

Edgar Filing: EASTERN AMERICAN NATURAL GAS TRUST - Form 10-Q

EASTERN AMERICAN NATURAL GAS TRUST  
Form 10-Q  
November 19, 2002

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

FORM 10-Q

(Mark One)

QUARTERLY REPORT UNDER SECTION 13 OR 15 (d)  
OF THE SECURITIES EXCHANGE ACT OF 1934

For the quarterly period ended September 30, 2002

OR

TRANSITION REPORT PURSUANT TO SECTION 13 OR 15 (d)  
OF THE SECURITIES EXCHANGE ACT OF 1934

For the transition period from \_\_\_\_\_ to \_\_\_\_\_

Commission File Number 1-11748

EASTERN AMERICAN NATURAL GAS TRUST  
(Exact name of registrant as specified in its charter)

Delaware  
(State or other jurisdiction of  
incorporation or organization)

36-7034603  
(I.R.S. Employer  
Identification No.)

The Bank of New York  
Care of BNY Midwest Trust Company  
2 North Lasalle Street  
Chicago, Illinois 60602  
(Address of principal executive offices)  
(Zip Code)

(312) 827-8553  
(Registrant's telephone number, including area code)

Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports) and (2) has been subject to such filing requirements for the past 90 days.

Yes  No

As of November 19, 2002, 5,900,000 Units of Beneficial Interest in Eastern American Natural Gas Trust were outstanding.

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ITEM 1. Financial Statements

EASTERN AMERICAN NATURAL GAS TRUST  
STATEMENTS OF DISTRIBUTABLE INCOME  
(Unaudited)

	Nine Months Ended September 30		
	2002 ----	2001 ----	2002 ----
Royalty Income	\$6,412,497	\$11,020,013	\$2,449,27
Operating Expenses:			
Taxes on production and property	436,647	747,026	165,48
Operating cost charges	376,506	384,831	125,23
	-----	-----	-----
Total Operating Expenses	813,153	1,131,857	290,71
	-----	-----	-----
Net Proceeds to the Trust	5,599,344	9,888,156	2,158,56
General and Administrative Expenses	(449,823)	(411,156)	(129,35
Interest Income	1,404	4,228	38
Cash Proceeds on Sale of Net Profits Interests	492,043	0	
	-----	-----	-----
Distributable Income	\$5,642,968	\$9,481,228	\$2,029,59
	=====	=====	=====
Distributable Income Per Unit (5,900,000 Trust Units authorized and outstanding)	\$0.9564	\$1.6070	\$0.344
	=====	=====	=====

The accompanying notes are an integral part of these financial statements.

EASTERN AMERICAN NATURAL GAS TRUST  
STATEMENTS OF ASSETS, LIABILITIES AND TRUST CORPUS

September 30, 2002

December 31, 2001

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(Unaudited)

Assets:

Cash	\$ 387	\$ 1,201
Net Proceeds Receivable	2,158,565	1,957,988
Net Profits Interests in Gas Properties	93,162,180	93,162,180
Accumulated Amortization	(53,355,617)	(49,992,199)
	-----	-----
Total Assets	\$41,965,515	\$45,129,170
	=====	=====

Liabilities and Trust Corpus:

Trust General and Administrative Expenses Payable	\$ 129,358	\$ 172,034
Distributions Payable	2,029,594	1,787,155
Trust Corpus (5,900,000 Trust Units authorized and outstanding)	39,806,563	43,169,981
	-----	-----
Total Liabilities and Trust Corpus	\$41,965,515	\$45,129,170
	=====	=====

The accompanying notes are an integral part of these financial statements.

EASTERN AMERICAN NATURAL GAS TRUST  
STATEMENT OF CHANGES IN TRUST CORPUS  
(Unaudited)

	Nine Months Ended September 30, 2002	Nine Months Ended September 30, 2001
	-----	-----
Trust Corpus, Beginning of Period	\$43,169,981	\$47,650,950
Distributable Income	5,642,968	9,481,228
Distributions Payable to Unitholders	(5,642,968)	(9,481,228)
Amortization of Net Profits Interests in Gas Properties	(3,363,418)	(3,366,575)
	-----	-----
Trust Corpus, End of Period	\$39,806,563	\$44,284,375
	=====	=====

The accompanying notes are an integral part of these financial statements.

