

# **Bond Case Briefs**

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## **PUBLIC UTILITIES - CALIFORNIA**

### **Rosen v. Uber Technologies, Inc.**

**United States District Court, N.D. California - February 23, 2016 - F.Supp.3d - 2016 WL 704078**

Taxicab driver brought putative class action against mobile-based transportation network company, which allowed passengers to request paid transportation from third-party transportation providers on their smartphones, alleging failure to comply with applicable California Public Utilities Commission regulations for taxi and other transportation companies, and misrepresentations in regards to company's "safe rides fee." Company moved to dismiss.

The District Court held that:

- Action interfered with Commission's regulatory authority, and thus Commission had sole jurisdiction over claims;
- Driver did not allege his actual reliance on alleged misrepresentations made by company, and thus failed to state claim for misrepresentation against company under Unfair Competition Law;
- Driver did not allege any vested interest in profits of network transportation company, and thus failed to state claim for restitution under False Advertising Law; and
- Driver failed to allege any interference with existing economic relationship by company, precluding claim for intentional interference with prospective economic advantage.

District court action on taxicab driver's claims against mobile-based transportation network company, which allowed passengers to request paid transportation from third-party transportation providers on their smartphones, alleging failure to comply with applicable Public Utilities Commission regulations for taxi and other transportation companies, would hinder or interfere with the exercise of regulatory authority by the California Public Utilities Commission, and thus Commission had sole jurisdiction over the claims. Commission had commenced rulemaking procedures in order determine how to supervise companies that offered new ways of arranging transportation of passengers over public highways for compensation through smartphone applications.