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File #: 157579

November 22, 2021

***VIA ELECTRONIC FILING***

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: IN THE MATTER OF THE JOINT APPLICATION OF THE YORK WATER COMPANY and SYC WWTP, L.P., a limited partnership of York County, Pennsylvania, Under Sections 1102(a)(1), 1102(a)(2), and 1102(a)(3) of the Public Utility Code, for (1) approval of the transfer by sale of certain public wastewater facilities and rights from SYC WWTP, L.P. to The York Water Company, (2) approval of the transfer by sale of wastewater collection facilities from Almony's Enterprise, LLC, Adhesives Research, Inc., Madison Range, Inc., Rodney L. Krebs, Rodney L. Krebs Family L.P., SCI/RLK Partners, and R.T. Barclay, Inc. to The York Water Company, (3) approval of the transfer by sale of wastewater collection facilities within Albright Trailer Park from R.T. Barclay, Inc. to The York Water Company, (4) the abandonment by SYC WWTP, L.P. of wastewater service to the public in Springfield and Shrewsbury Townships, York County, Pennsylvania, and (5) approval for The York Water Company to begin to offer, render, furnish or supply wastewater service in additional portions of Springfield and Shrewsbury Townships, York County, Pennsylvania**  
**Docket Nos. A-2021-3029231 and A-2021-3029237**

Dear Secretary Chiavetta:

Enclosed for filing is the Proof of Publication indicating that the Pennsylvania Public Utility Commission's ("Commission") Notice for the above-referenced proceeding was published in *The York Daily Record* on October 30 and November 1, 2021, and in *The York Dispatch* on November 1, 2021.

Rosemary Chiavetta, Secretary  
November 22, 2021  
Page 2

Furthermore, the Joint Application was served on the entities listed in the Commission's October 25, 2021 Secretarial Letter, as evidenced by the Certificate of Service included with the Joint Application.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be "Devin Ryan", written over a horizontal line.

Devin Ryan

DR/dc  
Enclosures

# Schools debate: Gifted and talented, or racist and elitist?

**Bobby Caina Calvan**  
ASSOCIATED PRESS

NEW YORK – Communities across the United States are reconsidering their approach to gifted and talented programs in schools as some parents blame such elite programs for worsening racial segregation and inequities in the country's education system.

A plan announced by New York City's mayor to phase out elementary school gifted and talented programs in the country's largest school district – if it proceeds – would be among the most significant developments yet in a push that extends from Boston to Seattle.

From the start, gifted and talented school programs drew worries they would produce an educational caste system in U.S. public schools. Many of the exclusive programs trace their origins to efforts to stanch "white flight" from public schools, particularly in diversifying urban areas, by providing high-caliber educational programs that could compete with private or parochial schools.

Increasingly, parents and school boards are grappling with difficult questions over equity, as they discuss how to accommodate the educational aspirations of advanced learners while nurturing other students so they can equally thrive. It's a quandary that is driving the debate over whether to expand gifted and talented programs or abolish them altogether.

"I get the burn-it-down and tear-it-down mentality, but what do we replace it with?" asked Marcia Gentry, a professor of education and the director of the Gifted Education Research and Resource Institute at Purdue University.

Gentry coauthored a study two years ago that used federal data to catalogue the stark racial disparities in gifted and talented programs.

It found U.S. schools identified 3.3 million students as gifted and tal-

ented but that an additional 3.6 million should have been similarly designated. The additional students missing from those rolls, her study said, were disproportionately Black, Latino and Indigenous students.

Nationwide, 8.1% of white children in public schools are considered gifted, compared with 4.5% of Black students, according to an Associated Press analysis of the most recent federal data.

Gifted and talented programs aim to provide outlets for students who feel intellectually constrained by the instruction offered to their peers. Critics of the push to eliminate them say it punishes high achievers and cuts off a prized opportunity for advancement, particularly for low-income families without access to private enrichment programs.

In Seattle, a schools superintendent who left her job in May sought to do away with the district's Highly Capable Cohort program, as the district's gifted and talented program is called, blaming it for causing de facto segregation. In its own recent analysis, Seattle public schools found only 0.9% of Black children had been identified as gifted, compared with 12.6% of its white students.

The school board has approved changes that will do away with eligibility testing and make all grade schoolers automatically eligible for consideration for advanced instruction. In addition to grades, the selection committee will consider testimonials from teachers, family and community members.