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## EASTERN AMERICAN NATURAL GAS TRUST

### NOTES TO UNAUDITED FINANCIAL STATEMENTS

#### NOTE 1. Organization of the Trust

The Eastern American Natural Gas Trust (the "Trust") was formed under the Delaware Business Trust Act pursuant to a Trust Agreement (the "Trust Agreement") among Eastern American Energy Corporation ("Eastern American"), as grantor, Bank of Montreal Trust Company, as Trustee ("Trustee"), and Wilmington Trust Company, as Delaware Trustee (the "Delaware Trustee"). The Trust was formed to acquire and hold net profits interests (the "Net Profits Interests") created from the working interests owned by Eastern American in 650 producing gas wells and 65 proved development well locations in West Virginia and Pennsylvania (the "Underlying Properties"). The Net Profits Interests consisted of a royalty interest in 322 wells and a term interest in the remaining wells and locations. Prior to or on May 15, 2013, the Trustee is required to sell the royalty interests and liquidate the Trust.

On March 15, 1993, 5,900,000 Depositary Units were issued in a public offering at an initial public offering price of \$20.50 per Depositary Unit. Each Depositary Unit consists of beneficial ownership of one unit of beneficial interest ("Trust Unit") in the Trust and a \$20 face amount beneficial ownership interest in a \$1,000 face amount zero coupon United States Treasury Obligation ("Treasury Obligation") maturing on May 15, 2013.

Effective May 8, 2000, The Bank of New York acquired the corporate trust business of the Bank of Montreal Trust Company / Harris Trust. Consequently, The Bank of New York serves as Trustee.

The Net Profits Interests are passive in nature, and neither the Trustee nor the Delaware Trustee has management control or authority over, nor any responsibility relating to, the operation of the properties subject to the Net Profits Interests. The Trust Agreement provides, among other things, that the Trust shall not engage in any business or commercial activity or acquire any asset other than the Net Profits Interests initially conveyed to the Trust; the Trustee may establish a reserve for payment of any liability which is contingent, uncertain in amount or that is not currently due and payable; the Trustee is authorized to borrow funds required to pay liabilities of the Trust, provided that such borrowings are repaid in full prior to further distributions to Unitholders; and the Trustee will make quarterly cash distributions to Unitholders from funds of the Trust.

#### NOTE 2. Basis of Presentation

The information furnished is based upon certain estimates of production for the periods presented and is therefore subject to adjustment in future periods to reflect actual production for the periods presented. The information furnished reflects all adjustments which are, in the opinion of the Trustee, necessary for a fair presentation of the results for the interim periods presented. The accompanying financial statements are unaudited interim financial statements, and should be read in conjunction with the audited financial statements and notes thereto included in the Trust's Annual Report on Form 10-K for the year ended December 31, 2001.

#### NOTE 3. Trust Accounting Policies

The Trust serves as a pass-through entity, with items of depletion,

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interest income and expense, and income tax attributes being based upon the status and elections of Unitholders. Thus, the Statements of Distributable Income show Distributable Income, defined as Trust income available for distribution to Unitholders before application of those Unitholders' additional expenses, if any, for depletion, interest expense, and income taxes. The Trust uses the accrual basis to recognize revenue, with Royalty Income recognized as reserves are extracted from properties and sold. Expenses are also presented on an accrual basis. Actual cash receipts will vary from the accrual of revenues due to, among other reasons, the payment provisions of the gas purchase contract between the Trust and Eastern Marketing Corporation (a subsidiary of Eastern American), which requires payment with respect to gas production for a calendar quarter to be made to the Trust on or before the tenth day of the third month following such quarter.

Net Profits Interests in Gas Properties are periodically assessed to determine whether their net capitalized cost is impaired. The Trust will determine if a writedown is necessary to its investment in the Net Profits Interests in gas properties to the extent that total capitalized costs, less accumulated amortization, exceed undiscounted future net revenues attributable to proved gas reserves of the Underlying Properties. The Trust will then provide a writedown to the extent that the net capitalized costs exceed the discounted future net revenues attributable to proved gas reserves of the Underlying Properties. Any such writedown would not reduce Distributable Income, although it would reduce Trust Corpus.

