

# Newsletter

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## EWURA founding Director General retires



Previous Issue:



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*President Jakaya Mrisho Kikwete in a group photo at State House with Minister for Energy and Minerals, Prof. Sospeter Muhongo (2nd R), and Deputy Permanent Secretary in the Energy and Minerals ministry, Eng. Ngosi Mwiwaha, after a brief meeting that discussed energy issues. Others from left are Eng. Felchesmi Mramba, the Managing Director of TANESCO, and Mr. Haruna Masebu, the Director General of EWURA. Behind them (from left) are the Director of Electricity at EWURA, Eng. Anastas Mbawala, Mr. Yahaya Samamba, the Private Secretary to the Energy and Mineral Minister, the Director of Regulatory Economics at EWURA, Mr. Felix Ngamlagosi, and the Manager for Communications and Public Relations at EWURA, Mr. Titus Kaguo. This was in December, 2013.*

# Editor's Note

Welcome to our 10th edition of EWURA Newsletter.

This edition is coming at the time when our stakeholders and EWURA staff are in preparations for celebrating a New Year 2014. I would like to wish you all a Happy and Prosperous New Year 2014!

This 10th edition is a continuation of many previously published EWURA Newsletters that among other objectives, is meant to meet and fulfill the responsibility of the Authority to enhance public knowledge, awareness and understanding of regulated sectors on the rights and obligation of consumers and the regulated suppliers.

As part of its responsibilities, EWURA aims to ensure that all stakeholders are educated through various means so that they get a vast understanding of the regulated sectors.

Therefore, EWURA Newsletter has become an effective tool in reaching many Tanzanians thus making consumers and suppliers of the four regulated sectors become more aware of their rights and obligations

EWURA Newsletter, a reader-friendly for both English and Kiswahili readers, has strengthened good relationship between the Authority and stakeholders of our four regulated sectors-Petroleum, Natural Gas, Electricity and Water and Sanitation.

This edition contains many articles, but I expect most readers will enjoy the one detailing the contribution by our first Director General, Mr. Haruna Masebu, whose tenure elapsed on December 31st, 2013.

Enjoy this edition.



**Mr. Titus Kagu**



## From the Desk of the Director General

Dear esteemed readers,

Welcome to this issue of the EWURA Newsletter.

As the founding and outgoing Director General of this Authority, it is with great pleasure that I have the honour of welcoming you to this particular issue given that this is the last time I shall welcome you as Director General of this Authority.

It gives me great pride knowing that in spite of various phases of growth that EWURA has undergone, the institution is currently an exemplary regulator and enjoys recognition by its peers as being one of the best regulatory institutions in Africa. This is in part not only due its commitment to world class standards regarding the rule of law, ethics and professionalism, but also as a result of our reputation for consistently making decisions through predictable, consultative and transparent processes.

Despite of tough decisions it has been making, EWURA has continued to enjoy support from various stakeholders such as the Government and its institutions, development partners, regulated suppliers, investors, consumers and the general public.

As a result of various decisions made by EWURA, consumers of energy and water services have enjoyed better or higher quality, which reflects value for money.

As I leave, it is my expectations that EWURA shall continue to make great strides and build upon the foundation of regulatory excellence that is renowned for. I leave behind a strong institution with highly competent and skilled employees of whom I have had the privilege of working with for the past eight years.

It is my expectations that in 2014, EWURA shall remain mindful of the need to enhance public understanding, of all the regulated sectors, while simultaneously upholding our unwavering commitment to sector reforms and promotion of investment in the regulated sectors.

I would like to thank the Government of Tanzania, EWURA Board of Directors, Government Consultative Council, Consumer Consultative Council, all regulated suppliers, and the general public, for their continued support and co-operation with the Authority.

I wish to also thank EWURA Management and Staff for their diligence during the course of performing their duties. Please join me in reading the articles found in this issue of the EWURA Newsletter.



**Mr. Haruna Masebu**

## EWURA founding Director General retires



*President Jakaya Kikwete listens attentively to a point by EWURA's Director General, Mr. Haruna Masebu, when he paid a courtesy call to the State House in December 2013, shortly before he retired.*

### **By Staff Reporter**

The first Director General of the Energy and Water Utilities Regulatory Authority (EWURA), Mr. Haruna Masebu, is to complete his tenure this December.