The changes don't go far enough for Rita Green, the education chair of the Seattle Chapter of the NAACP. She has called for more work to build environments that nurture the intellectual development of all the district's 50,000 schoolchildren.

"We want the program just abolished. Period. The Highly Capable Cohort program is fundamentally flawed, and it's inherently racist," Green said.

Debates over the criteria for admis-

sion to advanced courses and elite schools predate the latest national discussion about racial inequities, but have intensified since the killing of George Floyd.

In Boston, the school committee voted this summer to expand eligibility to its exclusive exam schools and guarantee spots to high-achieving students from poor neighborhoods.

Latino students account for roughly 42% of Boston's 53,000 public school students – about twice the number as white students – but are vastly underrepresented in advanced courses. By the district's account, fewer than 20% of the fourth graders invited to participate in advanced work classes were Latino, while 43% of those invited were white.

Many children are overlooked because of language and cultural barriers, said Ivan Espinoza-Madrigal, the executive director of Boston's Lawyers for Civil Rights. Subconscious bias among teachers who nominate students for the program also play a role, he said.

Elsewhere, Lowell High School in San Francisco in February scrapped admissions exams in favor of a lottery system. In Fairfax County, Virginia, parents recently lost a legal bid to undo their school district's decision to do away with testing for admissions to a campus catering to high achievers in science and technology.

Most gifted and talented programs have relied on tests to determine eligibility, with some families spending thousands of dollars on tutoring and expensive specialized programs to boost scores and increase their children's chances.

Controversy over admissions into advanced education programs has simmered in other cities, including Los Angeles and Chicago. But nowhere has the debate been as intense as in New York, where Mayor Bill de Blasio said last month he would begin to dismantle the program in elementary schools, calling

it "exclusive and exclusionary."

Some parents, including Rose Zhu, have called on the city to expand the program, not do away with it. She joined dozens of other parents outside the city's Department of Education building this month to protest de Blasio's proposal, bringing along her 21-month-old daughter, who Zhu hopes will follow two older siblings into the city's gifted and talented program.

"I live in Queens, and our traditional schools in our districts aren't really good," she said. "So the G and T program is the best school I can put them in."

De Blasio's likely successor, fellow Democrat Eric Adams, has said he does not support eliminating the program, which would put him at odds with some of his Black constituents. Adams is African American.

One such constituent, Zakiyah Ansari, the New York City director for the Alliance for Quality Education, wants Adams to follow through with de Blasio's pledge.

"We believe every child is a gifted child, every child is a talented child," Ansari said. "We have to have people as angry about taking away one program that impacts a few people and be more upset about the Black and brown kids who haven't had access to excellent education."

But Gentry, the director of the Gifted Education Research and Resource Institute, agreed it was time for "a revolution to fix the problem that's been long standing in terms of equity" in access to gifted and talented instruction.

She urged parents and school administrators to do the hard work of finding a compromise.

"I worry that the easy solution is to stop doing it," she said. "I know the inequities exist. But the thing is, there's a huge distinction between overhauling or eliminating."

## PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE

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BY THE COMMISSION

  
**Rosemary Chiavetta  
Secretary**

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# Redistricting

Continued from Page 1A

that are manipulated to benefit one party over another or help politicians maintain incumbency – a practice known as gerrymandering. During the last redistricting cycle, both the congressional and legislative maps were eventually found to be unconstitutional.

“We know there’s lots of behind-the-scenes conversations, and we have no information about any of that,” said Carol Kuniholm, executive director of Fair Districts PA, a grassroots group that aims to stop gerrymandering. “We don’t know who’s making the final decisions or why they’re making the final decisions.”

## Taking the lead on a process described only vaguely

Every 10 years, using updated census information on where the state has grown or shrunk, Pennsylvania redraws its state and federal districts to better represent its population.

The state’s congressional map is approved through the traditional legislative process, which requires a vote from the Pennsylvania House and Senate and the signature of the governor.

No one involved in the congressional or legislative process who spoke to Spotlight PA detailed the exact methodology behind drawing district lines. They described a formulaic approach that meets the constitutional requirements of contiguity and compactness but said each district has a unique profile that will produce deviations from ideal sizes and shapes. Geographic features such as valleys or rivers can result in an oddly shaped district, while keeping communities of interest together – such as Latino or Hispanic residents in Philadelphia – means a district won’t always have the ideal population size.