Amortization of the Net Profits Interests in Gas Properties is calculated on a units-of-production basis, whereby the Trust's cost basis in the properties is divided by total Trust proved reserves to derive an amortization rate per reserve unit. Such amortization does not reduce Distributable Income, rather it is charged directly to Trust Corpus.

### NOTE 4. Income Taxes

The Trust is a grantor trust and is not required to pay federal or state income taxes. Accordingly, no provision for federal or state income taxes has been made. All income is taxed to the Unitholders of the Trust.

## ITEM 2. Management's Discussion and Analysis of Financial Condition and Results of Operations

### Cautionary Statement

The Trustee and Eastern American, its officers or its agents on behalf of the Trust may, from time to time, make forward-looking statements (other than statements of historical fact). When used herein, the words "anticipates," "expects," "believes," "intends" or "projects" and similar expressions are intended to identify forward-looking statements. To the extent that any forward-looking statements are made, the Trust is unable to predict future changes in gas prices, gas production levels, economic activity, legislation and regulation, and certain changes in expenses of the Trust. In addition, the Trust's future results of operations and other forward-looking statements contained in this item and elsewhere in this report involve a number of risks and uncertainties. As a result of variations in such factors, actual results may differ materially from any forward-looking statements. Some of these factors are described below. The Trustee and Eastern American, disclaims any obligations to update forward looking statements and all such forward-looking statements in this document are expressly qualified in their entirety by the cautionary statements in this paragraph and by the statements in the Annual Report on Form

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10-K.

### General

The Trust does not conduct any operations or activities. The Trust's purpose is, in general, to hold the Net Profits Interests, to distribute the cash proceeds to Unitholders which the Trust receives in respect of the Net Profits Interests (net of Trust expenses), and to perform certain administrative functions in respect of the Net Profits Interests and the Depositary Units. Accordingly, the Trust derives substantially all of its income and cash flows from the Net Profits Interests. The Trust has no source of liquidity or capital resources other than the cash flows from the Net Profits Interests.

The Net Profits Interests were created pursuant to conveyances (the "Conveyances") from Eastern American to the Trust. In connection therewith, Eastern American assigned its rights under a gas purchase contract (the "Gas Purchase Contract") which obligates Eastern Marketing Corporation, a subsidiary of Eastern American, to purchase all of the natural gas produced from the Underlying Properties which is attributable to the Net Profits Interests.

The Conveyances and the Gas Purchase Contract entitle the Trust to receive an amount of cash for each calendar quarter equal to the Net Proceeds for such quarter. "Net Proceeds" for any calendar quarter generally means an amount of cash equal to (a) 90% of a volume of gas equal to (i) the volume of gas produced during such quarter attributable to the Underlying Properties less (ii) a volume of gas equal to "Chargeable Costs" for such quarter, multiplied by (b) the applicable price for such quarter under the Gas Purchase Contract. "Chargeable Costs" is that volume of gas which equates in value, determined by reference to the relevant sales price under the Gas Purchase Contract or the Conveyances, as applicable, to the sum of the "Operating Cost Charge", "Capital Costs" and "Taxes". The "Operating Cost Charge" for 2002 is based on an annual rate of \$503,354, and for 2001 was an annual rate of \$513,106. In subsequent years, the Operating Cost Charge will fluctuate based on the index of average weekly earnings of Crude Petroleum and Gas Production Workers (published by the United States Department of Labor, Bureau of Labor Statistics), but not more than 5% per year. The Operating Cost Charge was not increased as Development Wells were completed but will be reduced for each well that is sold (free of the Net Profits Interests) or plugged and abandoned. "Capital Costs" means Eastern American's working interest share of capital costs for operations on the Underlying Properties, but only for items having a useful life of at least three years, and not including any capital costs incurred in drilling the Development Wells. "Taxes" means ad valorem taxes, production and severance taxes, and other taxes imposed on the Trust's interest in the Underlying Properties, or production therefrom.