Mr. Masebu has served two four-year terms as required by the law, the years which he effectively used to lay a strong regulatory foundation on which the institution sits unshakable today. He was appointed the Director General of EWURA and Member of the Board of Directors of EWURA in January, 2006.

He was involved in designing of regulatory frameworks, which resulted into EWURA becoming one of the best regulators in Africa, with many other countries visiting the institution to learn a number of issues.

His exit marks the dawn of an era which was characterised by stormy times and overcoming adversity through adherence to the rule of law. At EWURA, Mr Masebu's public service is marked with success and recognition. Much of the achievements for the regulator are strongly

associated with his personal courage, support, and unwavering leadership that is characterised by adherence to existing laws, regulations and procedures.

“I am glad that as I leave EWURA today, the institution is strong with highly competent and skilled employees... EWURA is a model regulator in East, Central and Southern African countries, with almost all countries having visited Tanzania to learn how EWURA operates,” he said.

Mr. Masebu says the most difficult time he will always remember is August 2011, when the government revised levies imposed on fuel with a view to cut down fuel price.

“After the price had gone down, oil marketing companies protested and the market starved. As prices were being

In 2010, Mr. Masebu was voted as the best Chief Executive Officer (Boss of the Year) with an excellent performance for the year 2010 out of 18 Chief Executive Officers (CEOs) from various organizations across Tanzania.

He championed the establishment of a new regulatory dispensation for Tanzania since year 2001, when he joined the then Presidential Parastatal Sector Reform Commission (PSRC) as a Regulatory Coordinator.

In that regard, he spearheaded the establishment of regulatory authorities in the infrastructure and utilities sectors, such as the Tanzania Communication Regulatory Authority (TCRA); Air Transport (Tanzania Civil Aviation Authority (TCAA); Surface and Marine Transport Regulatory Authority (SUMATRA) and EWURA. He also facilitated the

*“I am glad that as I leave EWURA today, the institution is strong with highly competent and skilled employees...EWURA is a model regulator in East, Central and Southern African countries, with almost all countries having visited Tanzania to learn how EWURA operates*

revised after every two weeks, on the following revision prices went up. Surprisingly, some people accused EWURA of bowing to oil dealers’ pressure to have the price increased!” said Mr. Masebu.

Mr. Masebu said this had indeed embarrassed him and the institution, because he had successfully led EWURA to be a corruption free zone.

He has steered well the Authority to achieve major milestones in economic as well as technical regulation in sensitive and controversial areas like fuel. The better fuel quality, the moderate price that Tanzania economy enjoys today and the fairness in market competition is a result of the three major steps that were introduced; Fuel price template, Fuel Marking program and the Bulk Procurement System.

Despite strong opposition by stakeholders on Bulk Procurement System and Fuel Marking, Tanzania is now reaping immense economic benefits as a result of these projects, and surprisingly, the same stakeholders are now positive on the projects.

establishment of the Fair Competition Commission (FCC) and the Fair Competition Tribunal (FCT).

For the past 17 years, he has held Senior Management positions at national and international levels, including the Regional Manager for the Nairobi-based African Housing Fund; Director General of the National Housing Corporation and at the Ardhi Institute (now Ardhi University), where he rose through the ranks to become Senior Lecturer and Vice Principal by 1991.

As the Director General for EWURA, Mr. Masebu, was the chair of various regional associations such as the African Forum for Utility Regulators (AFUR), East Africa Power Pool (EAPP), Independent Regulatory Board (IRB) and Energy Regulators Association of East Africa (EREA).

He also participated as a member of executive committees of other regional associations such as Regional Electricity Regulators of Southern Africa (RERA), the Eastern and Southern Water and Sanitation Regulators Association (ESAWAS) and African Refiners Association (ARA).



## EWURA grants cost reflective tariff to TANESCO

**By Wilfred Mwakalosi**

The Energy and Water Utilities Regulatory Authority (EWURA) has issued new electricity tariffs to Tanzania Electricity Supply Company (TANESCO).

The approved tariffs which imply an average increase of 39.19% compared to the current tariffs, shall remain in force until 31st December 2016 unless results of a Cost of Service Study that will be undertaken in 2015 will recommend new tariffs.

