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GOVERNOR'S OFFICE OF ENERGY

MINUTES
Of the Renewable Energy Tax Abatement Hearing of the
GOVERNOR'S OFFICE OF ENERGY

AFN 17-1127SPV/17-1128SPV
Techren Solar I and II, LLC
February 20, 2018

The Governor's Office of Energy held a public meeting on February 20, 2018, beginning at 10 AM. at the following location:

Governor's Office of Energy, 755 North Roop Street, Suite 202, Carson City, Nevada

Present at the hearing:

Angela Dykema, Director of the Governor's Office of Energy
Laura Wickham, Governor's Office of Energy
Mark Brady, Governor's Office of Energy
Bryce Alstead, Counsel for Techren Solar I and II, LLC
Lawrence Greene, Techren Solar I and II, LLC
Sorin Popa, Nevada Department of Taxation
Joshua Woodbury, Counsel for the Governor's Office of Energy

1. Call to order: The meeting was called to order at 10 AM by Director Angela Dykema. The Director stated that this was a hearing on the merits of the applications for partial abatement of property taxes originally filed by Techren Solar I & II, LLC on November 27 and 28, 2017. Application filing numbers 17-1127SPV and 17-1128SPV. This is an application for a 100 MW solar facility located in Clark County, NV.

2. Public comment and discussion (1st period): The Director asked if anyone from the public sought to make a comment on the matter. There was no public comment.

3. Presentation of Evidence and Testimony: The Director submitted the Exhibits, a packet of documents consisting of: Exhibit 1 – Notice of Public Hearing, dated January 4, 2018; Exhibit 2 – A redacted Application as filed with the Governor's Office of Energy on November 27, 2017; Exhibit 3 – Fiscal Impact of the partial abatement of Property Tax as required by NRS 701A.375-1 by the Nevada Department of Taxation, received on December 8, 2017; Exhibit 4 – Fiscal Impact of the partial abatement of Sales and Use Tax as required by NRS 701A.375-1 by the Nevada Department of Taxation received on December 5, 2017; Exhibit 5 – Fiscal Impact of the partial abatement as provided by the Governor's Office of Finance, required by NRS 701A.375-1, received on

December 11, 2017; Exhibit 6 – Pre-filed Testimony of Lawrence Greene. The Director admitted the Exhibits into evidence in this matter.

The parties present introduced themselves. The Director asked if Techren Solar I, LLC intended to call a witness to testify, they did not have any additional testimony other than the pre-filed testimony.

Director Dykema asked whether the applicant wanted to make an opening statement, the applicant did not. Director Dykema asked whether the document marked as Exhibit 6 was prepared by Mr. Greene and he stated it was.

The Director asked if there was any additional information to be submitted in this matter. Mr. Alstead asked Mr. Greene to state changes to the response provided in the application regarding permits. Mr. Greene stated that they are still waiting for some permits to be reviewed by Boulder City but they anticipate having them soon. Director Dykema then asked whether someone else would like to be heard in this matter, there were no further comments.

The Director asked whether anyone would like to make a closing statement, there were no closing statements.

The Director closed the evidentiary portion of the hearing and thanked everyone for their testimony.

4. The Director stated her findings and conclusions based upon the substantial, reliable, and credible evidence presented in the exhibits and testimony.

As to NRS 701A.360 (1), the Director found that the applicant intends to locate within this State a facility for the generation of solar renewable energy, thus meeting the intent of the statute. As to NRS 701A.360(2), the Director found that the facility is not owned, operated, leased, or controlled by a government agency, thus meeting the requirement of the statute. The Director found that NRS 701A.365(1)(a)(1) has been met by this renewable energy project, as the facility is expected to continue in operation in this State for a period of at least 10 years and is expected to continue to meet the eligibility requirements for the abatement. As to NRS 701A.365(1)(b), the applicant has provided information supporting testimony that all the necessary state and local permits and licenses to construct and operate will be received, thus meeting the requirement of the statute. As to NRS 701A.365(1)(c), the applicant has provided testimony that no funding for facility is or will be provided by any governmental entity in this State for the acquisition, design or construction of the facility or for the acquisition of any land therefore, thus meeting the requirement of the statute. As to NRS 701A.365(1)(d)(1), the application states that the construction of the facility will employ at least 150 full-time employees during the second quarter of construction of which at least 50% will be Nevada residents. As to NRS 701A.365(1)(d)(2), the Director found that the total capital investment in the facility is estimated to be approximately \$45,776,097, thus exceeding the \$10,000,000 capital investment required by the statute. As to NRS 701A.365(1)(d)(3), the Director found that this statute is met as the testimony presented today states that the average hourly wage that will be paid by the facility to its employees in this State, excluding management and administrative employees, is approximately \$48, which is at least 110% of the average statewide hourly wage set by DETR of \$22.15. As to NRS 701A.365 (1)(d)(4), the Director found that this

