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may destroy any previous list or lists for the bonds which it may have received.

(b) The Trustee shall preserve, in as current form as is reasonably practicable, all information as to the names and addresses of holders of bonds received by it in the capacity of paying agent for the bonds of any series outstanding hereunder; provided, however, that not earlier than forty-five (45) days after any interest payment date for bonds of any series the Trustee in its capacity as paying agent may deliver to itself as Trustee a list containing the names and addresses of the holders of bonds of such series obtained from such information since the delivery of the next previous list for such series, if any, and thereupon may destroy any information received by it as paying agent for the bonds of such series and any previous list or lists for such series so delivered.

(c) The name and address of any bondholder may be filed by such bondholder with the Trustee for the purpose of receiving reports pursuant to the provisions of this Indenture. The Trustee shall preserve for a period of two years, in as current a form as is reasonably practicable, all information as to the names and addresses of the holders of bonds so filed with it, but may destroy any such information upon the expiration of two years from the date of filing the same.

§ 11.02. In case three or more holders of bonds (hereinafter referred to as "applicants") apply in writing to the Trustee and furnish to the Trustee reasonable proof that each such applicant has owned a bond for a period of at least six months preceding the date of such application, and such application states that the applicants desire to communicate with other holders of bonds with respect to their rights under this Indenture or under the bonds, and is accompanied by a copy of the form of proxy or other communication which such applicants propose to trans-

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or more of such objections, said Commission shall find, after notice and opportunity for hearing, that all the objections so sustained have been met and shall enter an order declaring the Trustee shall mail copies of such material to all such bondholders with reasonable promptness after the entry of such order and the renewal of any tender; otherwise the Trustee shall be relieved of any obligation or duty to such applicants respecting their application.

Each and every holder of the bonds and coupons, by receiving and/or holding the same, agrees with the Company and the Trustee that neither the Company nor the Trustee shall be held accountable by reason of the disclosure of any information as to the names and addresses of the holders of bonds, in accordance with the provisions of this Section, regardless of the source from which such information was derived, and that the Trustee shall not be held accountable by reason of mailing any material pursuant to a request made under this Section.

§ 11.03. The Company covenants and agrees

(a) to file with the Trustee, within fifteen (15) days after the Company is required to file the same with the Securities and Exchange Commission, copies of the annual reports and of the information, documents and other reports (or copies of such portions of any of the foregoing as such Commission may from time to time by rules and regulations prescribe pursuant to Section 314(a) of the Trust Indenture Act of 1939) which the Company may be required to file with such Commission pursuant to Section 13 or Section 15(d) of the Securities Exchange Act of 1934; or, if the Company is not required to file information, documents or reports pursuant to either of such sections, then to file with the Trustee and the Securities and Exchange Commission, in accordance with the rules and regulations prescribed from time to time by said Commission pursuant to Section 314(a) of the Trust Indenture Act

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mit, then the Trustee shall, within five business days after the receipt of such application, at its election, either

(1) afford such applicants access to the information as to holders of bonds preserved at the time by the Trustee in accordance with the provisions of § 11.01 of this Article 11; or

(2) inform such applicants as to the approximate number of holders of bonds whose names and addresses appear in the information preserved at the time by the Trustee in accordance with the provisions of § 11.01 of this Article 11, and as to the approximate cost of mailing to such bondholders the form of proxy or other communication, if any, specified in such application.

If the Trustee shall elect not to afford to such applicants access to such information, the Trustee shall, upon the written request of such applicants, mail to each bondholder whose name and address appears in the information preserved at the time by such Trustee in accordance with the provisions of § 11.01 of this Article 11, a copy of the form of proxy or other communication which is specified in such request, with reasonable promptness after a tender to the Trustee of the material to be mailed and of payment, or provision for the payment, of the reasonable expenses of such mailing, unless within five days after such tender the Trustee shall mail to such applicants, and file with the Securities and Exchange Commission together with a copy of the material to be mailed, a written statement to the effect that, in the opinion of the Trustee, such mailing would be contrary to the best interests of the holders of bonds, or would be in violation of applicable law. Such written statement shall specify the basis of such opinion. If said Commission, after opportunity for hearing upon the objections specified in the written statement so filed, shall enter an order refusing to sustain any of such objections, or if, after the entry of an order sustaining one

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of 1939, such of the supplementary and periodic information, documents and reports which may be required pursuant to Section 13 of the Securities Exchange Act of 1934 in respect of a security listed and registered on a national securities exchange as may be prescribed from time to time in such rules and regulations;

(b) to file with the Trustee and the Securities and Exchange Commission, in accordance with the rules and regulations prescribed from time to time by said Commission pursuant to Section 314(a) of the Trust Indenture Act of 1939, such additional information, documents and reports with respect to compliance by the Company with the conditions and covenants provided for in this Indenture as may be required from time to time by such rules and regulations, including, in the case of annual reports, if required by such rules and regulations, certificates or opinions of independent public accountants as to compliance with conditions or covenants, compliance with which is subject to verification by accountants, but no such certificate or opinion shall be required as to (i) dates or periods not covered by annual reports required to be filed by the Company, in the case of conditions precedent which depend upon a state of facts as of a date or dates or for a period or periods different from that required to be covered by such annual reports, or (ii) the amount and value of property additions (other than certificates or opinions of engineers, appraisers or other experts as to the fair value to the Company of any property additions made the basis for the authentication and delivery of bonds, the withdrawal of cash constituting a part of the trust estate, or the release of property or securities subject to the lien of this Indenture, which are required to be filed with the Trustee by the provisions of Subdivision (c) of § 12.02 of Article 12 of this Indenture) or (iii) the adequacy of depreciation, maintenance or repairs;