Members of the Draw the Lines initiative gathered outside the Capitol in Harrisburg on Tuesday to call on legislators to produce a fair congressional district map via a transparent process. AMANDA BERG/FOR SPOTLIGHT PA

The last congressional redistricting cycle saw virtually no collaboration between the Republican and Democratic caucus demographers as GOP lawmakers controlled both the legislative and executive branches. The map was passed within 10 days of its introduction along mostly partisan lines and with little collaboration from the public or Democrats. In 2018, the state Supreme Court threw out this map, finding it was drawn to unfairly benefit Republicans.

The Republican demography teams again will take the lead on drawing the congressional map, while the House and Senate State Government committees will serve as the face of the effort – holding hearings for public feedback and accepting criticism.

Democratic Gov. Tom Wolf could veto the map, likely sending it to the majority Democratic state Supreme Court. This division of power will require the Re-

publican leaders to collaborate with their Democratic counterparts if they hope to pass a map with a margin that supersedes a veto.

## Commissions, caucuses and accountability

Pennsylvania’s state House and Senate maps are handled by the Legislative Reapportionment Commission, which is made up of the four caucus leaders – two Republicans and two Democrats – and an independent chair. This cycle, the chair is Mark Nordenberg, former chancellor of the University of Pittsburgh.

In an interview with Spotlight PA, Nordenberg said he will not draw any maps himself and instead focus on listening to the concerns of the public. The panel already has hosted 10 meetings dedicated to hearing comments from experts and interested parties as well as accepted written testimony and district maps created by the public.

The caucus mapmakers who work on the congressional map also handle the legislative ones.

In the past, members have met to define which areas of the House legislative map will be drawn by Democrats and which will be drawn by Republicans, according to one House Democratic staffer who asked not to be named to speak openly about the process. Subsequently, each caucus handled its own mapping internally and drew the districts in areas that were predominantly composed of their party’s voters.

“We’ve essentially sat down with our caucus counterparts, whether in the House [or] Senate, [and tried] to find places we agree first,” the mapmaker said.

The Democratic and Republican teams will work together on “parts of the state where we have broad agreement,” the mapmaker said. “We go to the chair to make decisions on parts that we can’t agree on.”

Earlier this year, Nordenberg hired Jonathan Cervas – a postdoctoral fellow at Carnegie Mellon University and research associate at the Princeton Gerrymandering Project – to help assess proposed maps and research suggestions from the public.

Cervas said he believes the commission has a good process to field public critique but recognizes the final map matters most.

“What frustrates the reformers is when they don’t feel like they’re being heard, especially when the taxpayers are paying for something,” Cervas said.

The calls for public collaboration and transparency stem, in part, from the notion that the redistricting process has been rooted in protecting incumbents, thereby basing district lines on keeping officials in office despite significant demographic changes. The state Supreme Court deemed the previous cycle’s legislative maps unconstitutional for that very reason.

“If they draw [maps] to protect incumbency you’ve already got a locked-in partisan advantage, and you’re already starting with distorted districts,” said Kuniholm, of Fair Districts PA. “To get from those distorted districts to better districts is really almost impossible”

Those leading the Legislative Reapportionment Commission argue that their approach is driven by data, not politics. However, caucus leaders do consult with their members when drawing maps.

Costa and his lead demographer, for instance, have met with each member of

the Senate Democratic caucus to discuss what they think each district will look like, showing them different versions of their districts.

“The desire is to look at the districts we have today and address them in a way that [flies] with the constitution and [flies] with case law and recognize the growth patterns,” Costa said. “A member doesn’t come in and draw [their] own district that protects themselves.”

## Coming soon: Public will get look at redrawn maps

It’s unclear when the public will get to see the proposed district lines, though lawmakers are working against the clock.

On Monday, the Legislative Reapportionment Commission voted to accept census data that had been cleaned for redistricting. Under the state constitution, the panel has until Jan. 12 to release maps to the public. Upon the release of the maps, Pennsylvanians then will have 30 days to provide feedback to the panel.

Costa said he expects to complete the process in about half the time and release the preliminary maps within 45 days, around Nov. 28. The 30-day window for public input will begin on the day the maps are released. The panel plans to host more public hearings and review maps submitted by the public during this time.

For congressional redistricting, there is no constitutionally mandated timeline, and leaders have not said when they expect to release that map or how long they will give Pennsylvanians to provide feedback.

However, both parties have expressed a desire to complete the process before it affects the 2022 May primaries. If maps are released after Feb. 15, the candidacy filing deadline, politicians might run for a district that will not exist by the general election.

