

**THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY
(EWURA)**

COMPLAINT NUMBER: EWURA/33/4/287

BETWEEN

SAPPHIRE COURT HOTEL LIMITED..... COMPLAINANT

VERSUS

**DAR ES SALAAM WATER SUPPLY
AND SEWERAGE CORPORATIONRESPONDENT**

AWARD

*(Made by the Board of Directors of EWURA at its 170th Extra-Ordinary Meeting
held at Dar es Salaam on the 7th day of June 2017)*

1.0 Background Information

On 31st January 2017, Mr. Abdulfatah Salim Saleh representing Sapphire Court Hotel Limited of Lindi/Sikukuu Street Kariakoo, Dar es Salaam (“the Complainant”), lodged a complaint at the Energy and Water Utilities Regulatory Authority (“EWURA”) (“the Authority”) against the Dar es Salaam Water Supply and Sewerage Corporation, (DAWASCO) (“the Respondent”) disputing increased sewer charges by the Respondent claiming that the charges do not reflect the actual sewer production at the hotel. The Complainant is disputing the continuous assessments done by the Respondent at the hotel with a view to determining their sewer charges. The Complainant claims that although water consumption at the

hotel has not changed from the time their business started, the Respondent kept on increasing their sewer charge from time to time. The Complainant claims that their sewer charge increased from the initial charge of TZS 350,000.00 to TZS 450,000.00. The Complainant claims that the charge was increased from TZS 450,000.00 to TZS 702,000.00 and following the last assessment that was conducted by the Respondent in January 2017; the charge was increased further to TZS 1,182,110.00. The Complainant submits that given their financial situation, they cannot afford the sewer charge of TZS 1,182,110.00 introduced by the Respondent and consequently, sought an Order from the Authority that the sewer charge be re-adjusted to TZS 702,000.00.

Upon receipt of the Complaint, the Authority ordered the Respondent to submit its defence to the complaint within twenty-one [21] days as required by the EWURA (Consumer Complaints Settlement Procedures), Rules, GN 10/2013.

On 22nd February 2017, the Respondent submitted its defence and stated that inspection was conducted at the Complainant's premises and it was concluded that the amount of sewer charge paid by the Complainant was on low and therefore they had to re-adjust it to TZS 1,182,110.00. The Respondent claims further that the Complainant was given prior notice of the new sewer charge.

Three mediation meetings involving both parties were conducted on 14th March 2017, 20th April 2017 and 16th May 2017 at EWURA Offices in Dar es Salaam. During mediation it was noted that the main challenge faced by the Respondent was failure to establish the actual amount of clean water used by the Complainant which will be used to compute the sewer bill. The Respondent indicated her willingness to connect the Complainant with clean water supply. The matter was settled and the parties agreed that;

- (a) the Respondent shall connect water supply at the Complainant's premises and the Complainant shall pay the Respondent TZS

76,000.00 being the cost of meter deposit (TZS 50,000.00) and connection fee (TZS 26,000.00);

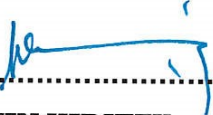
- (b) the Respondent shall start construction works once the Complainant settles the agreed amount of TZS 76,000.00;
- (c) the costs of construction works including cutting and rebuilding of the tarmac road and connections fittings shall be borne by the Respondent; and
- (d) the Complainant willingly agreed and made a commitment that they make use of clean water from the Respondent and abandon the use of borehole water.

The agreed terms were reduced into writing as required by Rule 13 (4) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN. No 10/2013 and contained in the Settlement Form.

2.0 Decision

The parties have reached an agreement and, pursuant to Rule 13 (4) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN. No 10 of 2013, the said agreement is registered as award of the Authority. Each party shall bear its own cost.

GIVEN UNDER SEAL of the Energy and Water Utilities Regulatory Authority (EWURA) in Dar es Salaam this 7th day of June 2017.


.....
EDWIN KIDIFFU
SECRETARY TO THE BOARD