

Carter Ledyard Obtains Dismissal of State Environmental Quality Review Act Claim Against Long Island Power Authority

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On April 27, 2015, Carter Ledyard assisted its client Long Island Power Authority (LIPA), by securing dismissal of an Article 78 challenge to the environmental review of a proposed natural gas-fired combined cycle generation facility asserted by a municipality in which a competing, older, privately owned power plant is located. In dismissing the case in its entirety, against LIPA and its co-respondents, Justice Jerry Gargiulo, of the Supreme Court, Suffolk County, adopted LIPA's arguments that (1) the municipality's claim of economic injury did not provide standing to sue under the State Environmental Quality Review Act, and (2) the claim was not ripe for judicial review because LIPA had not yet made environmental findings or otherwise taken final action on the project.

LIPA was represented by CL&M attorneys Christine A. Fazio, Judith Wallace, Victor J. Gallo, and Andriy Pazuniak.

[View the *Village of Port Jefferson* decision.](#)

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