

RECEIVED

OCT 25 2012

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

Case No. 2012-00449

LEGAL QUALIFICIATIONS OF
REBEKAH JOHNSTON TO
CONTINUE TO SERVE AS A
MEMBER OF THE BOARD OF
COMMISSIONERS OF SANDY
HOOK WATER DISTRICT

**RESPONSE OF REBEKAH JOHNSTON TO THE ORDER
OF THIS COMMISSION DATED OCTOBER 11, 2012**

1. On July 24, 2012, I was signed up for the new commissioners training as evidenced by the attached entry form and cancelled checks from Sandy Hook Water District.

2. I am a 9 ½ year survivor of stage IV throat cancer. My doctor, the doctor who has seen me through the entire ordeal, is leaving the area. He made me an appointment to see him so he could assess my health before he actually left and would turn my care over to another physician. I was unable to attend the July 24, 2012 training date due to an outpatient procedure that was relevant to the throat cancer. Attached are doctor bills and insurance statement showing that I was treated on July 24, 2012, by my ENT oncologist.

3. On September 20, 2012, the County Judge Executive of Elliott County held a public hearing pursuant to KRS65.07 before the Elliot County Fiscal Court. The “hearing” that was held consisted of Judge Exe. Fannin stating that Rebekah Johnston had not attended training and was not in compliance with the KRS statutes and that she was removed from her position at the Sandy Hook Water District.

4. Immediately after the hearing the Fiscal Court held its regular meeting. The removal was on the agenda. Judge Exe. Fannin called for a Motion and a Second to remove Rebekah Johnston from the water district board.

Judge Exe. Fannin was unable to get a motion or a second by any of the Fiscal Court members.

I was asked by the magistrates why I had not attended the July 24, 2012 training. I referenced the outpatient procedure and stated that I has re-scheduled.

Magistrate Wilson and Magistrate Wright stated that under the circumstances I should be allowed to get my training, which I have done, and all the other magistrates agreed. This matter was then tabled by the Elliot County Fiscal Court until I had the opportunity to acquire training and the matter is therefore still pending.

I have attached a copy of KRS 65.007 (2), “where the removal of an appointed member of a special district governing body is by the county judge/executive pursuant to subsection (1) of this section, the removal shall be subject to the approval of the fiscal court.

Robert’s Rules of Order, the recognized compendium of parliamentary procedure, a motion to “lay on the table” asks the body to set aside an issue. The issue remains on the body's docket until taken up again and resolved.

Judge Exe. Fannin was premature with his request for a hearing before the Public Service Commission because the Fiscal Court had not and still has not made a decision.

3. Judge Exe. Fannin was erroneous in stating that I scheduled training after the September 20, 2012, Fiscal Court Hearing. As I stated to the Fiscal Court on that date, I had re-scheduled training for October 10, 2012 immediately after I was unable to attend the July 24,

2012 training. I have completed my training on October 10-12, 2012, at General Butler State Park.

4. I would respectfully request that this Agency not act on this matter as it is still pending before the Elliot County Fiscal Court. It is unfair and violates my rights to have to be subject to two removal hearings at the same time.

Respectfully Submitted,



REBEKAH JOHNSTON
1646 KY 557
Sandy Hook, Kentucky 41171
(606) 738-6277

This is to certify that a true and correct copy of the foregoing was served by regular mail, postage prepaid, to:

Carl Fannin
Elliot County Judge Exec.
PO Box 710
Sandy Hook, KY 41171

And the original to:
Hon. Jeff Derouen
Public Service Commission
211 Sower Blvd.
Post Office Box 15
Frankfort, Kentucky 40602-0615

this 24th day of October, 2012.



REBEKAH JOHNSTON

Registration Form

10/20/02

Choose One:

- Cumberland Falls S.R.P. March 27-28 — \$55*
- Northern Kentucky W.D. May 24 — \$35*
- Kenlake S.R.P. July 24-25 — \$55*
- General Butler S.R.P. October 10-11 — \$55*
- Public Service Commission Dec. 5 — \$35*

Please return by deadline to:
 Public Service Commission
 Attn: Sonya Harward
 P.O. Box 615
 Frankfort, KY 40602
 (502) 564-3940, ext. 240
 Fax: (502) 564-1582
 Email: Sonya.Harward@ky.gov
 Make checks payable to the
 Kentucky State Treasurer.