Pursuant to the Gas Purchase Contract, Eastern Marketing is obligated to purchase such gas production at a purchase price per Mcf equal to the Index Price. The Index Price for any quarter is determined solely by reference to the Variable Price component. The Variable Price for any quarter is equal to the Henry Hub Average Spot Price (as defined) per MMBtu plus \$0.30 per MMBtu, multiplied by 110% to effect a fixed adjustment for Btu content. The Henry Hub Average Spot Price is defined as the price per MMBtu determined for any calendar quarter equal to the price obtained with respect to each of the three months in such quarter, in the manner specified below, and then taking the average of the prices determined for each of such three months. The price determined for any month of such quarter is equal to the average of (i) the final settlement price per MMBtu for Henry Hub Gas Futures Contracts (as defined below), as reported in The Wall Street Journal, for such contracts which expired in each of the five months prior to such month, (ii) the final settlement price per MMBtu for Henry Hub Gas Futures Contracts, as reported in The Wall Street Journal, for such contracts which expire during such month and (iii) the closing settlement price per MMBtu of Henry Hub Gas Futures Contracts determined as of the contract

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settlement date for such month, as reported in The Wall Street Journal, for such contracts which expire in each of the six months following such month. A Henry Hub Gas Futures Contract is defined as a gas futures contract for gas to be delivered to the Henry Hub that is traded on the New York Mercantile Exchange.

Accordingly, the Index Price payable to the Trust for production may be higher or lower based on the fluctuations in natural gas futures prices during the relevant calculation period. The price payable to the Trust will have a direct impact, positively or negatively, on the quarterly distributions payable by the Trust to its Unitholders.

Eastern American had a disagreement with the Trust over Eastern American's obligation to drill certain Development Wells that were closely offset by third parties. The Trust agreed that in lieu of drilling these closely offset Development Wells, Eastern American could provide the Trust, on an annual basis commencing on April 1, 1997, and over the remaining life of the Trust, a volume of gas which is equal to the projected volumes of the wells as if they had been drilled. These volumes have been estimated by Ryder Scott Company, independent petroleum engineers. During the quarter ended September 30, 2002, an additional volume of 5,260 Mcf was delivered to the Trust, as compared to 5,833 Mcf for the quarter ended September 30, 2001. These additional volumes fulfill Eastern American's obligation to provide volumes for Development Wells that had been closely offset by third parties.

Eastern American has fulfilled its obligation with respect to the drilling of the Development Wells. Since the inception of the Trust, Eastern has drilled a total of 59 Development Wells, which are online and producing. (See the Trust's Form 10-K for the fiscal year ended December 31, 2001 for a more complete description of the Development Wells.)

During the quarter ended March 31, 2002, a Coal Lessee contacted Eastern American and inquired as to whether it would sell the Western Pocahontas # 7, # 8 and # 10 Wells which are wells in which the Trust owns a Net Profits Interest.

The Coal Lessee stated that the wells would materially interfere with the Coal Lessee's proposed mining operations.

Eastern American reviewed the Trust Agreement and production from these wells to determine if it could cause the Trust to sell its Net Profits Interest in the Wells. Upon review, it was discovered that the Net Profits Interest associated with the Western Pocahontas # 7 well accounted for more than .25% of the total production from the Underlying Properties for the prior twelve (12) month period. Eastern American advised the Coal Lessee that it could not sell this well.

Subsequent thereto the Coal Lessee insisted that the well needed to be plugged in order for them to proceed with their proposed mining operations. The Coal Lessee took the position that the coal estate was the dominant estate and that, under the applicable oil and gas lease and case law, the Coal Lessee could cause the Trust and Eastern American to plug and abandon the well so long as the Coal Lessee fairly compensated the Trust and Eastern American. While Eastern American and the Trust did not necessarily agree with the Coal Lessee position, the Coal Lessee threatened to institute a Declaratory Judgment Action to determine the respective interest of the parties.

