

names and addresses of the holders of Bonds obtained from such information since the delivery of the next previous list, if any; (3) destroy any list delivered to itself as Trustee which was compiled from information received by it as paying agent upon receipt of a new list so delivered; and (4) destroy any information received by it pursuant to the provisions of paragraph (2) of subsection (c) of § 8.04, but not until two years after such information has been filed with it.

(b) In case three or more holders of Bonds outstanding under the Indenture (hereinafter referred to as "applicants") apply in writing to the Trustee, and furnish to the Trustee reasonable proof that each such applicant has owned one or more Bonds outstanding under the Indenture 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 the other holders of Bonds with respect to their rights under the Indenture or under the Bonds, and is accompanied by a copy of the form of proxy or other communication which such applicants propose to transmit, then the Trustee shall, within five business days after the receipt of such application, at its election, either

(1) afford to such applicants access to the information preserved at the time by the Trustee in accordance with the provisions of subsection (a) of this § 8.02; 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 subsection (a) of this § 8.02, 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 the Trustee in accordance with the provisions of subsection (a) of this § 8.02 a copy of the form of proxy or other communication which is specified in such request,

## ARTICLE 8.

*None of the provisions of the following Article 8 shall be effective for any purpose unless and until this Indenture shall be qualified under the Trust Indenture Act of 1939. Upon such qualification, however, all such provisions shall become operative for all purposes.*

## BONDHOLDERS' LISTS AND REPORTS BY THE COMPANY AND THE TRUSTEE.

§ 8.01. The Company covenants and agrees that it will furnish or cause to be furnished to the Trustee, on or before May 1 and November 1 in each year, beginning with the May 1 of the calendar year next succeeding the qualification of this Indenture under the Trust Indenture Act of 1939, and at such other times as the Trustee may request in writing, within thirty (30) days after receipt of such request, a list in such form as the Trustee may reasonably require containing all the information in the possession or control of the Company or of any other obligor upon the Bonds or of any of the Company's paying agents (other than the Trustee), as to the names and addresses of the holders of Bonds outstanding under the Indenture obtained since the date as of which the next previous list, if any, was furnished. Any such list may be dated as of a date not more than 20 days prior to the time such information is furnished or caused to be furnished, and need not include information received after such date.

§ 8.02. (a) The Trustee shall preserve, in as current a form as is reasonably practicable, all information as to the names and addresses of the holders of Bonds outstanding under the Indenture (i) contained in the most recent list furnished to it as provided in § 8.01, (ii) received by it in the capacity of paying agent under the Indenture, and (iii) filed with it within two preceding years pursuant to the provisions of paragraph (2) of subsection (c) of § 8.04. The Trustee may (1) destroy any list furnished to it as provided in § 8.01 upon receipt of a new list so furnished; (2) destroy any information received by it as paying agent upon delivery to itself as Trustee, not earlier than 45 days after an interest payment date of the Bonds, of a list containing the