

Stop Painted Post water sales? It's not likely

The village of Painted Post has hired a Rochester law firm to defend it against a lawsuit brought by fracking opponents.

Some of us wonder at the appropriateness of hiring the Harris-Beach law firm to defend it considering that's the same firm that prepared the case it used to obtain permission to sell

THE INSIDER



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water in the first place.

Painted Post faces a significant challenge from three environmental groups – The Sierra Club,

People for a Healthy Environment and The Coalition to Protect New York.

A handful of local residents have also joined in the litigation.

If I were a betting man, however, I'd bet against the challengers.

I do not understand why they waited so long to file their objections.

The project has been under way for months.

Painted Post plans to sell up to a million gallons of water per day to a Houston-based subsidiary of Shell Oil Company.

The company wants to use the water in the process of liberating natural gas from deep underground rock formations.

Here's why I don't think the challenge will take: State Supreme Judge Joseph Latham did not order any work stoppage when the case was recently put before him.

He also set July 23 to hear arguments in the case although Painted Post officials say the project is expected to be completed by the end of next week.

Involved is the construction of water holding tanks and construction of a section of the Wellsboro and Corning Railroad in Painted Post to transport the water to Pennsylvania.

If the judge thought this whole thing was such a danger, I can't imagine he would have failed to issue a work stoppage order nor would he have scheduled arguments more than a month later.

This is no guarantee that the Sierra Club and its allies will lose their case. It is merely a possibility but I think that's a good possibility.

Stay tuned and we'll see how the whole thing turns out.