

Application No. **26-0701SPV**

Direct Testimony of

Johnathan Hart Redlingshafer

on behalf of

(425LM 8ME LLC and the Southern Bighorn II Solar Energy and Battery Project)

Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

A. My name is Johnathan Hart Redlingshafer. My primary business address is 655 W Broadway Ste 1550, San Diego, CA 92101, although the address pertinent to this testimony exists in Moapa Band of Paiutes Indian Reservation near Clark County, Nevada.

Q. BY WHOM AND IN WHAT CAPACITY ARE YOU EMPLOYED?

A. I am employed by 425LM 8me LLC as Senior Tax Counsel for the Southern Bighorn II Solar Energy and Battery Project (the “Project”). In that capacity, I am responsible for a variety of tax matters concerning the project.

Q. ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS PROCEEDING?

A. I am testifying on behalf of 425LM 8ME LLC, the applicant in this proceeding and the owner of the Project.

Q. DOES ATTACHMENT 1 TO YOUR TESTIMONY ACCURATELY DESCRIBE YOUR BACKGROUND AND EXPERIENCE?

A. Yes, it does.

Q. WHAT IS THE PURPOSE OF YOUR DIRECT TESTIMONY IN THIS PROCEEDING?

A. The purpose of my direct testimony is to support the Application of 425LM 8ME LLC for partial abatements of sales and use taxes and real and personal property taxes pursuant to NRS 701A.300 through 701A.390, and to provide updated information regarding the construction of the Project, including the contractors and subcontractors engaged, the number of employees who will work on construction of the Project, the number of those employees who will be Nevada residents, the average hourly wage that will be paid to those employees, and the health insurance benefits that will be offered to them.

Q. HAVE YOU REVIEWED (Project) APPLICATION FOR THE PARTIAL ABATEMENTS?

A. Yes, I have.

Q. IS ALL OF THE INFORMATION IN THE APPLICATION STILL ACCURATE?

A. Yes.

Q. PLEASE PROVIDE A BRIEF SUMMARY OF THE CONSTRUCTION OF THE PROJECT.

A. The Project is an electrical generation facility consisting of an approximately 100 MWac photovoltaic solar energy facility, together with an approximately 400 MWh battery energy storage system facility, and related high-voltage and interconnection facilities, to be located on the Moapa Band of Paiutes Indian Reservation near Clark County, Nevada. The Project will be located approximately 30 miles northeast of Las Vegas, NV, west of I-15 and east of U.S. Highway 93. The solar generation project will be located on a portion of several thousand leased acres on the Moapa Reservation.

Q. PLEASE PROVIDE AN UPDATED LIST OF CONTRACTORS AND SUBCONTRACTORS.

A. 1) The primary engineering, procurement and construction contractor is McCarthy Building Companies, Inc; 2) The high voltage engineering, procurement and construction contractor is Dashiell Corporation; 3) The Battery storage system contractor is LG Energy Solutions Vertech. Please note that the 3 contractors provided above are directly contracted with 425LM 8ME LLC and the list of subcontractors thereunder is undefined and forthcoming.

Q. HOW MANY EMPLOYEES WILL WORK ON CONSTRUCTION OF THE PROJECT?

A. A total of approximately 300 employees will work on the construction of the Project over the course of construction.

Q. HOW MANY FULL-TIME EMPLOYEES WILL BE WORKING ON THE PROJECT DURING THE SECOND QUARTER OF CONSTRUCTION?

A. Approximately 150 full-time employees will be working on the construction of the Project during the second quarter of construction.

Q. HOW MANY OF THOSE EMPLOYEES WILL BE RESIDENTS OF NEVADA?

A. Of those 150 employees, a minimum of approximately 80 (53% percent) will be residents of Nevada.

Q. EXCLUDING MANAGEMENT AND ADMINISTRATIVE EMPLOYEES, WHAT WILL BE THE AVERAGE WAGE OF THE EMPLOYEES WORKING ON THE CONSTRUCTION OF THE PROJECT?

A. Excluding management and administrative employees, the average hourly wage of the employees working on the construction of the Project is approximately \$106.15 per hour.