The new tariffs are in force effective this January. They are in response to TANESCO's multi-year tariff application filed in October 2013. It had applied for a system wide tariff adjustments over three years from 1st October, 2013. The proposed tariff increases were 67.87% effective from 1st October 2013, 12.74% effective from 1st January 2014 and 9.17% effective from 1st January 2015.

Further, the power utility had asked for approval of two indexation clauses designed to adjust tariffs periodically. These are for changes in fuel costs and macro-economic factors which are outside of TANESCO control to ensure that it remains financially viable.

According to TANESCO, the proposed tariff adjustments will enable it to finance its operational costs and capital investment program (CIP) thereby constituting cost reflective tariff; demonstrate its bankability to donors offering concessionary loans and grants; increase capacity needed to meet system peak demand; and adequately fund repairs and maintenance of its infrastructure in order to ensure consistent and stable supply of electricity.

TANESCO has also been directed by the regulator to strictly follow the least cost merit order dispatch and submit to the Authority, on a monthly basis, reports showing the actual generation and generation plan as proposed.

Further, the state power utility is also required to ensure that the procured projects are in line with the demand and capacity requirement as approved in the Power



*The proposed tariff adjustments will enable TANESCO to finance its operational costs.*

System Master Plan; all new power projects are procured competitively in line with the Electricity Act, the Public Private Partnership Act, 2010 and the Public Procurement Act, 2004 and Rules and Regulations.

EWURA says it had followed all legal aspects in ensuring that adequate public involvement is attained by conducting public inquiry. In this regard, on 6th December 2013, EWURA conducted an Exit Meeting, where key stakeholders, including the Ministry of Energy and Minerals (MEM); TANESCO; Zanzibar Electricity Corporation (ZECO); Confederation of Tanzania Industries (CTI); Consumer Consultative Council (CCC); Government Consultative Council (GCC); Association of Cement Manufacturers; and Aluminium Africa Limited (ALAF) attended the meeting.

All comments, clarifications and suggestions conducted during the exit meeting were incorporated in the determination of the tariff decision.

A comparison of electricity tariffs in East Africa reveals that Tanzania's new tariffs (energy charge), particularly for commercial and industrial customers are lower than tariffs in the other countries.

# A new Cost of Service Study for electricity sought

## By Staff Writer

The Energy and Water Utilities Regulatory Authority says it will institute another Cost of Service Study (COSS) to establish costs involved in generation, transmission and distribution of electricity services in Tanzania.

Following massive gas discoveries in the southern part of the country, it is expected that electricity generation will heavily rely on gas, now that hydro sources—once a major contributor of power—is being heavily affected by weather changes.

Generation of gas-fired electricity is expected to start beyond 2015. “But just before that, we will have already acquired reliable information needed to establish the cost of using gas to generate electricity,” said Director of Regulatory Economics, Mr. Felix Ngamlagosi.

He said by the time the pipeline construction is completed, an adequate and practical knowledge would have been

obtained to re-evaluate issues such as costs involved in construction of the plant, processing, pipelines and the final price at end users.

The first COSS was undertaken in 2012 by a consultant, AF-MERCADOS EMI from Spain. Three years would have been elapsed by the time gas arrives and there would be a likelihood that the actual situation would differ from the study findings.

The consultant was engaged in order to determine a cost reflective tariff for Tanzania Electric Supply Company (TANESCO).

As a result of COSS by the Spanish consultant, the tariffs recommended under Rate Setting Methodology (RSM) for the electricity sector in Tanzania Mainland and the COSS for TANESCO, have been a milestone towards the path to multi-year cost reflective tariffs for the electricity sector in Tanzania.



*Natural gas infrastructure at Tanzania Cigarette Company Limited in Dar es Salaam. A Cost of Service Study (COSS) to establish costs involved in generation of electricity from gas after completion of a bigger gas pipeline will be instituted.*

“The principles established on the new methodology are the basis for determining the cost of providing electricity services by TANESCO,” says Director of Regulatory Economics, Mr. Felix Ngamlagosi.

Adequate tariffs backed by prudent expenditure and cost management are what underpin the financial sustainability of the whole electricity sector.

Retail tariffs are to be calculated to recover all the allowed costs in the system, while the revenues obtained from the application of retail tariffs to end-users are to cover the costs of generation, transmission distribution and supply.

In other words, according to Mr. Ngamlagosi, the average retail tariff will add up the tariff for power generation, transmission and distribution.



