deemed to be the fair value of such property for the purpose of subdivision (b) of this Section.

Section 3. The Trustee shall, within ninety (90) days after the occurrence thereof, give to the holders of Bonds, in the manner and to the extent provided in subsection (c) of Section 2 of this Article, notice of all defaults known to the Trustee, unless such defaults shall have been cured before the giving of such notice (the term "defaults" for the purposes of this Section being hereby defined to be the events specified in Section 1 of Article IX of this Indenture not including any periods of grace provided for in said Section 1); but in the case of any default, as specified in subdivision (c) of said Section 1, no such notice shall be given until at least sixty (60) days after the occurrence thereof; provided that, except in the case of default in the payment of the principal of or interest on any of the Bonds, or in the payment of any installment of any fund required to be applied to the purchase or redemption of any of the Bonds hereby secured, the Trustee shall be protected in withholding such notice if and so long as the board of directors, executive committee, or a trust committee of directors and/or responsible officers, of the Trustee in good faith determines that the withholding of such notice is in the interest of the Bondholders and any separate or co-trustee who is an individual shall be protected in withholding such notice if and so long as such separate or co-trustee in good faith determines that the withholding of such notice is in the interest of the Bondholders.

The term "responsible officers" of the Trustee shall mean and include the chairman of the board of directors, the president, every vice-president, every assistant vice-president, the secretary, the treasurer, and every officer and assistant officer of the Trustee, other than those specifically above mentioned, to whom any corporate trust matter is referred because of his knowledge of, and familiarity with, a particular subject; and the term "responsible officer", as used in this Indenture, shall mean and include any of said officers.

Section 4. Section 23 of Article IV of the Original Indenture is amended by inserting in the seventh line of the third paragraph thereof the words "within five days" immediately after the word "may," contained therein, and by inserting in place of paragraph (ii) of said section the following:

"(ii) If the Trustee shall elect not to afford to such applicant Bondholder access to such information, the Trustee shall upon written request of such applicant Bondholder mail to all Bondholders whose names and addresses appear in the most recent information in the possession of the Trustee, 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 mailing, unless within five days after such tender the Trustee shall mail to such applicant Bondholder 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 a 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 or more of such objections, said Commission shall find, after notice and opportunity for a hearing, that all the objections so sustained have been met, and shall enter an order so 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 such tender; otherwise the Trustee shall be relieved of any obligation or duty to such applicant Bondholder respecting his application."

Neither the Trustee, nor any paying agent shall be held liable or accountable by reason of the disclosure of information as to names and addresses or mailing of any material pursuant to any request made under this Section.

ARTICLE XX.

Section 1. If any provision of this Indenture limits, qualifies, or conflicts with another provision of this Indenture which has been required to be included pursuant to any requirements of Sections 310 to 317, inclusive, of the Trust Indenture Act of 1939, such required provision shall control.