statute is met as the application states that the average hourly wage that will be paid by the facility to all of its construction employees working on the facility, excluding management and administrative employees, will be approximately \$73.18, which is at least 175% of the average statewide hourly wage set by DETR of \$22.15. As to NRS 701A.365(1)(d)(4)(I) and (II), the application states that the health insurance provided to the construction employees on the facility allows for the coverage of the dependents of the employees and will meet or exceed the standards established by the Director, thus meeting the requirement of the statute. As to NRS 701A.365(1)(f), the Director found that the benefits that will result to this State from the employment by the facility of the residents of this State and from capital investments by the facility in this State exceeds the loss of tax revenue that will result from the abatement, thus meeting the requirement of the statute. The Director found that the financial benefits to the state exceeded the abated amounts and provided each figure. The total benefits to the state of Nevada are \$70,488,057 and the total abatement is \$19,774,577.

As to NRS 701A.370(1)(a)(3), The Director found that the partial abatement of property tax did not apply during a time in which the facility was receiving an abatement for the same, other than any partial abatement provided pursuant to NRS 361.4722.

As to NRS 701A.370(1)(b)(1)(III), The Director found that the abatement will not apply during any period in which the facility was receiving another abatement or exemption from local sales and use taxes, thus meeting the requirement of the statute.

5. Approval of Application. The Director approved the application for the partial abatement of property taxes. The Director explained that after today's hearing, she will produce a written Findings of Fact, Conclusions of Law, and Order. Once the Order is issued, the Director or her representative, representatives from the Nevada Department of Taxation, and appropriate representatives of Sunshine Techren Solar I, LLC may meet to go over the terms and conditions of the Abatement Agreement and after that meeting, we will execute the Abatement Agreement.

The Director stated that as a reminder, pursuant to NRS 701A.380, a partial abatement approved by the Director will terminate upon any determination by the Director that the facility has ceased to meet any eligibility requirements for the abatement.

6. Presentation of Evidence and Testimony: The Director submitted the Exhibits, a packet of documents consisting of: Exhibit 1 – Notice of Public Hearing, dated January 4, 2018; Exhibit 2 – A redacted Application as filed with the Governor's Office of Energy on November 28, 2017; Exhibit 3 – Fiscal Impact of the partial abatement of Property Tax as required by NRS 701A.375-1 by the Nevada Department of Taxation, received on December 8, 2017; Exhibit 4 – Fiscal Impact of the partial abatement of Sales and Use Tax as required by NRS 701A.375-1 by the Nevada Department of Taxation received on December 7, 2017; Exhibit 5 – Fiscal Impact of the partial abatement as provided by the Governor's Office of Finance, required by NRS 701A.375-1, received on December 7, 2017; Exhibit 6 – Pre-filed Testimony of Lawrence Greene. The Director admitted the Exhibits into evidence in this matter.

The parties present introduced themselves. The Director asked if Techren Solar II, LLC intended to call a witness to testify, they did not have any additional testimony other than the pre-filed testimony.

Director Dykema asked whether the applicant wanted to make an opening statement, the applicant did not. Director Dykema asked whether the document marked as Exhibit 6 was prepared by Mr. Greene and he stated it was.

The Director asked if there was any additional information to be submitted in this matter. Mr. Alstead asked Mr. Greene to state changes to the response provided in the application regarding construction. Mr. Greene stated that the construction of Techren Solar II, LLC will be delayed by about 3 months due to the delay in permits. Director Dykema then asked whether someone else would like to be heard in this matter, there were no further comments.