# Peer Review Report: EWURA has excellent regulatory governance in Africa

**By Titus Kaguo**

THE Energy and Water Utilities Regulatory Authority (EWURA) has been ranked as a leading regulatory institution with excellent regulatory governance arrangement, according to the Peer Review Report recently released by the Eastern and Southern Water and Sanitation (ESAWAS) Regulators Association.

The Peer Review of the water sector regulatory system in Tanzania was undertaken between 14th and 19th July 2013 under the auspices of the Eastern and Southern Africa Water Sanitation (ESAWAS) Regulators Association which comprises agencies that are responsible for water sector regulation in their respective countries.

The agencies include Conselho de Regulacao de Aguas (ACRA)-Mozambique, Energy and Water Utilities Regulatory Authority (EWURA)- Tanzania, Lesotho Electricity and Water Authority (LEWA), Lesotho, National Water Supply and Sanitation Council (NWASCO), Zambia, Rwanda Utilities Regulatory Agency (RURA), Rwanda and Water Services Regulatory Board (WASREB), Kenya.

The Director General for EWURA, Mr. Haruna Masebu said in an interview that the peer review was conducted by independent consultants that involved Chief Executive Officers from five member regulatory institutions as part of capacity building exercise.

Mr. Masebu added that the regulatory performance was assessed based on three concepts; regulatory governance, regulatory substance and regulatory impact.

“The ESAWAS Regulators Association report concludes by providing that EWURA has excellent regulatory governance arrangement and in much respect a continental leader,” said Mr. Masebu, adding that the Final Peer Review Report was adopted by members of ESAWAS Regulators Association at the Annual General Meeting that took place in Maseru, Lesotho on 1st November 2013. This was the first peer review to be undertaken by ESAWAS. Last year, EWURA was rated the best regulatory institution in Africa by the African Forum for Utility Regulators (AFUR), for having two distinguished features from the rest of five African countries regulators in energy sector.

The features mentioned as the unique manner in which the reporting lines to the government have been separated between policy and administrative matters; and the establishment of Government Consultative Council (GCC), which aims to streamline EWURA's Interactions with the government on regulatory issues.

This was revealed by the Report of Peer Review on Electricity that was conducted by Regional Electricity Regulators Association (RERA) in 2010, in six countries of Tanzania, Kenya, Uganda, Zambia, Namibia and Ghana.

## OBITUARY

Eng. Mathew Mbwambo: 23 /12/1958 - 30/8/2013



Eng. Mathew Mbwambo who was an employee of the Energy and Water Utilities Regulatory Authority (EWURA), died at Aga Khan Hospital in Dar es Salaam on the 30th August, 2013 after a long illness. Eng. Mbwambo was a Technical Manager – Electricity directorate since 2007. He was a holder of MSc. in Electrical Engineering from Russia, Master of Business Administration from The Netherlands and a Postgraduate Diploma in Electrical Power Distribution System from the University of Trondheim, Norway. During his work life at EWURA, Eng. Mbwambo was a member of Technical Committee of Tanzania Bureau of Standards (TBS) for Electricity Standards. He was also a member and secretary to the Technical Committee of Regional Electricity Regulators Association of SADC. Before joining EWURA, Eng. Mbwambo worked with the Ministry of Energy and Minerals as a Senior Electrical Engineer from 1988 to 2006. Throughout his life, Eng. Mbwambo possessed a loving, joyful personality and was known to all his colleagues as a compassionate, hard-working and outgoing person. He will be remembered for his immense contribution in the Regulation of Electricity Industry in Tanzania and the region at large. He is survived by his wife Neema Mathew Mbwambo. May the Almighty God rest his soul in eternal peace. AMEN.

# Records management for maximum effectiveness

**By Richards LT Mhaha**

IT goes without saying that institutions, whether commercial or non-commercial, exist in order to realise their vision and mission as well as their objectives. Institutions are just like living creatures, in a sense that they live and grow. In so doing, they evolve from simple to complex and generate abundant information.

In order for these institutions, especially regulatory ones, to meet their visions, missions, objectives and goals, they must organise and orderly put records of their information. Institutional memory is an essential attribute in ensuring that institution's human resource is well informed, as well as institution's external stakeholders.