Utility Name: Sandy Hook Water District

Contact Person: Tina Sartore

Phone #: 100 738-6282

Complete Mailing Address: P O Box 126

Email Address: Sandyhookwater@yahoo.com
(Email address is necessary to receive the agenda in advance. Please print clearly.)

Number Attending: _____ Total Amount Enclosed for Registration Fees: \$ 55.00

Name

Title / Position

NEW Commissioner?

Attending Night Session?

Rebecca Johnson

NAO Commissioner

yes or no

yes or no

yes or no

yes or no

yes or no

yes or no

yes or no

yes or no

JUN 21 2002

SANDY HOOK WATER DISTRICT
OPER. & MAINT. FUND

(606) 738-6282
P.O. BOX 726
SANDY HOOK, KY 41171

FINANCIAL JOURNAL DRAWN
SANDY HOOK, KY 41171
73-347/421

06/19/2012

000001

PAY

Fifty Five And No/100*****

AMOUNT
\$*****55.00

CHECK NO.
30701

TO THE ORDER OF

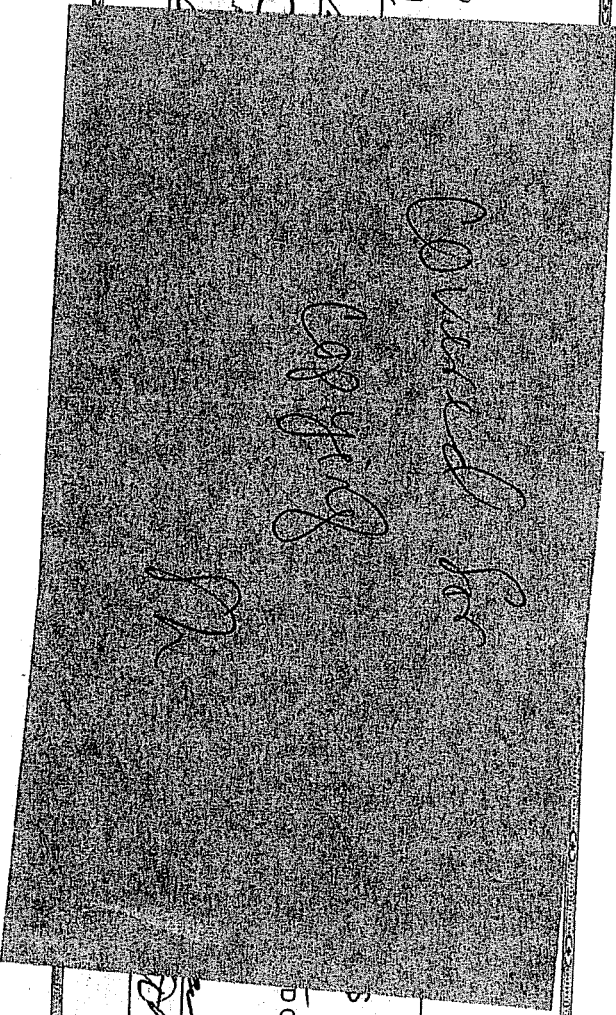
KENTUCKY STATE TREASURER
KENTUCKY DEPT. OF REVENUE
FRANKFORT, KY 40620

DOLLARS

Shirley Dastaire
AUTHORIZED SIGNATURES

THE BACK OF THIS DOCUMENT CONTAINS A FIBER WATERMARK. HOLD TO LIGHT TO VIEW.
⑈030701⑈ ⑈042103473⑈ 5511658⑈

PAY TO THE ORDER OF *Key*
One Five
FOR *Regis*



Covered for copy of R

33993

21-10/830
104

110.60
DOLLARS



REC'D JUN 21 2012
FINANCIAL JOURNAL

EM-12 for 2012

JANDY HOOK WATER DISTRICT • OPER. & MAINT. FUND

Check Date 06/19/2012 Check Number 30701

030701

Vendor Voucher Number	36 Invoice Number	Kentucky State Treasurer Invoice Number	Invoice Date	Invoice Amount	Amount Paid	Discount Taken	Net Amount
01996	July2012		06/19/2012	\$55.00	\$55.00	\$0.00	\$55.00
						Check Total	\$55.00

Potential Topics for Discussion

(Not all topics will be covered at each session)

New Commissioner Training will only be presented at Cumberland Falls, Kenlake, General Butler, and the Public Service Commission.