As a result, and in an effort to avoid litigation, the Trust and Eastern American entered into a Settlement Agreement and Release of All Claims with the Coal Lessee pursuant to which Eastern agreed to sell the Western Pocahontas # 7 well for the amount of \$426,187 during the quarter ended March 31, 2002. The Trust's share of the proceeds of \$303,438 was distributed to the Trust during the quarter ended March 31, 2002.

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During the quarter ended June 30, 2002, the Coal Lessee purchased the two additional wells, the Western Pocahontas # 8 and #10, in which the Trust owns a net profits interest for the amount of \$209,561. The Trust's share of the proceeds of \$188,605 was included in the Distributable Income of the Trust during the quarter ended June 30, 2002.

Comparison of Results of Operations for Three Months Ended September 30, 2002  
and Three Months Ended September 30, 2001  
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The Trust's Distributable Income was \$2,029,594 for the three months ended September 30, 2002, as compared to \$2,444,134 for the three months ended September 30, 2001. This decrease was due to a decrease in the price payable to the Trust under the Gas Purchase Contract as discussed below (\$4.028 per Mcf for the three months ended September 30, 2002; \$4.514 per Mcf for the three months ended September 30, 2001). This decrease was also due to a decrease in production of gas attributable to the Net Profits Interests for the three months ended September 30, 2002 (608 Mmcf), as compared to the three months ended September 30, 2001 (636 Mmcf). The decline in production is primarily attributable to natural production declines and the sale of wells. Taxes on production and property were \$165,480 for the three months ended September 30, 2002, as compared to \$196,533 for the three months ended September 30, 2001. This decrease was due to the decrease in Royalty Income for the three months ended September 30, 2002 (\$2,449,277), as compared to the three months ended September 30, 2001 (\$2,872,137).

The price payable to the Trust for gas production attributable to the Net Profits Interests was \$4.028 per Mcf for the three months ended September 30, 2002 and \$4.514 per Mcf for the three months ended September 30, 2001. The price per Mcf was lower for the three months ended September 30, 2002, than for the corresponding three month period ended September 30, 2001, due to a decrease in the average spot market price for gas delivered at the Henry Hub near Henry, Louisiana (\$3.362 per Dth for the three months ended September 30, 2002; \$3.804 per Dth for the three months ended September 30, 2001).

Comparison of Results of Operations for Nine Months Ended September 30, 2002  
and Nine Months Ended September 30, 2001  
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The Trust's distributable income was \$5,642,968 for the nine months ended September 30, 2002, as compared to \$9,481,228 for the nine months ended September 30, 2001. This decrease was due to a decrease in the average price payable to the Trust under the Gas Purchase Contract as discussed below (\$3.615 per Mcf for the nine months ended September 30, 2002; \$5.901 per Mcf for the nine months ended September 30, 2001). This decrease was also due to a decrease in production of gas attributable to the Net Profits Interests for the nine months ended September 30, 2002 (1,772 Mmcf), as compared to the nine months ended September 30, 2001 (1,870 Mmcf). The decline in production is primarily attributable to natural production declines and the sale of wells. Taxes on production and property were \$436,647 for the nine months ended September 30, 2002, as compared to \$747,026 for the nine months ended September 30, 2001. This decrease was due to the decrease in Royalty Income for the nine months ended September 30, 2002 (\$6,412,497), as compared to the nine months ended September 30, 2001 (\$11,020,013). The Distributable Income includes Cash Proceeds on Sale of Net Profits Interests of \$492,043 for the nine months ended September 30, 2002, while no such sales were recognized in the nine months ended September 30, 2001.

The average price payable to the Trust for gas production attributable to the Net Profits Interests was \$3.615 per Mcf for the nine months ended September 30, 2002, and \$5.901 per Mcf for the nine months ended September 30, 2001. The average price per Mcf was lower for the nine months ended September 30, 2002,

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than for the corresponding nine month period ended September 30, 2001, due to a decrease in the average spot market price for gas delivered at the Henry Hub near Henry, Louisiana (\$2.987 per Dth for the nine months ended September 30, 2002; \$5.064 per Dth for the nine months ended September 30, 2001).

### ITEM 3. Quantitative and Qualitative Disclosures about Market Risk.

The Trust does not utilize market risk sensitive instruments.

