

shall have been made, the resigning Trustee may apply to any court of competent jurisdiction for the appointment of a successor trustee.

(b) In the event that the Trustee shall fail to comply with the provisions of subdivision (a) of this section, the Trustee shall, within ten days after the expiration of such ninety-day period, transmit notice of such failure by mail to the holders of Bonds whose names and addresses appear in the information preserved at the time by the Trustee in accordance with the provisions of Section 5.02 hereof and to the registered holders of Bonds, as the names and addresses of such holders appear on the registration books of the Obligors.

(c) Subject to the provisions of Section 7.11, any Bondholder who has been a bona fide holder of a Bond issued hereunder for at least six months may, on behalf of himself and all others similarly situated, petition any court of competent jurisdiction for the removal of the Trustee, and the appointment of a successor trustee, if the Trustee shall fail, after written request therefor by such holder, to comply with the provisions of subdivision (a) of this section.

(d) For the purposes of this section, the Trustee shall be deemed to have a conflicting interest if—

(1) The Trustee is trustee under another indenture under which any other securities, or certificates of interest or participation in any other securities, of any of the Obligors are outstanding unless such other indenture is a collateral trust indenture under which the only collateral consists of Bonds issued under this Indenture; provided, however, that there shall be excluded from the operation of this subparagraph (1) any other indenture or indentures under which other securities or certificates of interest or participation in other securities of the Obligors are outstanding, if the Obligors shall have sustained the burden of proving, on application to the Securities and Exchange Commission and after opportunity for hearing thereon, that trusteeship under this Indenture and such other indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the trustee from acting as such under one of such indentures;