Organizations such as Fair Districts PA and the Committee of Seventy’s Draw the Lines initiative have already created their own maps using the 2020 census data that they want legislators to consider. Draw the Lines has also called for legislators to immediately release a congressional map in order to allow the public more time to study and critique the proposal.

While both the Legislative Reapportionment Commission and State Government committees have held hearings, advocates say they still don’t know how lawmakers will actually use and incorporate public feedback. Only the release of the maps themselves will reveal whether citizens’ concerns were heard.

Adam Podowitz-Thomas, senior legal strategist of the Princeton Gerrymandering Project, said the public will be able to assess how fair the maps are faster than in any previous redistricting cycle because of free, publicly available mapping software such as Dave’s Redistricting and Districtr.

“I think that means that legislators are hopefully less likely to engage in the most extreme abuses because they know there’s going to be an immediate outcry that happens.”

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Rosemary Chiavetta  
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► CLIMATE

Continued from A1

choices in Glasgow, Patricia Espinosa, head of the U.N. climate office, declared at the summit's opening: They can sharply cut greenhouse gas emissions and help communities and countries survive what is becoming a hotter, harsher world, Espinosa said. "Or we accept that humanity faces a bleak future on this planet."

"It is for these reasons and more that we must make progress here in Glasgow," Espinosa said. "We must make it a success."

India Logan-Riley, an Indigenous climate activist from New Zealand, had a more blunt message for negotiators and world leaders at the summit's opening ceremony.

"Get in line, or get out of the way," Logan-Riley said.

**Vague pledges:** But G-20 leaders offered more vague pledges than commitments of firm action, saying they would seek carbon neutrality "by or around mid-century." They also agreed to end public financing for coal-fired power generation abroad, but set no target for phasing out coal domestically — a clear nod to China and India.

The G-20 countries represent more than three-quarters of the world's climate-damaging emissions and G-20 host Italy and Britain, which is hosting the Glasgow conference, had looked for more ambitious targets coming out of Rome.

But major polluters including China and Russia had already made clear they had no immediate intention of following U.S. and European pledges to zero out all fossil-fuel pollution by 2050. Russia said on Sunday that it was sticking to its target of 2060.

Speaking to reporters before leaving Rome, U.S. President Joe Biden called it "disappointing" that G-20 members Russia and China "basically didn't show up" with commitments to address the scourge of climate change ahead of the U.N. climate summit.



**ALBERTO PEZZALI — The Associated Press**  
A woman walks through the venue of the COP26 U.N. Climate Summit in Glasgow, Scotland, on Sunday. The U.N. climate summit in Glasgow formally opened Sunday, a day before leaders from around the world will gather in Scotland's biggest city to lay out their vision for addressing the common challenge of global warming.

British Prime Minister Boris Johnson struck a grim tone, saying G-20 leaders "inched forward" on curbing global warming, but the goal of limiting temperature rise to 1.5 degrees Celsius (2.7 Fahrenheit) — struck in a landmark deal at the end of the 2015 Paris climate accord — was in danger of slipping out of reach.

"If Glasgow fails then the whole thing fails," Johnson told reporters in Rome.

**'Weak':** Some observers said the G-20 pledges were far from enough.

"This weak statement from the G-20 is what happens when developing countries who are bearing the full force of the climate crisis are shut out of the room," said Mohamed Adow, director of Power Shift Africa. "The world's

biggest economies comprehensively failed to put climate change on the top of the agenda ahead of COP26 in Glasgow."

While the opening ceremony in Glasgow formally kicked off the talks, known as COP26, the more anticipated launch comes Monday, when leaders from around the world will gather to lay out their countries' efforts to curb emissions from burning coal, gas and oil and deal with the mounting damage from climate change.

The leaders of two of the top climate-polluting nations — China and Russia — were not expected to attend the summit, though seniors officials from those countries planned to participate. Biden, whose country is the world's biggest climate polluter after

China, the summit comes at a time when division within his own Democratic party is forcing him to scale back ambitious climate efforts.

At the Vatican on Sunday, Pope Francis urged the crowds gathered in St. Peter's Square: "Let us pray so that the cry of the Earth and the cry of the poor" is heard by summit participants.

Negotiators will push nations to ratchet up their efforts to keep global temperatures from rising by more than 1.5 degrees Celsius this century compared with pre-industrial times.