Institutions need not only to create and mobilize financial resources, hire well educated, experienced, and widely exposed (3Es) human resource, but also need to find and create new, as well as strengthen their command of the existing markets with regard to its goods and services.

For an institution to adequately achieve these, its human resource should possess general and specialised knowledge, information and technical know-how as well as inventive skills which are pre-requisite to social, scientific, legal, economic, political and technological (SLEPT) innovation to satisfy needs of its informed clients.

Inspired by zeal to get goals achieved, institutions create Record and Information Centres, Registries, and or Communications and Public Relations Units which are the subject of recorded information that makes the institution forge ahead. Institutions that realise the potential of records and information resources, do vividly and strategically place their Registries, Records Centres and Communications and Public Relations Units into their Organisation Charts, usually as independent units under the office of the Chief Executive Officer, to signify their strategic roles into the institution.

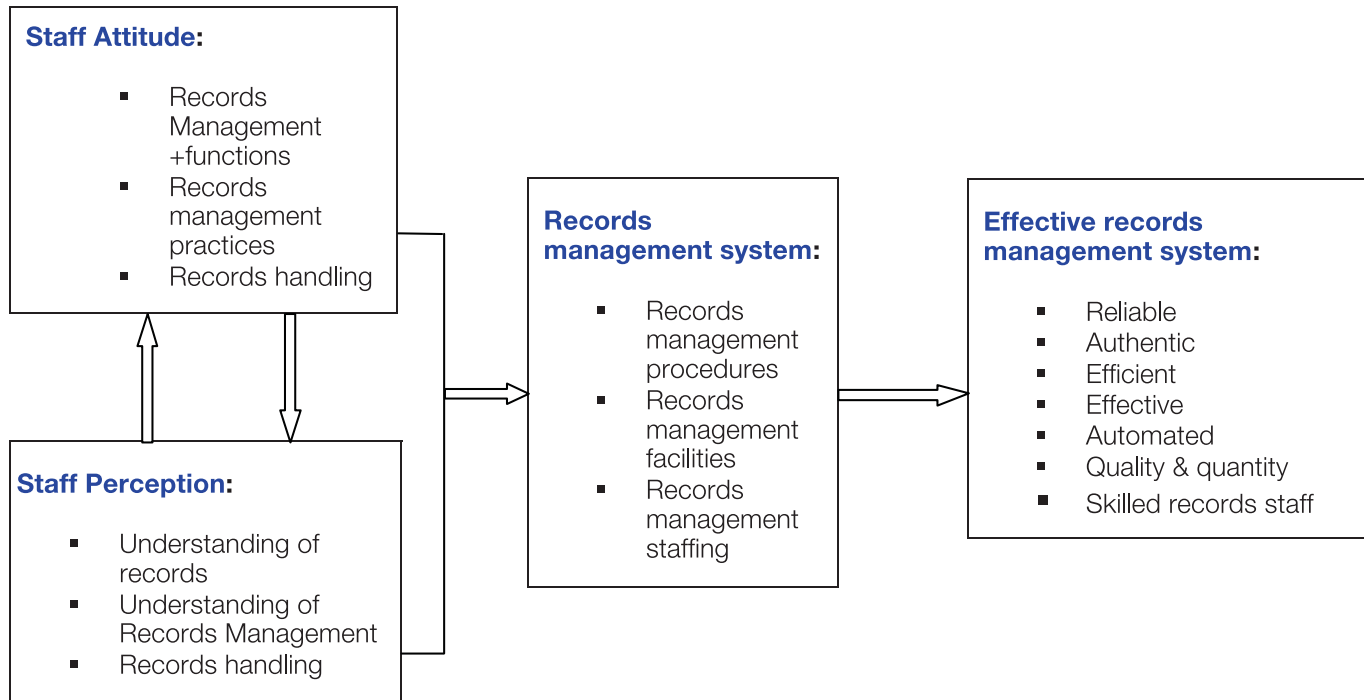
Good and well kept records build positive corporate image of institutions! Successful organisations and people have been so because of being well and timely informed by well kept and managed information, usually located in registries, documentation and information centres and accessible as off-line and online information sources. Google, Scribed and Wikipedia for example, are globally accredited online information sources which are well managed.

