Appendix A: TVA's Allocation Formula

Section 13 - In Lieu of Tax Payments Overview

Overview:

Section 13 of the TVA Act requires TVA to pay 'tax equivalent payments' to states in which its power operations are carried out and to counties in which it has acquired reservoir land, allocable to power purposes, or power properties that were formerly subject to local ad valorem taxation. Power operations are determined to be carried out if TVA has power sales and/or holds power property in a given state.

Calculation:

The total tax equivalent payments to be paid to the states and counties is determined by taking 5 percent of gross proceeds from the sale of power, from the prior fiscal year, (excluding sales to federal agencies, off-system sales, and interdivisional sales). The resulting amount is essentially the "bucket" of tax equivalent payments that are to be distributed to the states and counties which TVA carries out its power operations. Currently, the eight states in which TVA carries out its power operations are: Alabama, Georgia, Illinois, Kentucky, Mississippi, North Carolina, Tennessee, and Virginia. The percentage amount to be allocated to each state is determined by a two-part calculation; **1.**) 50 percent is based on the ratio of TVA power property within the respective state, compared to TVA's total net book value of power properties for the prior fiscal year, and **2.)** 50 percent is based on the ratio of power sales within the respective state, compared to TVA's total power sales for the prior fiscal year. The two percentages, calculated above, are then averaged and the resulting percentage is multiplied by the total "bucket" of tax equivalent payments to be distributed, and the resulting dollar amount represents the payments to be distributed to the respective state during TVA's fiscal year.

Direct Payments to counties:

The TVA Act also requires TVA to directly make payments to counties in which TVA has acquired/purchased reservoir land, allocable to power purposes, or power property from a privately owned and operated utility company. (E.g. TVA purchases a power plant from Southern Company in order to serve a given load in the TVA service territory. Whereas Southern Company has historically paid property taxes to the county in which this power property is located, TVA is not subject to taxation and therefore the county cannot levy property taxes for this power property. However, in an effort to keep the county whole, the TVA Act requires TVA to make payments "in-lieu" of taxes to the county.) The amount to be paid to the county is determined by taking the average of the prior two years property tax bills and the resulting amount is paid, annually, to the county for as long as TVA owns the property. In addition, any direct payments to a county reduce the amount paid directly to the state by TVA. While this reduces the total amount paid directly to the state, it doesn't change the overall tax equivalent payments that the state is due, determined above.

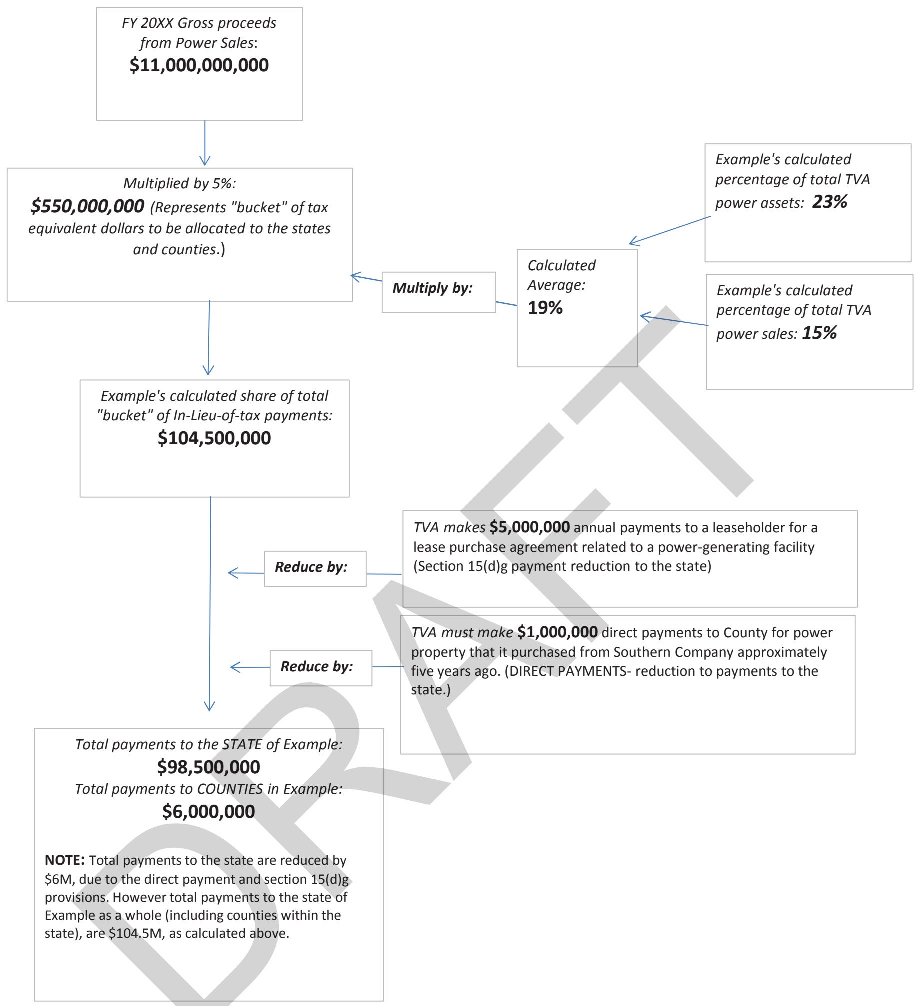
Section 15(d)g of the TVA Act:

This section recognizes that generating facilities operated by TVA under lease or lease purchase agreements constitute power property held by TVA within the meaning of Section 13. As such, any property taxes reimbursed by TVA to the leaseholder, as a result of the negotiated lease agreement, will reduce the overall amount owed to the state by TVA. This section essentially prevents a "double-dipping" on the tax payments to the county/state since TVA has already reimbursed the leaseholder for the property taxes.

Additional Facts:

- The TVA Board, each November, approves the estimated (based on unaudited financial numbers) payments, for the current fiscal year, to be paid during the months of October through August.
- In addition, the Board approves the "final" payment for September of the prior fiscal year which is based off audited financial data.
- Each state redistributes the tax equivalent payments to the counties based upon each state's individual legislation.
- Once TVA has remitted the tax equivalent payments to the individual states it has no authority to dictate how the monies are redistributed.

Example: State of Example's Tax Equivalent Payments for FY20XX



NOTE: Amounts above are for illustrative purposes only and do NOT represent actual amounts for a specific fiscal year.

Source: Schoolfield 2017.