

(B) In order to establish the net amount of additional property available as a basis for the authentication and delivery of Bonds pursuant to this § 3.04, or for the release of cash in lieu thereof pursuant to § 3.07, or for the release of other cash or property in lieu thereof, or use of credits, to the extent herein provided, the Company may at any time or from time to time file with the Trustee the following documents collectively constituting and referred to as an "additional property certificate", namely:

(a) A certificate of the Company dated as of a date not more than 60 days prior to the filing thereof (hereinafter called the date of such certificate) with the Trustee signed also by an engineer and an accountant setting forth in substance:

(1) that (i) the Company has acquired by purchase, construction or otherwise and charged to its fixed property accounts between stated dates additional property (not theretofore certified to the Trustee), and the cost of such additional property, which additional property shall be described, by reference to the appropriate division or subdivision of the Company's fixed property accounts to which the same has been charged or in such other reasonable detail as the Trustee shall require, in the certificate or in an exhibit attached thereto and by reference made a part thereof; and (ii) the unused amount of additional property, representing additional property, if any, certified to the Trustee as an Additions Credit more than five years prior to the date of this certificate and showing separately the cost of such additional property;

(2) that such additional property has not theretofore been funded;

(3) (a) the aggregate fair value as of the date of such certificate and the aggregate amount of additional property so described pursuant to clause (i) of (1) above, (b) showing the aggregate fair value of the additional property, if any, shown in clause (ii) of (1) above, and (c) the aggregate amount of additional property being certified to the Trustee in this certificate.

(4) the sum of (a) the aggregate amount of additional property shown in clause (c) of (3) above and (b) the aggregate

as and on a parity with the Bonds theretofore issued and then outstanding hereunder; (5) that provision has been made for the lawful payment of any mortgage or other tax, if any, imposed in connection with the issuance of said Bonds; and (6) that the Trustee is duly authorized hereunder to authenticate and deliver said Bonds.

(d) The officially authenticated certificates or other documents evidencing action by governmental authorities, if any, specified in such opinion of counsel or other evidence satisfactory to the Trustee that such consent or approval has been given.

(e) In the event that any of the Bonds applied for are of a series not theretofore established, a supplemental indenture, duly executed by the Company, setting forth the form or forms of, and other terms and provisions of or in respect of, the Bonds of such new series.

(f) A certificate of the Company and an opinion of counsel, dated not more than thirty (30) days prior to the filing thereof with the Trustee, as to compliance with conditions precedent.

The Company may furnish resolutions, certificates and opinions supplementary to those originally filed with respect to any additional property or other matters certified to the Trustee for the purpose of evidencing subsequent changes in respect thereof or in the availability thereof as a basis for the authentication and delivery of Bonds or for other purposes hereunder or to correct any errors in any such resolutions, certificates or opinions theretofore filed.

§ 3.04. *Authentication and Delivery of Bonds Against Net Amount of Additional Property.* (A) Bonds may be authenticated and delivered from time to time pursuant to this § 3.04 (but only upon compliance with § 3.03) to an aggregate principal amount not to exceed sixty per centum (60%) of the aggregate net amount of additional property, shown by all additional property certificates then or theretofore furnished to the Trustee pursuant to this § 3.04, not theretofore funded including the net amount of additional property made the basis for the establishment of the aggregate amount of Additions Credit which remains unfunded and available for use.