

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

**COMPLAINT NUMBER. GA.71/472/228**

**JAFARI HAMISI.....COMPLAINANT**

**VERSUS**

**MWANZA URBAN WATER SUPPLY AND  
SANITATION AUTHORITY.....RESPONDENT**

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**SETTLEMENT AWARD**

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*(Made by the EWURA Board of Directors through its Circular Resolution no. 5  
dated 10<sup>th</sup> day of May, 2021)*

**1.0 Background Information**

On 10<sup>th</sup> February 2021, the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") received a complaint from Mr. Jafari Hamisi of P.O.Box 1689, Kayenze Ndogo-Igombe in Mwanza Region ("the Complainant") against the Mwanza Urban Water Supply and Sanitation Authority ("MWAUWASA") ("the Respondent") disputing the water usage bill for the month of November and December 2020 amounting to TZS 606,376.80.

The Complainant alleges that in November and December 2020, the Respondent served him with an extremely huge bill of TZS 606,376.80, which is contrary to Complainant's usual bills that range between TZS 80,000 and TZS 115,000.00 per month. The Complainant claims that he believes there was meter malfunction because ever since he was connected to water supply services his bills never reached above TZS 115,000.00 a Month. The

Complainant claims further that he visited the Respondent's offices to dispute the inflated water bills for November and December 2020 issued by the Respondent. The Complainant states that on November 2020, The Respondent's officials took the Complainant's meter for testing, and that after opening the meter, the Respondent's officials discovered that the meter had debris causing it to malfunction. The Complainant explained further that the Respondent's officials cleaned the meter and tested it again and it was working properly then returned the meter at the Complainant's premises. Unfortunately, there were no adjustments made on the disputed bills. Consequently, the Complainant filed this complaint praying for Orders that the Respondent be compelled to do adjustments on the bills to reflect the Complainant's actual water usage to allow the Complainant to settle the debt.

Upon receipt of the complaint, on 11<sup>th</sup> February 2021, the Authority wrote to the Respondent instructing them to present their defense to the complaint in terms of Rule 6 (1) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN No. 428/2020. On 9<sup>th</sup> March 2021, the Respondent filed its defense and informed the Authority the following;

- a) That the Respondent acknowledge receipt of the Complainant's claims submitted by EWURA regarding huge bills for the month of November and December 2020;
- b) That the Respondent had previously received such a complaint from the Complainant. Moreover, on 11<sup>th</sup> December 2020 the Respondent conducted a meter testing to the Complainant's meter in front of the Complainant and the meter was working properly,
- c) That from the Complainant's previous bills from March to December 2020, the Complainant had never received a bill less than TZS 100,000.00 per month; and
- d) That the Complainant's July 2020 bill TZS 342,104.30 was higher compared to November TZS 239,824.50 and December TZS 223,508.20 the Complainant paid without complaining. Therefore, it is

believed the Complainant had high consumption of water at his premises

Mediation meeting involving both parties were conducted on 19<sup>th</sup> March and 22<sup>nd</sup> April 2021 at EWURA Lake Zone offices in Mwanza Region. During the mediation, it was observed that Complainant's July 2020 bill amounting to TZS 341,104.30 was for three Months from March to June 2021. Moreover, on 11<sup>th</sup> December 2020 the Respondent officials tested the Complainant's meter but after cleaning and removing debris it was then discovered the meter was working properly. Therefore, presence of debris in the water was the cause of incorrect meter reading hence high bills due to over registering to the Complainant and revenue loss to the Respondent due to meter under registering. Furthermore, the Respondent's representative has promised to follow up on and find a solution on the matter. At the end of the mediations, the matter was settled and the parties agreed on the following terms;

- a) that, due to the Complainant's meter condition, the Complainant shall pay TZS 217,000.00 being bills for November and December 2020 which is an average of the Complainant's previous consumption for eight (8) months; and
- b) that, the amount in (a) above shall be paid by the Complainant before 30<sup>th</sup> April 2021.

The agreed terms were reduced into writing as required by Rule 14 (4) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN. No 428/2020 and contained in the Settlement Form.

## **2.0 Decision**

The parties have reached an agreement and, pursuant to Rule 14 (5) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN. No 428 of 2020, the said agreement is registered as an award of the Authority. Each party shall bear its own costs.

**GIVEN UNDER THE SEAL** of the Energy and Water Utilities Regulatory Authority (EWURA) at Dodoma this 10<sup>th</sup> day of May, 2021.



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**KAPWETE LEAH JOHN**  
**SECRETARY TO THE BOARD**