that may be acted upon with one single vote. An item may be pulled from the Consent Agenda in order that it be discussed and acted upon individually as part of the Regular Agenda.

- B Consideration and possible action to approve the **minutes** of the Workshop and Regular Meeting held on Tuesday, February 10, 2014 – Jessica Brettle, City Secretary
- C Consideration and possible action to approve the **appointment of John Philpott** as a member of the **Unified Development Code Advisory Board** to fill a vacancy – Mayor Dale Ross
- D Consideration and possible action to approve an **equipment grant for \$10,331.88** from the **Firehouse Subs Public Safety Foundation** – John Sullivan, Fire Chief
- E Consideration and possible action to approve the **submission of an application to Williamson County to request FY 2015-16 Community Development Block Grant funding** – Jennifer C. Bills, Housing Coordinator and Laurie Brewer, Assistant City Manager



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2015 FEB 18 PM 3:41
PUBLIC UTILITY COMMISSION
FILING CLERK

AEP Texas
AEP Texas North Company
400 West 15th Street, Suite 1520
Austin, TX 78701
AEPTexas.com

February 18, 2015

Filing Clerk
Public Utility Commission of Texas
1701 Congress Avenue
P.O. Box 13326
Austin, TX 78711-3326

Re: **[Docket No. 35077] —
ERCOT Standard Generation Interconnection Agreement between
AEP Texas North Company and Buckthorn Westex, LLC
Filing Pursuant to Substantive Rule 25.195(e)**

To whom it may concern:

Enclosed for filing are four (4) copies of the ERCOT Standard Generation Interconnection Agreement, dated January 26, 2015, between AEP Texas North Company ("TNC") and Buckthorn Westex, LLC (the "Agreement"). TNC is subject to the jurisdiction of the Federal Energy Regulatory Commission ("FERC") with respect to transmission rates and service, including generation interconnections. This Agreement has been filed for acceptance with FERC. TNC is also filing this Agreement with the PUCT for informational purposes. Because the Agreement contains deviations from the Commission-approved Standard Generation Interconnection Agreement (2007 version published by ERCOT) ("SGIA"), TNC has prepared this letter in accordance with Substantive Rule 25.195(e) identifying the deviations and requests that it be filed with the Agreement.

- The following exhibits have been added to the list of exhibits in the Table of Contents:

Exhibit "C-1" – Conceptual One-Line Drawing of Point of Interconnection

Exhibit "E-1" – Form of Corporate Guaranty

Exhibit "E-2" – Form of Irrevocable Standby Letter of Credit

- The last sentence of the first paragraph of the recital has been revised as follows:

527, 1

[Federal Register Volume 80, Number 36 (Tuesday, February 24, 2015)]
 [Notices]
 [Pages 9706-9708]
 From the Federal Register Online via the Government Printing Office [www.gpo.gov]
 [FR Doc No: 2015-03743]

 DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC15-76-000.
 Applicants: PowerMinn 9090, LLC, Fibrominn LLC, Benson Power, LLC, CPV Biomass Holdings, LLC.
 Description: Application for Authorization for Disposition of Jurisdictional Facilities and Request for Expedited Action of PowerMinn 9090, LLC, et. al.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5260.
 Comments Due: 5 p.m. ET 3/11/15.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG15-50-000.
 Applicants: Prairie Breeze Wind Energy LLC.
 Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Prairie Breeze Wind Energy LLC.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5106.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: EG15-51-000.
 Applicants: Prairie Breeze Wind Energy II LLC.
 Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Prairie Breeze Wind Energy II LLC.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5109.
 Comments Due: 5 p.m. ET 3/11/15.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER13-99-004.
 Applicants: Puget Sound Energy, Inc.
 Description: Compliance filing per 35: OATT Order No. 1000
 Compliance Filing to be effective N/A.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5203.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER13-1447-002.
 Applicants: Public Service Company of New Mexico.
 Description: Compliance filing per 35: PNM's Order No. 1000
 Interregional Compliance Filing of WestConnect Parties to be effective N/A.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5130.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER13-1450-002.
 Applicants: Arizona Public Service Company.
 Description: Compliance filing per 35: Western Interconnection--
 Order No. 1000 Interregional Compliance Filing to be effective N/A.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5125.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER13-1450-002.
 Applicants: Arizona Public Service Company.
 Description: Report Filing: Western Interconnection--Order No. 1000
 Interregional Compliance Filing to be effective N/A.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5134.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER13-1461-002.