The climate summit remains "our last, best hope to keep 1.5 in reach," said Alok Sharma, the British government minister chairing climate talks.

**Slipping away:** Scientists

**"The world's biggest economies comprehensively failed to put climate change on the top of the agenda ahead of COP26 in Glasgow."**

— Mohamed Adow, director of Power Shift Africa

say the chances of meeting that goal are slowly slipping away. The world has already warmed by more than 1.1C and current projections based on planned emissions cuts over the next decade are for it to hit 2.7C by the year 2100.

The amount of energy unleashed by such planetary warming would melt much of the planet's ice, raise global sea levels and greatly increase the likelihood and intensity of extreme weather, experts say.

U.S. climate envoy John Kerry warned last week of the dramatic impacts that exceeding the 2015 Paris accord's goal will have on nature and people, but expressed optimism that the world is heading in the right direction.

Sharma noted that China, the world's biggest emitter of greenhouse gases, had just raised its climate targets somewhat.

"But of course we expected more," Sharma told the BBC earlier Sunday.

India, the world's third biggest emitter, has yet to follow China, the U.S. and the European Union in setting a target for reaching 'net zero' emissions. Negotiators are hoping India's Prime Minister Narendra Modi will announce such a goal in Glasgow.

Some of the issues being discussed during the talks have been on the agenda for decades, including how rich countries can help poor nations tackle emissions and adapt to a hotter world. The slow pace of action has angered many environmental campaigners, who are expected to stage loud and creative protests during the summit.

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**PENNSYLVANIA PUBLIC UTILITY COMMISSION NOTICE**

JOINT APPLICATION OF THE YORK WATER COMPANY and SYC WWTP, L.P., a limited partnership of York County, Pennsylvania, Under Sections 1102(a)(1), 1102(a)(2), and 1102(a)(3) of the Public Utility Code, for (1) approval of the transfer by sale of certain public wastewater facilities and rights from SYC WWTP, L.P. to The York Water Company, (2) approval of the transfer by sale of wastewater collection facilities from Almony's Enterprise, LLC, Adhesives Research, Inc., Madison Range, Inc., Rodney L. Krebs, Rodney L. Krebs Family L.P., SCI/RLK Partners, and R.T. Barclay, Inc. to The York Water Company, (3) approval of the transfer by sale of wastewater collection facilities within Albright Trailer Park from R.T. Barclay, Inc. to The York Water Company, (4) the abandonment by SYC WWTP, L.P. of wastewater service to the public in Springfield and Shrewsbury Townships, York County, Pennsylvania, and (5) approval for The York Water Company to begin to offer, render, furnish or supply wastewater service in additional portions of Springfield and Shrewsbury Townships, York County, Pennsylvania. Docket Number: A-2021-3029231 and A-2021-3029237

Formal protests and petitions to intervene must be filed in accordance with Title 52 of the Pennsylvania Code, on or before November 22, 2021. All filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the Applicant. The documents filed in support of the Application are available ONLY online for inspection and copying on the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov), and at the Applicant's business address. ALL Parties to proceedings pending before the Commission must open and use an e-filing account through the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov) or you may submit the filing by overnight delivery to: Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, Pennsylvania 17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

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**THE YORK WATER COMPANY**  
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**For SYC WWTP, L.P.**

**BY THE COMMISSION**  
  
**Rosemary Chiavetta**  
**Secretary**

# AFFIDAVIT

I, Elizabeth Andolina in my capacity as Inside Sales Manager of the newspaper  
(Name) (Title)

York Dispatch in York, PA  
(Newspaper Name) (City) (State)

hereby certify that the  ROP/ Preprinted Inserts (choose one) for Kline Graphic Design  
(Advertiser)

York Water Company with Insertion Order# York Water Company - SYC  
(Wastewater) Public Notice

(Ad Headline)

was inserted in the above newspaper on 11/1/21 and ran on page 9A.  
(Run Date)

Elizabeth Andolina  
Signature of Person Making Affidavit

Subscribed and sworn to before me in the County of York in the State of  
(County)  
Pennsylvania, on this 11 day of November, 2023.  
(State) (Date) (Month) (Year)

Notary Public Seal:

Amy L. Miller  
Notary Public Signature

4-7-2023  
Commission Expires

Commonwealth of Pennsylvania - Notary Seal  
AMY L MILLER - Notary Public  
York County  
My Commission Expires Apr 7, 2023  
Commission Number 1287445