- Consumer Services and Issues
- Utility Law Update
- DOW Update
- Personnel Issues
- Open Records/Open Meetings
- Emergency Mgmt - Contingency Planning
- Water Quality Operational Issues
- Funding
- Budgeting and Capital Asset Planning
- Basic Water Quality Law
- Open Forum Panel Discussion
- Rate Cases and Electronic Case Filing
- Ethics
- Internal Controls

Free Consumer Services Session at 1-day seminars.

3
for 2012

Public Service Commission
Attn: Sonya Harward
P.O. Box 615
Frankfort, KY 40602

The Kentucky
Public Service Commission
presents the

2012 WATER PERSONNEL TRAINING SEMINARS

Available to representatives from
Northern Kentucky Water Association
KY Division of Water
Local Community Action Program
KY Public Service Commission
and others

March 27-28, 2012
Cumberland Falls State Resort Park
May 24, 2012
Northern Kentucky Water District
July 24-25, 2012
Kenlake State Resort Park
October 10-11, 2012
General Butler State Resort Park
December 5-6 (Newly added), 2012
Public Service Commission

RIVER CITIES EAR, NOSE & THROAT SPECIALISTS

A DIVISION OF HUNTINGTON EAR, NOSE & THROAT SPECIALISTS, PLLC

1290 13th Avenue, Suite 100, Huntington, WV 25701, (304) 522-8800

Joseph B. Touma, M.D. Scott R. Gibbs, M.D. B. Joseph Touma, M.D. Cathy M. Tincher, PA-C 1290 Montgomery Avenue, Ashland, KY 41101, (606) 329-8400