Q. WILL EMPLOYEES WORKING ON CONSTRUCTION OF THE PROJECT BE PROVIDED A HEALTH INSURANCE PLAN, PROVIDED BY A THIRD-PARTY ADMINISTRATOR THAT INCLUDES COVERAGE FOR DEPENDENTS OF THE EMPLOYEES?

A. Yes. 425LM 8me LLC will ensure benefits, including health insurance, to its construction workforce. Benefits for all construction employees and their dependents are contractually required to meet or exceed the applicable requirements.

Q. WILL THE HEALTH INSURANCE PLAN OFFERED TO EMPLOYEES COMPLY WITH THE REQUIREMENTS OF NRS 701A.365(1)(d)(4) AND ALL APPLICABLE REGULATIONS?

A. Yes.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. The applicant taxpayer has appropriately reported several project cost areas as “real” property including substation, transmission, transformers, breakers, modules, foundations, trackers, racking, inverters, electrical system material, buildings, and BESS equipment. The classification of solar property as real property is appropriate because they are operated as a unit. This determination of real property is consistent with NRS 361.035, NAC 361.1127, 361.1133, and 361.11745, and the 2025-2026 Nevada Personal Property Manual, Appendix E.

Attachment 1

Overview of Experience

SUMMARY

Johnathan Hart Redlingshafer is an attorney & CPA with over 20 years of career experience across several industries, including more than 3 years of experience serving as the principal tax advisor for a utility scale solar and battery storage developer & independent power producer (IPP). Relevant work experience includes M&A diligence, negotiating financing and tax equity transactions, leveraging sales/use and real estate tax incentives, negotiating tax credit transfer agreements, investment tax credit (ITC) & production tax credit (PTC) mechanics, IRS safe harboring for beginning construction, energy community, domestic content (DC), prevailing wage and apprenticeship (PWA), and place in service. Accounting experience includes project finance modeling and the application of hypothetical liquidation at book value (HLBV).

EDUCATION

University of Missouri, School of Law, Master of Law in Taxation (LLM), Dec 2019
University of Kansas, School of Law, Juris Doctor (JD), May 2019

MEMBERSHIP

New York State Bar Association, License number: 1224859
Washington State Bar Association, License Number: 57514
Washington State Board of Accountancy, License Number: 50063

WORK EXPERIENCE

Attorney, Tax and Finance

- Mastered IRS safe harboring for ITC (IRC 48 & 48E) and PTC (IRC 45 & 45Y), beginning construction, construction continuity, PWA, DC, energy communities, and place in service.
- Advised legal and accounting staff regarding the M&A tax effects of project membership interest purchase agreements (MIPA), equity capital contribution agreements (ECCA), limited liability company agreements (LLCA), shared facilities agreements (SFA), and tax credit transfer agreements (TCTA).
- Negotiated PWA and DC provisions in engineering, procurement, and construction agreements (EPC).
- Managed Tax Equity project models for PV solar and BESS storage projects in 20+ states.
- Coordinate effort among ITC & PTC brokers for transferability tax credit sales & direct pay credit buyers.

- Oversaw and managed LLCA mechanics including distribution waterfall in light of member targeted allocations.
- Built and managed a portfolio tax model to forecast efficient credit retention for federal income tax appetite.
- Oversaw and managed tax treatment for sale-leaseback (IRC 467) and inverted lease transactions (IRC 50).
- Coordinated efforts among staff regarding State and Local tax incentives, including state funded bonds subsidies.
- Managed multistate income tax return for a consolidated group of 250+ entities.
- Advised payroll staff regarding federal, state, and local payroll tax compliance.
- Oversaw and advise AP staff when performing year-end IRS Form 1099 reporting.
- Developed and taught tax courses regarding DC and PWA to train procurement, construction, development and engineering staff regarding their respective areas of responsibility & IRS eligibility requirements.
- Managed and trained tax staff including 2 analysts focused on SALT and IRS safe harbor requirements.
- Consulted & presented materials to the Board of Directors and 10 VP or Director level staff.
- Hosted state DOR audits regarding renewable energy sales/use tax incentives and property tax abatement.
- Drafted memoranda regarding tax inquiries to resolve conflicting interpretations of tax law.
- Advised in-house attorneys regarding tax matters and lead tax controversy hearings.