

tion 8 for such December 1 and shall be the basis for determining the amount of Bonds of the 1989 Series, if any, to be retired under the provisions of paragraph (C) of Section 7 of this Article 2 on the two interest payment dates next succeeding such December 1, unless the Company shall have filed with the Trustee, in addition thereto, prior to such December 1, a certificate of available gas supply signed by an independent engineer selected by the Company in accordance with Section 8, Article 2, of said supplemental indentures dated December 1, 1954 and April 1, 1956, in which event, if there shall be a difference in the available gas supply, determined by said two independent engineers, the report or reports designating the smaller available gas supply shall, if the Company shall so agree, be the basis for determining the amount of Bonds of the 1989 Series, if any, to be retired pursuant to paragraph (C) of Section 7 of this Article 2 on said two interest payment dates, but if the Company shall elect to have the volume of the Company's available gas supply submitted to arbitration as provided in said Section 8 of Article 2 of said two supplemental indentures, then the decision of the arbitrator shall be the basis for such determination with respect to the amount of Bonds of the 1989 Series to be retired as aforesaid. In case said arbitrator's decision is not filed with the Trustee prior to the December 1 in question, the sinking fund obligation with respect to the Bonds of the 1989 Series based upon volumes of available gas supply determined by the independent engineer selected by the Company shall control until the filing of the decision of said arbitrator with the Trustee.

SECTION 9. Those provisions of § 2.02(a), § 2.02(j), the last proviso in § 9.04 and the fourth sentence in § 9.07 of the Indenture which are stated to be effective so long as any Bonds of the 1975 Series or the 1976 Series are outstanding are and shall be deemed to be solely for the benefit of the holders from time to time of Bonds of the 1975 Series and the 1976 Series, and any of such provisions may be waived or modified at any time by the required consent or vote of the holders of Bonds of the 1975 Series and the 1976 Series as provided in the Indenture without the consent or vote of the holders of any of the Bonds of the 1989 Series then outstanding.