David Sanko, director of the Pennsylvania Association of Township Supervisors and a key player in state land use policy, was caught last week making a cheesy reversal in his position on Act 13, the controversial law passed last February to regulate Marcellus Shale gas drilling. Sanko's misadventures offer us a well-placed window into the politics surrounding the shale gas industry.

Act 13 had key backing from the Corbett administration, which exploited the aura of inevitability around Marcellus Shale. In less than 10 years Pennsylvania's Marcellus wells have grown from a few hundred to more than 8,000. Act 13 was projected to be a humongous creator of jobs and wealth. Big money and its political muscle helped the gas industry get the act's low levels of taxation and regulation. Prestigious organizations such as the Chesapeake Bay Foundation were seen bending the knee and accepting the bill as "the best that could be gotten." Even by Harrisburg standards, Act 13 involved an unusual amount of political groveling. Among the bigger grovelers was Sanko, who came out in favor of Act 13's local zoning override, a shocking stance by a local government association.

The zoning over-ride language blocks localities from imposing local controls on shale gas drillers and instead dictates statewide exceptions for Marcellus gas drillers. One such exception allows drilling activities within 500 feet of a school.

Luckily for Sanko, capitulation on Act 13 came with built-in political cover: Marcellus shale deposits are all on "the other side of the mountains." Sanko was able to take cover behind the fact that there's no Marcellus gas under the more populous townships on the down-mountain side of the Alleghenies. So a large swath of PSATS eastern and south central membership was not impacted by the zoning override. The same cover was afforded to those south-central and south-eastern legislators who were persuaded to put up a vote for Act 13.

While opinion polls show a majority of Pennsylvanians are leery of gas drilling's long-term environmental impacts and also favor much higher levels of taxation on the industry, on the day Act 13 became law few citizens or township officials east and south of the Alleghenies took notice because there was no skin being taken off their backside.

But the story was starkly different for seven townships directly affected by gas drilling, most of them suburbs in Western Pennsylvania. A few weeks after Act 13 was signed, these seven townships defied their parent organization (their complaints about PSATS and Sanko's leadership are on the record) and filed suit against the law. Five months later, on July 26, this small group of townships won a huge victory: the Commonwealth Court found Act 13's attempt to strip out local zoning authority over Marcellus drilling to be unconstitutional.

Gov. Corbett had argued that local zoning needed to be overridden because the Marcellus industry will benefit from "uniform land use enforcement." But the court's decision came down in favor of the property owners in communities with duly enacted industrial zoning controls. The court said property owners are entitled to have local controls enforced, whether on meatpacking or gas drilling. The act's override, the court further said, was merely a shoddy attempt to pull off some "spot zoning."

Last week, Sanko put his finger to the wind and announced that, hey, deep down he had never been for the local zoning override, that he found it "ugly" and now that there's a decision in favor of the litigating townships he is going to stand with them.

Talk about jumping the shark! Still, Sanko is not without a talented wind-testing finger. With the Commonwealth Court's decision on appeal to the state Supreme Court, the mood in Harrisburg has shifted.

When Act 13 was being passed, the buzz in Harrisburg was that the Legislature gives zoning powers to local governments and so it can also take those powers away. But these days the buzz is about the Commonwealth Court's compellingly written decision and how it has grounded local zoning powers in the Constitution.

Will the Supreme Court sustain the lower court's decision? Will it even expand the decision in favor of local governments? Such critical questions will soon be in the hands of a Supreme Court that is down one member and politically divided three-to-three.

Some observers are betting that the Supreme Court will only be able to come up with a tie vote and thus give a win to Gov. Corbett and the gas drillers. But others say we must reckon with the flinty independence that has recently been demonstrated by Chief Justice Ronald Castille.

And so through our well-placed window we are presented with this fascinating Marcellus Shale moment: The industry's victory parade has been suspended; more time has been added to the game clock; and Gov. Corbett and the industry team are locked in a tough battle against a suddenly strong opponent -- the Constitution of Pennsylvania.

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