Applicants: Tucson Electric Power Company.
 Description: Compliance filing per 35: Order No. 1000 Interregional
 Compliance Filing to be effective N/A.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5179.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER13-1462-002.
 Applicants: UNS Electric, Inc.
 Description: Compliance filing per 35: Order No. 1000 Interregional
 Compliance Filing to be effective N/A.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5180.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER13-1465-002.
 Applicants: El Paso Electric Company.
 Description: Compliance filing per 35: Compliance Filing with FERC
 December 18, 2014 Interregional Order to be effective N/A.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5142.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER13-1466-002.
 Applicants: NV Energy, Inc.
 Description: Compliance filing per 35: OATT Order 1000
 Interregional Compliance December 18, 2014 Order to be effective N/A.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5201.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER13-1469-002.
 Applicants: Public Service Company of Colorado.
 Description: Compliance filing per 35: 2015-2-18_PSCo_InterRegional
 Comp Filing to be effective N/A.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5013.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER13-1470-002.
 Applicants: California Independent System Operator Corporation.
 Description: Compliance filing per 35: 2015-02-Interregional Second
 Compliance to be effective 10/1/2015.

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Filed Date: 2/18/15.
 Accession Number: 20150218-5135.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER13-1473-002.
 Applicants: PacifiCorp.
 Description: Compliance filing per 35: OATT Order 1000 Second
 Interregional Compliance Filing to be effective 10/1/2013.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5182.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER13-1730-002.
 Applicants: Avista Corporation.
 Description: Compliance filing per 35: Avista Corp OATT Order 1000
 Compliance Filing to be effective 1/1/2015.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5096.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER14-346-003.
 Applicants: MATL LLP.
 Description: Compliance filing per 35: Compliance with ER14-346 to
 be effective N/A.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5141.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER14-2707-003.
 Applicants: Mammoth Plains Wind Project, LLC.
 Description: Supplement to January 13, 2015 Notice of Non-Material
 Change in Status of Mammoth Plains Wind Project, LLC.
 Filed Date: 2/13/15.
 Accession Number: 20150213-5160.
 Comments Due: 5 p.m. ET 3/6/15.

Docket Numbers: ER14-2868-002.
 Applicants: Portland General Electric Company.
 Description: Tariff Amendment per 35.17(b): 7th Amend Boardman

Agreement Deficiency Response 2 to be effective 11/1/2014.

Filed Date: 2/18/15.
Accession Number: 20150217-5081.
Comments Due: 5 p.m. ET 3/10/15.

Docket Numbers: ER15-191-001.

Applicants: Duke Energy Progress, Inc.
Description: Compliance filing per 35: Compliance Filing ER15-191,
ER15-74, ER13-1313, ER15-345 to be effective 1/1/2014.

Filed Date: 2/18/15.
Accession Number: 20150218-5006.
Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER15-807-001.

Applicants: PJM Interconnection, L.L.C., Duke Energy Ohio, Inc.
Description: Tariff Amendment per 35.17(b): Duke submits Amendment
to Revised SA No. 3140 Filing to be effective 11/10/2014.

Filed Date: 2/18/15.
Accession Number: 20150218-5054.
Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER15-916-000.

Applicants: Sierra Solar Greenworks LLC.
Description: Request for Waiver of Commission Rules and Request for
Waiver of Prior Notice for Certificate of Concurrence for Shared
Facilities Agreement of Sierra Solar Greenworks LLC.

Filed Date: 2/18/15.
Accession Number: 20150217-5195.
Comments Due: 5 p.m. ET 3/5/15.

Docket Numbers: ER15-1039-000.

Applicants: Homer City Generation, L.P.
Description: Tariff Cancellation per 35.17(a): Withdrawal of Homer
City Generation Filing in ER15-1039 to be effective N/A.

Filed Date: 2/18/15.
Accession Number: 20150217-5077.
Comments Due: 5 p.m. ET 3/10/15.

Docket Numbers: ER15-1050-000.

Applicants: ISO New England Inc.
Description: Sec. 205(d) rate filing per 35.13(a)(2)(iii): Rev. to
Address Treatment of ETU (Part 1 of 2) to be effective 2/16/2015.

Filed Date: 2/13/15.
Accession Number: 20150213-5310.
Comments Due: 5 p.m. ET 3/6/15.

Docket Numbers: ER15-1051-000.

Applicants: ISO New England Inc.
Description: Sec. 205(d) rate filing per 35.13(a)(2)(iii): Rev. to
Address the Treatment of ETU (Part 2 of 2) to be effective 2/16/2015.

Filed Date: 2/13/15.
Accession Number: 20150213-5317.
Comments Due: 5 p.m. ET 3/6/15.

Docket Numbers: ER15-1052-000.

Applicants: Transource Missouri, LLC.
Description: Sec. 205(d) rate filing per 35.13(a)(2)(iii): TMO
Facilities Sharing Agreement Concurrence to be effective 4/15/2015.

Filed Date: 2/13/15.
Accession Number: 20150213-5324.
Comments Due: 5 p.m. ET 3/6/15.

Docket Numbers: ER15-1053-000.

Applicants: Wisconsin Power and Light Company.
Description: Compliance filing per 35: Amended Wisconsin Dells PSA
to be effective 2/12/2015.

