

or otherwise surrendered to the Trustee and cancelled (otherwise than upon expiry) of bonds of one denomination for bonds of another denomination or of coupon bonds for registered bonds or of registered bonds for coupon bonds or upon the transfer of registered bonds or in lieu of lost, mutilated, stolen or destroyed bonds, which the Company in such replacement certificate desires to make the basis of a credit under this Article III and which shall not otherwise have been bonded, and (2) the principal amount of bonds utilized under item (1) of all previous replacement certificates shall not exceed the amount of bonds not stated to be bonded, as provided by Section 3 of this Article III at the date of the replacement certificate then being filed. The amount of bonds utilized under item (2) of a replacement certificate for the first time shall be a primary deficit. To the extent that bonds are utilized under this item (2) they shall be deemed to have been bonded for all purposes of the Indenture.

(17) The amount, if any, of cash previously deposited by the Company with the Trustee pursuant to Section 3 of this Article III or previously (but after May 31, 1918) or concurrently so deposited pursuant to Section 3 of Article IV of the First, Second, Third, Fourth or Fifth Supplemental Indenture or pursuant to Section 3 of Article III of the Sixth Supplemental Indenture and not subsequently withdrawn, pursuant to subdivision (a) of Section 1 of this Article III or pursuant to subdivision (a) of Section 4 of Article IV of the First, Second, Third, Fourth or Fifth Supplemental Indenture or pursuant to subdivision (a) of Section 1 of Article III of the Sixth Supplemental Indenture.

(18) The amount, if any, hereinafter mentioned, referred to as the "replacement fund deficit", by which the aggregate of the foregoing items (a), (b), (c), (d), (e), (f), (g), (h) and (i) exceeds the cumulative replacement requirement.

(19) The amount, if any, hereinafter mentioned, referred to as the "replacement fund deficit", by which the aggregate of the amounts of the foregoing items (a), (b), (c), (d), (e), (f), (g), (h) and (i) fails to equal the cumulative replacement requirement.

Each replacement certificate shall be accompanied by the officers' certificate, together with a certificate and independent engineer's certificate, opinion of counsel, instruments of conveyance and transfer and other documents described in Article III of the Indenture to the extent that they are necessary to establish the facts with respect to items (c), (d), (e) and (f) set forth in the replacement certificate, except that, subject to the provisions of Section 11 of the Indenture, the Company may incorporate by reference any such certificate, opinion, instruments or documents previously

or concurrently filed with the Trustee under the Indenture or any supplemental Indenture.

Any replacement certificate filed under the provisions of Article IV of the Second, Third, Fourth or Fifth Supplemental Indenture or under the provisions of Article III of the Sixth Supplemental Indenture shall be deemed to have been filed under the provisions of the Article III of the Indenture or after the execution of the Seventh Supplemental Indenture, and insofar as a replacement certificate filed under provisions of Article IV of the Second, Third, Fourth or Fifth Supplemental Indenture or under the provisions of Article III of the Sixth Supplemental Indenture or under the provisions of Article III of the Indenture contains the same information and is accompanied by the same certificate, opinions and other documents as are required by this Article III, it shall be deemed to fulfill the requirements of this Article III as though filed pursuant to the provisions of this Article III, and furthermore by the Company with the provisions of Article IV of the Second, Third, Fourth or Fifth Supplemental Indenture and with the provisions of Article III of the Sixth Supplemental Indenture shall be deemed to be in compliance with Article III of this Seventh Supplemental Indenture.

Notwithstanding any provision of the Indenture or any supplemental Indenture:

(1) for purposes of a replacement certificate filed hereunder, property additions furnished and constructed by the Company subsequent to May 31, 1918, and prior to 1920, and bonds paid, redeemed or otherwise surrendered to or deposited with the Trustee subsequent to May 31, 1918, shall not be deemed to be bonded, and the utilization shall not be limited or prohibited by reason of the utilization of such or (1) of a maintenance and replacement fund certificate filed in compliance with the provisions of Article IV of the First Supplemental Indenture or under items (c), (d), (e) or (f) of a replacement certificate filed in compliance with the provisions of Article IV of the Second, Third, Fourth or Fifth Supplemental Indenture or in compliance with the provisions of Article III of the Sixth Supplemental Indenture; and

(2) for purposes of a maintenance and replacement certificate filed in compliance with the provisions of Article IV of the First Supplemental Indenture or of a replacement certificate filed in compliance with the provisions of Article IV of the Second, Third, Fourth or Fifth Supplemental Indenture or in compliance with the provisions of Article III of the Sixth Supplemental Indenture, property additions,