PROCEDURES			PROCEDURES (cont.)			DIAGNOSIS (cont.)			DIAGNOSIS (cont.)						
✓	CODE	DESCRIPTION	FEE	✓	CODE	DESCRIPTION	FEE	✓	CODE	DESCRIPTION	FEE	✓	CODE	DESCRIPTION	FEE
		E & M SERVICE LEVELS				ALLERGY			380.21	Aural polyp, cholesteatoma			529.6	Glossodynia	
	9920	Office/OP, New 1 2 3 4 5			95027	Skin end point titration			380.31	Hematoma auricle or pinna			241.1	Goiter, multinodular	
	9921	Office/OP, Est. 1 2 3 4 5			95024	Intradermal testing			780.4	Dizziness			784.49	Hoarseness	
	9924	Office Consult 1 2 3 4 5			95165	Multi-antigen vial 5 10			386.35	Labyrinthitis, viral			244.9	Hypothyroidism, unspecified	
	99024	Post-op visit			95115	Allergy injection			386.02	Meniere's disease, cochlear			478.75	Laryngeal spasm	
		MODIFIER			95117	Allergy injection x 2			386.04	Meniere's disease, inactive			464.00	Laryngitis, acute	
	24	Unrelated Post-op E & M				OTHER SERVICES			386.01	Meniere's disease, cochleovestibular			476.0	Laryngitis, chronic	
	25	Unrelated Post-op E & M			30901	Control nasal hemorrhage, simple			386.03	Meniere's disease, Vestibular			748.3	Laryngomolacia	
	50	Bilateral			10021	FNA			386.11	BN Paroxysmal vertigo			478.30	Larynx, vocal cord paralysis	
		PRESCRIPTION			99070	Supplies and materials			386.2	Vertigo, central			528.6	Leukoplakia	
	G8553	RX with ERX			90782	Therapeutic injection			386.12	Vestibular neuritis			289.1	Lymphadenitis, chronic	
					64613	Chemodervation of muscle (spasmodic torticollis)			781.2	Abnormal gait			784.2	Neck Mass, Lump	
	90612	Rehab/Disability consult			J0585	Botox			388.31	Tinnitus, subjective			723.1	Neck Pain	
		EAR			70486	CT scan max. sinus			225.01	Acoustic neuroma			478.5	Paradoxical vocal cord motion & other diseases	
	69210	Rem. of Cerumen			70480	CT scan temporal bones			744.03	Atresia, auditory canal			475	Peritonsillar abscess	
	G0268	Wax removal w/audiological testing			77011	CT scan stereotactic			351.0	Bell's palsy/facial paralysis			V10.03	Personal Hx MN neoplasm oral cavity & pharynx	
	69200	Rem. of foreign body			TC	Technical component			384.01	Bullous myringitis			362	Pharyngitis, acute	
	69420	Myringotomy				COMPENSATION			384.1	Chronic myringitis, w/o mention OM			472.1	Pharyngitis, chronic	
	69433	Tympanostomy w/tube			CME	Comp CME exam 1, 2, 3, 4, 5, 6, 7			931	Foreign body, ear			478.4	Polyp, vocal cord or larynx	
	69540	Exc. aural polyp			10	Records Review			380.4	Impacted cerumen			244.0	Post surgical hypothyroidism	
	69610	Tympanic membrane patch			COMP	Initial compensation exam			387.0	Otosclerosis, oval window, unspecified			527.2	Sialadenitis	
	92504	Binocular microscopy				SPEECH SERVICES			524.60	TMJ disorders, unspecified			527.5	Sialolithiasis	
	95992	Therapeutic Movement			31579	Videostroboscopy				NOSE - SINUS			315.34	Speech delay, due to hearing loss	
	69801	Labyrinthotomy				BIOPSY			477.8	Allergic rhinitis, allergen			784.5	Speech disturbance	
	69799	Unlisted Procedure			69100	External ear			477.0	Allergic rhinitis, pollen			245.2	Thyroiditis, chronic	
	69220	Debridement, mastoid cavity, simple			30100	Intranasal			472.0	Rhinitis, chronic, non-allergic			241.1	Thyroid - Goiter, Multinodular	
	69222	Debridement, mastoid cavity, complex				DIAGNOSIS			493.90	Asthma, unspecified			474.10	Tonsils & Adenoid, hypertrophy	
	69000	I&D Hematoma auricle, simple				EAR			470	Deviated nasal septum			474.11	Tonsils, hypertrophy	
		ENDOSCOPY			389.03	Hearing Loss, Conductive, ME			478.1	Disease of nasal cavity & sinus			474.00	Tonsillitis, chronic	
	92511	Unlisted Procedure			389.05	Conductive hearing loss, unilateral			784.7	Epistaxis			463	Tonsillitis, acute	
	31575	D. L. fiberoptic			389.06	Conductive hearing loss, bilateral			478.19	Other Disease/Nasal Cavity			722.6	Torticollis spasmodic	
	31231	Nasal Endoscopy			389.11	Hearing Loss, Sensorineural, bilateral				Airway Obstruction			V46.11	Trachea dependent	
	31237	Nasal End. W/debridement			389.16	Hearing Loss, SN, Asymmetrical				Septal Perforation			465.8	URI (multisite) acute	
		AUDIOLOGY			389.17	Sensory hearing loss, unilateral			471.0	Nasal polyps			478.5	Vocal cord nodules	
	92557	Audiogram, comprehensive			389.20	Hearing Loss, Mixed, Unspecified			478.19	Septal perforation			784.40	Voice disturbance	
	92552	Audiogram, air			389.21	Mixed hearing loss, unilateral			461.9	Sinusitis, acute, unspecified				OTHER	
	92553	Audiogram, air & bone			389.22	Mixed hearing loss, bilateral			461.2	Sinusitis, ethmoid, acute			212.1	BN neoplasm, larynx	
	92555	Speech audiometry threshold			388.11	Acoustic trauma explosive			473.1	Sinusitis, frontal, chronic			210.0	BN lip	
	92556	Speech threshold with discrimination			388.5	Disorders of the acoustic nerve			461.0	Sinusitis, maxillary, acute			210.2	BN parotid gland	
	92567	Tympanometry			388.2	Sudden Deafness, unspecified			473.0	Sinusitis, maxillary, chronic			216.2	BN Skin - Auditory	
	92550	Tympanometry & acoustic reflex			388.40	Abnormal auditory perception, unspecified			473.9	Sinusitis, unspecified			226	BN Thyroid Mass	
	92570	Tympanometry, reflex and decay tests			380.10	Otitis externa			786.09	Snoring			210.1	BN Tongue	
	92582	Conditioning play (sound field)			380.12	Swimmers ear			780.57	Sleep disturbance, Apnea			346.20	Migraine, variant	
	92540	Basic vestibular evaluation			388.70	Otalgia, earache			478.0	Turbinate hypertrophy			161.9	MN Larynx, unspecified	
		ENG2 VNG2			385.33	Cholesteatoma m-ear mastoid			528.9	Uvula hypertrophy			142.0	MN parotid gland (primary)	
	92543	Calorics - 4 units			382.00	Otitis media, acute				MOUTH - THROAT - NECK			193	MN Thyroid	
	92544	Optokinetic Nys.			382.1	Otitis media, chronic			474.12	Adenoids, hypertrophy			V10.21	Personal Hx MN neoplasm, larynx	
	92547	Vertical electrodes			381.10	Otitis media, serous, chronic			491.0	Bronchitis, chronic, simple			784.0	Headache	
	92546	Rotational testing			384.21	Perforation, TM, central			786.2	Cough			781.1	Hyposmia	
	92585	Auditory brain stem			384.25	Perforation, total			246.2	Cyst of the thyroid			202.80	Lymphoma, Unspecified Site	
	92587	Evoked OAE 3-6 frequencies			872.61	Perforation, TM traumatic			787.20	Dysphagia, unspecified			V58.9	Post-op care/suture removal	
	92558	Evoked OAE Screening			388.60	Otorrhea			784.49	Dysphonia, spasmodic			305.1	Tobacco Use Disorder	
	92584	Electrocochleography			381.81	Eustachian tube dysfunction			530.81	Esophageal Reflux/GERD					
	92516	Facial nerve excitability test			381.7	Patulous eustachian tube			784.99	Globus					
	92626	Aided Testing or HINT			383.33	Granulation post mastoid cavity			529.0	Glossitis					

