

AFFIDAVIT OF JOHN C. MCCARTHY

The undersigned, John C. McCarthy, being first duly sworn avers as follows:

1. I am a Vice President of Nevada Power Company ("NPC"), Plaintiff in the action captioned Nevada Power Company vs. Monsanto Company et, al, United States District Court, District of Nevada, No. CV-S-89-555-LDG-LRL.

2. My responsibilities at NPC include supervision of the Safety Services Department which includes Industrial Hygiene and overall supervision of NPC's changeout of PCB capacitors and PCB transformers.

3. Prior to July, 1988, neither I, nor to my knowledge anyone at NPC, had knowledge of the fact that PCBs are categorically dangerous, and neither I, nor to my knowledge anyone at NPC, was ever informed of this fact by any representative of Monsanto, General Electric Company ("GE") or Westinghouse Electric Corporation ("Westinghouse").

4. NPC over a period of many years prior to 1979 purchased PCB capacitors and transformers from GE and Westinghouse.

5. Prior to July, 1988, neither I, nor to my knowledge anyone at NPC, had any knowledge that GE or Westinghouse had agreed in 1972 or any other time to indemnify Monsanto against any liabilities arising out of the use by GE or Westinghouse of PCBs manufactured by Monsanto.

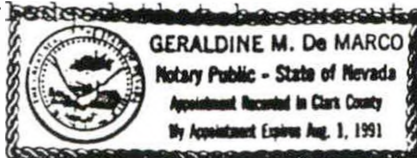
6. Prior to July 1988, neither I, nor to my knowledge anyone at NPC, was ever notified that PCBs are categorically dangerous in that they cause damage to the environment and injury and death to living organisms including human beings; nor have Monsanto, GE or Westinghouse ever provided me, nor to my knowledge anyone at NPC, with accounts of scientific reports or studies or other information from which responsible officers at NPC might have concluded that PCBs are categorically dangerous.

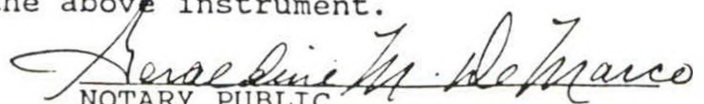
7. NPC, which has a longstanding relationship with GE and Westinghouse as major suppliers of important components of its public utility electric system, trusted GE and Westinghouse and relied on them as reputable and responsible suppliers of safe, high quality electrical equipment. On the basis of this longstanding relationship, NPC expected GE and Westinghouse to provide it with material information regarding the safety of the products NPC purchased from GE and Westinghouse, and had no reason to and did not anticipate that harm could result when products purchased from GE and Westinghouse were placed in service and utilized as recommended.


John C. McCarthy

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

On February 20, 1990 personally appeared before me a Notary Public, JOHN C. MCCARTHY, personally known to me to be the person whose name is subscribed to the above instrument, who acknowledged that he executed the above instrument.




NOTARY PUBLIC