

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

COMPLAINT NUMBER. PN.71/472/30

**NASONI O. MAHELELACOMPLAINANT
(MWAKILISHI JOYCE NASONI ONESMO)**

VERSUS

DUWASARESPONDENT

SETTLEMENT AWARD

*(Made by the Board of Directors of EWURA through its Circular Resolution
No.7 of 3rd June, 2021)*

1.0 Background Information

On 13th April 2021, the Energy and Water Utilities Regulatory Authority (“the Authority”) received a complaint from Mr. Nasoni O. Mahelela (Representative Ms. Joyce Onesmo Nasoni) of Ipagala Street, Ipagala Ward, Dodoma Municipality (“the Complainant”) against Dodoma Water Supply and Sanitation Authority (DUWASA) (“The Respondent”). The Complainant is complaining against a high-water bill of June 2019 amounting to TZS 1,050,813.7 contrary to the Complainant’s monthly average consumption.

The Complainant states that, in June 2019, the new meter reader from the Respondent’s office visited their premise for meter reading exercise and thereafter, he informed family members that, once the owner of the house is back should call him back for more information on the alleged high-water

bill. The Respondent however never called back, instead he wrote a letter to the Respondent to seek clarification but none was given. All efforts made to resolve the complaint were unsuccessful. On April 2021, the Complainant filed this complaint to the Authority (EWURA) praying for order that the Respondent be compelled to waive the alleged high bill and also conduct meter inspection and testing to ascertain its accuracy.

Upon receipt of the complaint, on 16th April 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 4th May 2021, the Respondent filed its defense and informed the Authority the following;

- i. that the complaint was received by the Respondent and that the Respondent is ready to conduct meter inspection and testing to ascertain its accuracy;
- ii. that the only measurement on water consumption is through water meter, in the event a customer has a complaint on meter readings, may request meter inspection and testing from service provider and that the Respondent is ready to attend such request; and
- iii. that, the proposal to replace a meter reader of that particular area is dependent on proof from investigation of misconduct which is yet to be performed as there are no formal complaints;

Mediation meeting involving both parties was conducted on 20th May 2021 at EWURA Central Zone conference room located in the first floor of EWURA Building, Medeli West in Dodoma City. During mediation meeting the following were observed:

- a) there was poor communication between parties in efforts to resolve the complaint. Once the Respondent became aware of the shocking high-water bill, he could have taken appropriate action and efforts to

resolve the matter such as meter inspection and testing, verify leakages of which was not the case;

- b) despite all the efforts made by the Complainant to seek remedy on the controversial bill, he did not get a desired cooperation from the Respondent and instead the Complainant was forced to enter into an agreement to settle the high bill in installments;
- c) upon receipt of the summons from the Authority, the Respondent conducted meter inspection and testing without being witnessed by the Complainant or his representative which is contrary to Rule 44(1) of Water Supply and Sanitation Services (Licensing and Quality of Service) Rules GN. 849 of 2020; and
- d) a trend on Complainant's average monthly water consumption before and after June 2019 suggests that, there was no record of high shocking consumption as that recorded in the June 2019 bill.

At the end of mediation session, parties agreed to waive the alleged high bill of TZS 1,050,813.7 and agreed to pick the highest bill of between three months before and three months after June 2019 which is August 2019 in the sum of TZS 49,810.00. Furthermore, parties agreed that the Respondent shall pay the agreed amount of TZS 49,810.00 today 20th May 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 3rd day of June, 2021.



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KAPWETE LEAH JOHN
SECRETARY TO THE BOARD