DATE	TIME	PATIENT	REASON	PAT	PRIOR BALANCE	TO RETURN:	
07/24/12	8.45	REBEKAH L JOHNSTON		INS	0.00	DAYS	1 2 3 4 5 6 7 8 9 10
						WEEKS	1 2 3 4 5 6
						MONTHS	1 2 3 4 5 6 9 12
						DOCTOR'S SIGNATURE	
						FED. I.D. #: 55-0753941	
						Inhouse Routing	
CHART NO.	RESPONSIBLE PARTY	PHONE NO.	REFERRING DR.	TODAY'S CHARGE	TODAY'S PAYMENT		
				408	15		
RECAP	OVER 90	OVER 60	OVER 30	CURRENT	TOTAL DUE	BALANCE DUE	
	0.00	0.00	0.00	0.00	0.00		
INSURANCE COMPANY	Y	B:	SC: POLICY I.D.	RELATIONSHIP TO INSURED	SCHEDULE:		
HUMANA KY		A:		SELF	ABR	ENG	CHAIR
				SPOUSE	MRI	CT	ALLERGY
				CHILD	VIDEOSTROBE	VT	
				OTHER	Dictation		
					Dictated		
					Written		
					RECHECK WITH <input type="checkbox"/> BT <input type="checkbox"/> SRG <input type="checkbox"/> BJT <input type="checkbox"/> CMT		

