

(iii) any court of competent jurisdiction, (such determination by (i), (ii) or (iii) being hereafter referred to in this Section 12.2 as the "official determination") to be subject to Federal income tax (except as a result of any such Note being held by a substantial user of the financed facilities or a related person as defined in Section 103(b)(6)(C) of the Internal Revenue Code of 1954, as amended)

the Lessee agrees to pay interest on the Series 1980 Note at a rate of interest equal to the sum of (i) the prime commercial lending rate of Mortgagee in Greenville, South Carolina, and (ii) 1% per annum (the Taxability Rate) from the date on which interest on the Series 1980 Note became, or was determined to have become, taxable, to the date of maturity or earlier prepayment of principal of the Series 1980 Note in order that the owner of the Note during the period when interest thereon was subject to Federal income taxation as a result of an official determination shall be entitled to receive interest thereon at the Taxability Rate during such period; provided that Lessee shall be entitled to a credit against such interest at the Taxability Rate in the amount of any interest previously paid on the Series 1980 Note during the period when interest thereon was subject to Federal income taxation. The obligation of the Lessee under this Section 12.2 shall survive any termination of the Lease Term.