The value of any record in business depends upon the accuracy and speed with which it can become accessed and put into use. The records must not only be maintained systematically but also preserved and handled with due care so as to prevent its loss, leakage and its mutilation. Effectiveness of records management rests on a successful tripartite partnership in an organisation as follows:

- ❖ The Registry staff, including the reception and Previewing Officer;
- ❖ Secretaries and attendants, responsible for records circulation; and
- ❖ The Action Officers.

Each of the three parties has a very important role to play in ensuring the security of the records in his/her hands while in use. The conceptual framework of records management diagram below, gives one an insight of self appraisal as to what s/he is as far as records management is concerned. The conceptual framework above illustrates the close relationship between staff attitudes and their perceptions towards records management system. It is also conceptualized that attitudes of staff towards records management functions, records management practices and records handling are resultants of their perceptual understanding of records, records management as well as how they handle records in a particular organisation. It is further conceptualized that these relationships influence records management system.

### The Conceptual Framework of Records Management Diagram



It is therefore prudent that the organisation's records management system, that is influenced by both staff attitudes and perceptions determine the effectiveness of records management system and hence the quality of the organisation. The pride of an institution largely depends not only on the stock of the records it has, but rather its currency, accuracy, its reliability and its timely availability when needed for use. Good and well managed records makes a good institution that realizes its vision and mission in a smooth manner. What are your attitudes and perceptions that contribute to this attainment?

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# Petroleum retailers' margins adjusted

**By Wilfred Mwakalosi**

Retailer's margins in petroleum sub-sector have been adjusted upward, following recommendations by a consultant who was hired by EWURA to review margins of both wholesalers and retailers in the sub-sector.

The adjustments, which totalled Tsh.92 per litre were subsequently introduced into the price formula and applied from December 4, 2013.

For quite sometime, petroleum wholesalers as well as retailers had been complaining to EWURA on the 'meagre' margins and had also been pushing for revisions.

However, a report by the consultant released in November 2013 concluded that wholesalers are being adequately compensated in their investments. Unlike the wholesalers, the retailers segment, through discussions with the consultant, felt "the retail business segment has been loss

making. It is anticipated that the independent dealers have remained in the business by reducing their costs to the bare minimum and therefore reduce the quality of service to consumers."

Costs involved in retailers' margin segment included operating cost per litre, stock holding costs per litre, depreciation and return on investment.

About 2.6 million cubic meters of fuel was expected to be consumed by the end of year 2013. As of May 2013, there were 1074 petrol stations operating in the country, most of them located in big towns.

Dar es Salaam, for instance, has 147 petrol stations, while Arusha has 86 and Mwanza 82. The country has about 904,000 cubic meters of storage capacity, with much of facilities concentrated in Dar es Salaam.



*A petrol station in Dar es Salaam. EWURA has adjusted dealers' margin effective November 2013.*

# Consumer guide on complaint and dispute resolution

**By Mariam Mmbaga**

## Why should you complain?

To get results when you have a problem with the purchased goods or service, nothing will happen unless you complain and demand action.

Consumers have the right to know what they will receive before they pay for any product or services, obtain what they have paid for, and complain to the utility when they are not satisfied. If the utility refuses to assist, start putting your communications in writing.

## Who can lodge a complaint at EWURA?

EWURA handle complaints from consumer of regulated goods and services against utility and not vice versa. A complaint may be based on supply, possible supply or purported supply of the goods or services. EWURA complainant form can be obtained from EWURA offices or downloaded from EWURA web site: [www.ewura.go.tz](http://www.ewura.go.tz)

## General concepts for complaining

- ❖ Know your rights.
- ❖ Complain on time.
- ❖ Keep your documents and notes about your complaint.
- ❖ Write out three or four sentences that describe your complaint clearly and briefly.
- ❖ First Contact the utility.
- ❖ Be clear about what you want.
- ❖ Be persistent.
- ❖ Prepare yourself to contact EWURA if the matter is not resolved by utility.

Before you complain ask yourself if your complaint is legitimate. Why are you dissatisfied? What went wrong? Is it a question of losing money because goods or services you received were not what was promised, or was there even outright fraud? Or, did a representative of the company treat you rudely?

Taking the time to consider whether you have a valid and timely complaint will save you time and effort. But, check to see if there is a deadline for making your complaint.

