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Desoto Cab Company, Inc. v. Picker

United States District Court, N.D. California - July 20, 2016 - F.Supp.3d - 2016 WL 3913643

Owner and operator of taxicab company filed § 1983 equal protection claim against California Public Utilities Commission, seeking declaratory and injunctive relief, and alleging that operators of companies that provided prearranged transportation services through online-enabled applications were de facto taxicab companies and therefore should be subject to the same rules and regulations as traditional taxicab companies. The Commission moved to dismiss.

The District Court held that:

- Suit was not barred by the Johnson Act;
- Action was ripe for adjudication; and
- Non-parties were not necessary and required to be joined in action.

Equal protection claim asserted under § 1983 by owner of taxicab company against California Public Utilities Commission, seeking declaratory and injunctive relief, and alleging that companies that provided prearranged transportation services through online-enabled applications were de facto taxicab companies and therefore should be subject to the same rules and regulations as traditional taxicab companies, was not barred by Johnson Act, which precluded federal court jurisdiction over certain state utility rate cases. Although taxicab company owner effectively conceded that companies providing prearranged transportation services were public utilities, and rules and regulations imposed by Commission did not necessarily interfere with interstate commerce, the claim did not challenge order affecting rates charged by a utility, but rather challenged the larger act of the Commission's regulation of companies providing prearranged transportation services, but not taxicab companies.

Equal protection claim asserted under § 1983 by owner of taxicab company against California Public Utilities Commission, seeking declaratory and injunctive relief, and alleging that companies that provided prearranged transportation services through online-enabled applications were de facto taxicab companies and therefore should be subject to the same rules and regulations as traditional taxicab companies, was ripe for adjudication. Even if all of the rules and regulations applicable to the companies providing prearranged transportation services had not been finalized, taxicab company owner challenged the overall regulatory scheme that differentiated between regulations governing the two types of transportation providers.

Companies that provided prearranged transportation services, other traditional taxicab companies, and municipalities that regulated traditional taxicab companies were not necessary parties required to be joined in equal protection action asserted under § 1983 by owner of taxicab company against California Public Utilities Commission, seeking declaratory and injunctive relief, and alleging that companies that provided prearranged transportation services through online-enabled applications were de facto taxicab companies and therefore should be subject to the same rules and regulations as traditional taxicab companies. Disposing of action in absence of traditional taxicab companies, providers of prearranged transportation services, and municipalities would not impede or impair

their ability to protect their interests, as the positions of those entities were represented by the parties to the action.