CABELL HUNTINGTON HOSPITAL
1340 HAL GREER BLVD
HUNTINGTON, WV 25701

PAYMENT RECEIPT # CHH0000000000030782

DATE: 07/24/2012

PATIENT NAME: JOHNSTON, REBEKAH L

ACCOUNT #: ~~XXXXXXXXXX~~

Payment Date: 07/24/2012

SELF PAY	PATIENT PAYMENT		40.00-
Payment Method: CHECK		Check #:	
CK 2405			
	Total Today's Payments:		40.00-

TOTAL CHARGES:	\$	0.00
TODAY'S PAYMENT:	\$	40.00-
TODAY'S ADJ:	\$	0.00
PREVIOUS PYMT/ADJ:	\$	0.00
NEW BALANCE:	\$	40.00-

Thank You
AN

59579524 05-17-39-90
JOHNSTON, REBEKAH L
GIBBS, SCOTT
RPH: RAD
DOB: 05/11/1953
AGE: 59YF
RAD 07/24/2012



000019

CLAIM/CORRESPONDENCE ADDRESS & TOLL FREE#	CLAIM INFORMATION
MONUMENTAL LIFE INSURANCE COMPANY 100 LIGHT ST, FL B1 BALTIMORE MD 21202 TOLL FREE NUMBER: 1-800-638-3080 CLAIMS EXAMINER: LISA ELLIS DISTRICT/AGENT: 6D PATIENT ACCOUNT NO: ██████████	POLICY NUMBER: ██████████ CLAIM NUMBER: ██████████ PATIENT NAME: REBEKAH L JOHNSTON RELATIONSHIP: MEMBER CHECK NO: 1410558973 DATE: 08-08-2012 REQUEST NO: 22120019 INSURED NAME: REBEKAH L JOHNSTON

REBEKAH L JOHNSTON
 1646 KY 557
 SANDY HOOK KY 411718819



NAME OF PROVIDER	DATE(S) OF SERVICE	SERVICE	SUBMITTED CHARGE	BENEFIT PAID	REASON	
HLTHY WAY	07-06	07-06-12	DRUGS OUTPT	268.84	268.84	
	07-11	07-11-12	DRUGS OUTPT	21.12	21.12	
	07-11	07-11-12	DRUGS OUTPT	230.74	230.74	
RIVER CITI	07-24	07-24-12	OUTPT VISIT	120.00	40.00	I3
	07-24	07-24-12	SURGEON OUTPT	288.00	200.00	I1

REASON CODES EXPLANATIONS	BENEFIT SUMMARY
I3 THE CHARGES ARE GREATER THAN THE RATE ALLOWED UNDER YOUR PLAN. I1 CHARGES ARE GREATER THAN THE AMOUNT ALLOWED UNDER YOUR PLAN.	TOTAL BENEFIT: 760.70 OTHER INSUR ADJ: OTHER ADJ: PAYMENT: \$760.70

Form No. EOB11001
 OLD AND TEAR HERE

DETACH AND KEEP THIS STATEMENT

1001

65.007 Removal of appointed member of special district governing body -- Hearing -- Appeal.

- (1) Unless otherwise provided by state law, an appointed member of the governing body of a special district may be removed from office by the appointing authority after a hearing with notice as required by KRS Chapter 424 for inefficiency, neglect of duty, malfeasance or conflict of interest. The hearing shall be initiated and chaired by the appointing authority, who shall prepare a written statement setting forth the reasons for removal. The member to be removed shall be notified of his proposed removal and the reasons therefor by registered mail sent to his last known address at least ten (10) days prior to the hearing. The person to be removed may employ counsel to represent him. A record of the hearing shall be made by the appointing authority.
- (2) Where the removal of an appointed member of a special district governing body is by the county judge/executive pursuant to subsection (1) of this section, the removal shall be subject to the approval of the fiscal court.
- (3) A member removed pursuant to this section may appeal, within ten (10) days of the rendering of the decision or the approval of the fiscal court if required, to the Circuit Court of the county of the appointing authority. The scope of the appeal shall be limited to whether the appointing authority or the fiscal court abused their discretion in removing the member.

Effective: July 15, 1980

History: Created 1980 Ky. Acts ch. 18, sec. 1, effective July 15, 1980.