

said § 3.08 with respect to such Expenditures and a statement that such Bondable Expenditures have not theretofore been Bonded and that the Companies are not In Default and an Opinion of Counsel to the effect that the Bondable Additions acquired by such Bondable Expenditures are subject to the lien hereof as a first lien subject only to such Prior Liens as may be specified in such Officers' Certificate and Excepted Encumbrances and that the Trustee is authorized to apply the Deposited Cash pursuant to the Request.

Whenever the application of Deposited Cash is requested pursuant to § 6.11(2) there shall be delivered to the Trustee the documents, opinions, certificates and securities required by §§ 3.06, 3.07 and 3.08 (other than the documents specified in subdivisions (1) through (5) and paragraphs (a), (b) and (c) of subdivision (6) of § 3.06) to be delivered to the Trustee in connection with the authentication and delivery of Bonds pursuant to §§ 3.02, 3.03 and 3.04, as the case may be, with such changes as may be appropriate to the application of Deposited Cash in lieu of the authentication and delivery of Bonds and, if such application is requested in lieu of authentication and delivery of Bonds under § 3.04 on the basis of Bondable Expenditures for Equipment, a supplemental indenture establishing a mandatory sinking fund with respect thereto in the manner specified in said § 3.04.

Whenever in this Indenture provision is made for the deposit of cash with the Trustee which is subject to disposition as provided in this § 6.11 such cash need not actually be deposited if and to the extent that there shall be furnished to the Trustee the documents provided for to procure the release of such cash pursuant to this § 6.11. In such event, however, such cash shall, for all purposes of this Indenture, be deemed to have been actually deposited with the Trustee and to have been paid by the Trustee to the Company pursuant to this § 6.11.