### ITEM 4. Controls and Procedures.

**Evaluation of Disclosure Controls and Procedures.** The Trustee maintains disclosure controls and procedures designed to ensure that information required to be disclosed by the Trust in the reports that it files or submits under the Exchange Act of 1934, as amended, is recorded, processed, summarized and reported within the time periods specified in the SEC's rules and regulations. Disclosure controls and procedures include controls and procedures designed to ensure that information required to be disclosed by the Trust is accumulated and communicated by the working interest owner, Eastern American Energy Corporation ("Eastern American"), to The Bank of New York, as Trustee of the Trust, and its employees who participate in the preparation of the Trust's periodic reports as appropriate to allow timely decisions regarding required disclosure.

Within 90 days of the date of this report, the Trustee carried out an evaluation of the Trustee's disclosure controls and procedures. Robert Foltz, as Agent of the Trustee, has concluded that the controls and procedures are effective, while noting certain limitations on disclosure controls and procedures as set forth below.

Due to the contractual arrangements of (i) the Trust Agreement, and (ii) the rights of the Trustee under the Conveyances regarding information furnished by Eastern American, there are certain potential weaknesses that may limit the effectiveness of disclosure controls and procedures established by the Trustee or its employees and their ability to verify the accuracy of certain financial information. The contractual limitations creating potential weaknesses in disclosure controls and procedures may be deemed to include:

- o Eastern American and its consolidated subsidiaries manage (i) historical operating data, including production volumes, marketing of products, operating and capital expenditures, environmental and other liabilities, the effects of regulatory changes and the number of producing wells and acreage, (ii) plans for future operating and capital expenditures and (iii) geological data relating to reserves. While the Trustee requests material information for use in periodic reports as part of its disclosure controls and procedures, the Trustee does not manage this information, and relies entirely on Eastern American to provide accurate and timely information when requested for use in the Trust's reports.
- o Under the terms of the Trust Agreement, the Trustee is entitled to, and in fact does rely, upon certain experts in good faith, including (i) the independent reserve engineer with respect to the annual reserve report, which includes projected production, operating expenses and capital expenses, and (ii) the independent auditors the Trustee has contracted with respect to the annual audit and quarterly reviews of financial data provided by Eastern American. Other than contracting independent auditors and reviewing the financial and other information provided to the Trust by Eastern American on a quarterly basis, the Trustee makes no independent or direct verification of this financial or other information. While the Trustee has no reason to believe its reliance upon experts is unreasonable, this reliance on experts and restricted access to information may be viewed as a

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weakness.

The Trustee does not intend to expand its responsibilities beyond those permitted or required by the Trust Agreement and those required under applicable law.

Changes in Internal Controls. To the knowledge of the Trustee, there have been no significant changes in the Trust's internal controls or in other factors that could significantly affect the Trust's internal controls subsequent to the date the Trustee completed its evaluation. The Trustee notes for purposes of clarification that it has no authority over, and makes no statement concerning, the internal controls of Eastern American.

### PART II - OTHER INFORMATION

ITEM 1. Legal Proceedings.

None.

ITEM 2. Changes in Securities.

None.

ITEM 3. Defaults Upon Senior Securities.

None.

ITEM 4. Submission of Matters to a Vote of Security Holders.

None.

ITEM 5. Other Information.

For the calendar quarter ended September 30, 2002, the high and low closing prices of the Treasury Obligations (which have \$1,000 face principal amount), as quoted in the over-the-counter market for United States Treasury obligations, were \$644.20 and \$560.70 respectively. On September 30, 2002, the closing price of the Treasury Obligations, as quoted on such market, was \$644.20.

The Trust provides Unitholders with the option to separate the related Treasury Obligation from the Trust Units. Upon exercising this option, the Trustee transfers such Trust Units from the name of the Depository to the name of the withdrawing Unitholder. As of September 30, 2002, this option was exercised on 57,900 Trust Units. (See the Trust's Annual Report on Form 10-K for the fiscal year ended December 31, 2001, for a more complete description of the Withdrawal of Trust Units and Restriction on Transfer.)