Filed Date: 2/18/15.
Accession Number: 20150217-5073.
Comments Due: 5 p.m. ET 3/10/15.

Docket Numbers: ER15-1054-000.

Applicants: Central Maine Power Company.
Description: Notice of Termination of Interconnection Agreement No.
108 of Central Maine Power Company.

Filed Date: 2/13/15.
Accession Number: 20150213-5334.
Comments Due: 5 p.m. ET 3/6/15.

Docket Numbers: ER15-1055-000.

Applicants: AEP Texas Central Company.
Description: Sec. 205(d) rate filing per 35.13(a)(2)(iii): TCC-
Patriot Wind Farm IA Amendment to be effective 2/9/2015.

Filed Date: 2/18/15.
Accession Number: 20150218-5017.
Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER15-1056-000.
 Applicants: Cassadaga Wind LLC.
 Description: Petition of Cassadaga Wind LLC for Limited Waiver.
 Filed Date: 2/13/15.
 Accession Number: 20150213-5349.
 Comments Due: 5 p.m. ET 2/27/15.

Docket Numbers: ER15-1057-000.
 Applicants: AEP Texas North Company.
 Description: Sec. 205(d) rate filing per 35.13(a)(2)(iii): TNC-Buckthorn Westex Interconnection Agreement to be effective 1/26/2015.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5019.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER15-1058-000.
 Applicants: Southern California Edison Company.
 Description: Sec. 205(d) rate filing per 35.13(a)(2)(iii): Amended LGIA NextEra Desert Center Blythe, LLC to be effective 2/19/2015.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5040.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER15-1059-000.
 Applicants: Wisconsin Electric Power Company.
 Description: Notice of Cancellation Service Agreement No. 58 of Wisconsin Electric Power Company.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5133.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER15-1060-000.
 Applicants: Arizona Public Service Company.
 Description: Sec. 205(d) rate filing per 35.13(a)(2)(iii): Rate Schedule Nos. 242 and 243 Certificate of Concurrence to be effective 11/1/2014.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5145.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER15-1061-000.
 Applicants: New York Independent System Operator, Inc.
 Description: Sec. 205(d) rate filing per 35.13(a)(2)(iii): 205--Ancillary Service Demand Curves; Transmission Shortage Cost to be effective 12/31/9998.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5152.

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Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER15-1062-000.
 Applicants: PacifiCorp.
 Description: Sec. 205(d) rate filing per 35.13(a)(2)(iii): BPA AC Intertie Agreement 13th Revised to be effective 4/20/2015.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5184.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER15-1063-000.
 Applicants: Northern States Power Company, a Minnesota corporation.
 Description: Sec. 205(d) rate filing per 35.13(a)(2)(iii): 2015-2-18_GRE-Multi-Pty JPZ Agrmt_304-NSP-0.2.0 to be effective 9/1/2014.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5191.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER15-1064-000.
 Applicants: California Clean Power Corp.
 Description: Initial rate filing per 35.12 California Clean Power Corp. Initial Market-Based Rate Tariff to be effective 4/20/2015.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5214.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER15-1065-000.
 Applicants: Balko Wind, LLC.
 Description: Initial rate filing per 35.12 Balko Wind, LLC--MBR Tariff to be effective 2/18/2015.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5215.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER15-1066-000.
 Applicants: Red Horse Wind 2, LLC.
 Description: Initial rate filing per 35.12 Red Horse 2, LLC--MBR
 Tariff to be effective 2/18/2015.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5263.
 Comments Due: 5 p.m. ET 3/11/15.

Docket Numbers: ER15-1067-000.
 Applicants: Midcontinent Independent System Operator, Inc.
 Description: Sec. 205(d) rate filing per 35.13(a)(2)(iii): 2015-02-18 MMTG RTO Adder Filing to be effective 1/6/2015.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5273.
 Comments Due: 5 p.m. ET 3/11/15.

Take notice that the Commission received the following qualifying facility filings:

Docket Numbers: QF15-440-000.
 Applicants: Grossmont Hospital Corporation.
 Description: Form 556 of Grossmont Hospital Corporation.
 Filed Date: 2/13/15.
 Accession Number: 20150213-5351.
 Comments Due: None Applicable.

Take notice that the Commission received the following PURPA 210(m)(3) filings:

Docket Numbers: RR15-6-000.
 Applicants: North American Electric Reliability Corporation.
 Description: Request of North American Electric Reliability Corporation to Revise Certain "Metrics" Components for Its Annual Business Plan and Budget Filings and Its Annual Actual Cost-to-Budget True-up Filings.
 Filed Date: 2/18/15.
 Accession Number: 20150218-5205.
 Comments Due: 5 p.m. ET 3/11/15.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: February 18, 2015.
 Nathaniel J. Davis, Sr.,
 Deputy Secretary.
 [FR Doc. 2015-03743 Filed 2-23-15; 8:45 am]
 BILLING CODE 6717-01-P