Think about your options and rights. Consider the facts of the case and what you want to happen. Write down:

- ❖ a brief description of your complaint;
- ❖ what your rights are;
- ❖ why you feel the utility should do something for you; and
- ❖ what you want the utility to do to resolve the problem.

Review all printed information you have about the case, such as:

- ❖ all letters between you and the utility; and
- ❖ any other papers you received from the utility, including agreements, instructions, receipts and billing statements.
- ❖ If you signed a contract, read it carefully and ask the utility for explanations of anything you don't understand.

Consider whether a compromise would be acceptable. It may be easier to resolve the complaint if you agree to a settlement that falls short of a full refund.

## How to complain

Take your complaint directly to the utility before you take any other action. Often, the problem can be resolved quickly by doing so. Ask politely if you could be transferred to someone with the authority to help resolve your complaint.

Complain as soon as possible. The sooner you complain, the better your chances are for a satisfactory settlement. In some cases, especially billing disputes, the utility may not be legally liable if you fail to complain within a reasonable time after you first discover the problem or receive the bill. That is why it is important to read all bills and statements as soon as you get them.

Clearly present your problem to the utility. Failure to communicate effectively often makes it difficult to resolve complaints. Have all relevant information at hand when make a contact, including your account number or other facts to help the utility identify the transaction, your receipt, billing statement and a clear and brief explanation of what is wrong and what you want the utility to do. Sometimes problems can be resolved with one call, email or visit. You may learn that the utility is resolving the matter without an argument.

Be persistent. When you realize that your attempts to contact the utility are being ignored, or the utility refuses to help you, start putting your communications in writing. Sometimes utility ignore complaints until they see them in writing. Even if you called, visited or email, it's a good idea to print out a copy of the message and send it through the mail. Always send your complaint letters with an extra copy to be certified that the utility received your communication.

Complaint emails and letters are important because they:

- ❖ create a written record of your complaint with the utility;
- ❖ preserve your rights under law;
- ❖ help the business understand your side of the story;
- ❖ lay the groundwork for a future legal case or defence; and
- ❖ let the company know you are serious about the matter..

Complaint emails or letters should not be long—a long letter can be a drawback as representatives may not have the time to read every word and may even choose to ignore your letter. Explain your problem in few words not more than 250. Include your name, address and phone numbers, and account or invoice number, if any. Keep a copy of all communications you send and receive. If the first contact does not bring a response, send another. Simply send the same email or letter, with a new sentence stating, “This is my second attempt to contact you about this matter.”

### Contact EWURA

The Authority has a “Unit” with the responsibility to receive and follow up on complaints lodged. To be effective on protecting Consumer rights the Authority has been reviewing some procedures with regard to complaint

when necessary. Recently the Authority has established Consumer Complaints (Settlement Procedure) Rules, GN. No. 10 of 2013.

### What is the procedure for handling complaints?

Upon receipt of a complaint from a consumer of regulated goods or services EWURA dispatch all the details submitted by a complainant to the respondent. The respondent is instructed to present to the Authority a defence to the complaint within twenty one days from the date of receipt. A copy of the defence which may be counterclaim or claim for set-off should be served to the complainant as well.

If a respondent fails to present a defence within the stipulated period, it will be implied that he has waived his right to be heard and the “Division of the Authority” will proceed with the hearing ex-parte. However the respondent may be allowed to participate in the proceedings if he has sufficient cause for failure to make such a defence.

In the event that respondent submits a defence within stipulated time, the “Unit” organize a mediation meeting for the purpose of resolving the matter amicably. If no amicable settlement reached between the parties the matter is referred to the “Division of the Authority” for hearing. The division will present its findings and recommendations to the Board of Directors for action. The Board will make a ruling on the complaint which will be carried out by the division. The Order of the Board with respect to the complaint has similar power as that of the High Court of Tanzania.

### Can a party appeal against the decision made?

Yes. Where a party is not satisfied with an award by the Board, that party has the right to appeal to the Fair Competition Tribunal, (FCT) The Tribunal may either dismiss the appeal in whole or part or set aside the award in whole or part and refer outstanding matters to EWURA for re-determination with or without directions as to the matters to be taken into account in the re-determination. The Fair Competition Tribunal may make such orders as to the payment of any party's costs of the appeal as it deems appropriate and any party aggrieved by the decision of the Tribunal has the right to appeal to the Court of Appeal.