ITEM 6. Exhibits and Reports on Form 8-K.

(a) Exhibits

Exhibit

Number      Description

-----      -----

3.1\*      Second Amended and Restated Trust Agreement of Eastern American Natural Gas Trust

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- 4.1\* Specimen Depositary Receipt
- 4.2\* Form of NPI Royalty Deposit Agreement
- 10.1\* Form of Conveyance
- 10.2\* Form of Term NPI Conveyance
- 10.3\* Form of Gas Purchase Contract between Eastern American Energy Corporation, Eastern American Marketing Corporation and Eastern American Natural Gas Trust
- 10.5\* Form of Conveyance of Production Payment/Assignment of Production from Eastern American Natural Gas Trust to Eastern American Marketing Corporation
- 10.6\* Form of Assignment and Standby Performance Agreement
- 99.1\*\* Certification pursuant to 18 U.S.C. Section 1350, as adopted pursuant to Section 906 of the Sarbanes-Oxley Act of 2002

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\* Incorporated by reference to the indicated exhibits to filings previously made by the Registrant with the Securities and Exchange Commission. All references are to the Registrant's Registration Statement on Form S-1, Registration No. 33-56336, except for Exhibit 3.1, which is incorporated by reference to the Registrant's Annual Report on Form 10-K for the year ended December 31, 1994.

\*\* Incorporated by reference to exhibit 99.1 to the Registrant's Current Report on Form 8-K dated November 19, 2002.

(b) Reports on Form 8-K

No reports on Form 8-K were filed during the fiscal quarter ended September 30, 2002.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

EASTERN AMERICAN NATURAL GAS TRUST

By: The Bank of New York, Trustee

/s/ Robert Foltz

-----  
Name: Robert Foltz

Title: Agent

Date: November 19, 2002

The Registrant, Eastern American Natural Gas Trust, has no principal executive officer, principal financial officer, board of directors or persons performing similar functions. Accordingly no additional signatures are available and none have been provided.

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## CERTIFICATION

I, Robert Foltz, Certify that:

1. I have reviewed this quarterly report on Form 10-Q of Eastern American Natural Gas Trust, for which The Bank of New York acts as Trustee;

2. Based on my knowledge, this quarterly report does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in light of the circumstances under which such statements were made, not misleading with respect to the period covered by this quarterly report.

3. Based on my knowledge, the financial statements, and other financial information included in this quarterly report, fairly present in all material respects the financial condition, distributable income and changes in trust corpus of the registrant as of, and for, the periods presented in this quarterly report;

4. I am responsible for establishing and maintaining disclosure controls and procedures (as defined in Exchange Act Rules 13a-14 and 15d-14), or for causing such controls and procedures to be established and maintained, for the registrant and have:

a) designed such disclosure controls and procedures, or caused such controls and procedures to be designed, to ensure that material information relating to the registrant, including its consolidated subsidiaries, is made known to us by others within those entities, particularly during the period in which this quarterly report is being prepared;

b) evaluated the effectiveness of the registrant's disclosure controls and procedures as of a date within 90 days prior to the filing date of this quarterly report (the "Evaluation Date"); and

c) presented in this quarterly report my conclusions about the effectiveness of the disclosure controls and procedures based on my evaluation as of the Evaluation Date;

5. I have disclosed, based on my most recent evaluation, to the registrant's auditors:

a) all significant deficiencies in the design or operation of internal controls which could adversely affect the registrant's ability to record, process, summarize and report financial data and have identified for the registrant's auditors any material weaknesses in internal controls; and

b) any fraud, whether or not material, that involves any persons who have a significant role in the registrant's internal controls; and

6. I have indicated in this quarterly report whether or not there were significant changes in internal controls or in other factors that could significantly affect internal controls subsequent to the date of my most recent evaluation, including any corrective actions with regard to significant deficiencies and material weaknesses.

In giving the foregoing certifications in paragraph 4, 5 and 6 above, I have relied to the extent I consider reasonable on information provided to me by

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Eastern American Energy Corporation.

/s/ Robert Foltz

-----  
Robert Foltz  
Agent  
The Bank of New York

Date: November 19, 2002

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