The Director asked whether anyone would like to make a closing statement, there were no closing statements.

The Director closed the evidentiary portion of the hearing and thanked everyone for their testimony.

7. The Director stated her findings and conclusions based upon the substantial, reliable, and credible evidence presented in the exhibits and testimony.

As to NRS 701A.360 (1), the Director found that the applicant intends to locate within this State a facility for the generation of solar renewable energy, thus meeting the intent of the statute. As to NRS 701A.360(2), the Director found that the facility is not owned, operated, leased, or controlled by a government agency, thus meeting the requirement of the statute. The Director found that NRS 701A.365(1)(a)(1) has been met by this renewable energy project, as the facility is expected to continue in operation in this State for a period of at least 10 years and is expected to continue to meet the eligibility requirements for the abatement. As to NRS 701A.365(1)(b), the applicant has provided information supporting testimony that all the necessary state and local permits and licenses to construct and operate will be received, thus meeting the requirement of the statute. As to NRS 701A.365(1)(c), the applicant has provided testimony that no funding for facility is or will be provided by any governmental entity in this State for the acquisition, design or construction of the facility or for the acquisition of any land therefore, thus meeting the requirement of the statute. As to NRS 701A.365(1)(d)(1), the application states that the construction of the facility will employ at least 265 full-time employees during the second quarter of construction of which at least 50% will be Nevada residents. As to NRS 701A.365(1)(d)(2), the Director found that the total capital investment in the facility is estimated to be approximately \$82,879,464, thus exceeding the \$10,000,000 capital investment required by the statute. As to NRS 701A.365(1)(d)(3), the Director found that this statute is met as the testimony presented today states that the average hourly wage that will be paid by the facility to its employees in this State, excluding management and administrative employees, is approximately \$48, which is at least 110% of the average statewide hourly wage set by DETR of \$22.15. As to NRS 701A.365 (1)(d)(4), the Director found that this statute is met as the application states that the average hourly wage that will be paid by the facility to all of its construction employees working on the facility, excluding management and administrative employees, will be approximately \$73.18, which is at least 175% of the average

statewide hourly wage set by DETR of \$22.15. As to NRS 701A.365(1)(d)(4)(I) and (II), the application states that the health insurance provided to the construction employees on the facility allows for the coverage of the dependents of the employees and will meet or exceed the standards established by the Director, thus meeting the requirement of the statute. As to NRS 701A.365(1)(f), the Director found that the benefits that will result to this State from the employment by the facility of the residents of this State and from capital investments by the facility in this State exceeds the loss of tax revenue that will result from the abatement, thus meeting the requirement of the statute. The Director found that the financial benefits to the state exceeded the abated amounts and provided each figure. The total benefits to the state of Nevada are \$128,307,756 and the total abatement is \$36,821,618.

As to NRS 701A.370(1)(a)(3), The Director found that the partial abatement of property tax did not apply during a time in which the facility was receiving an abatement for the same, other than any partial abatement provided pursuant to NRS 361.4722.

As to NRS 701A.370(1)(b)(1)(III), The Director found that the abatement will not apply during any period in which the facility was receiving another abatement or exemption from local sales and use taxes, thus meeting the requirement of the statute.

8. Approval of Application. The Director approved the application for the partial abatement of property taxes. The Director explained that after today's hearing, she will produce a written Findings of Fact, Conclusions of Law, and Order. Once the Order is issued, the Director or her representative, representatives from the Nevada Department of Taxation, and appropriate representatives of Sunshine Techren Solar II, LLC may meet to go over the terms and conditions of the Abatement Agreement and after that meeting, we will execute the Abatement Agreement.

The Director stated that as a reminder, pursuant to NRS 701A.380, a partial abatement approved by the Director will terminate upon any determination by the Director that the facility has ceased to meet any eligibility requirements for the abatement.

9. Public comment and discussion (2nd period): The Director asked if anyone had any public comment to which there was no response.

10. Adjournment: 10:26 AM.