

**MAMLAKA YA UDHIBITI WA HUDUMA ZA NISHATI NA MAJI
(EWURA)**

MALALAMIKO NAMBA. SN.RP 71./135/39

NEEMA MARTIN NGAO GROUP.....MLALAMIKAJI

DHIDI YA

SHIRIKA LA UGAVI WA UMEME TANZANIA (TANESCO)..... MLALAMIKIWA

TUZO YA MAKUBALIANO

*(Imetolewa na Bodi ya Wakurugenzi ya EWURA kupitia waraka wake namba 16
wa tarehe 27 Agosti, 2021)*

1.0 Maelezo ya Awali

Mnamo tarehe 14 Julai 2021, Mamlaka ya Udhambi wa Huduma za Nishati na Maji "EWURA" ("Mamlaka") ilipokea malalamiko kutoka kwa Bi. Neema Martin Ngao Group, wa Mazwi, Sumbawanga, Mkoa wa Rukwa akililalamikia Shirika la ugavi wa umeme Tanzania ("TANESCO") (Mlalamikiwa). Mlalamikaji analalamikia kitendo cha Mlalamikiwa kusitisha huduma ya umeme nyumbani kwake isivyo halali.

Mlalamikaji anaeleza kuwa yeye ni mteja wa Mlalamikiwa mwenye mita namba 37135409953. Mlalamikaji anadai kuwa siku ya tukio alikuwa amesafiri kwenda shambani kwake akapigiwa simu na mmoja wa wapangaji wake kuwa Mlalamikiwa amesitisha huduma ya umeme kwasababu walikuta mfuniko wa mita umefunguliwa na upo chini. Kisha Mlalamikaji anaeleza kuwa alienda ofisi ya Mlalamikiwa kwa ajili ya kupata ufafanuzi akaelezwa kuwa amtafute ndugu yake anayeishi kwenye nyumba husika ampe maelezo. Mlalamikaji anasema alishangazwa na kauli hiyo kwakuwa yeye

Kikao cha usuluhishi baina ya pande zote mbili kilifanyika tarehe 12 Agosti 2021 katika ukumbi wa Libori, Sumbawanga, Mkoa wa Rukwa. Mwisho wa kikao cha usuluhishi wadaawa walifikia mufaka kwa masharti yafuatayo:

- a) Pande zote mbili zilikubaliana kugawana gharama za uharibifu wa Mita ya Mlalamikiwa kiasi cha shilingi 181,425.00 kwa kila pande,
- b) Mlalamikiwa atarejeshsa huduma ya umeme kwa Mlalamikaji siku ya tarehe 12 Agosti 2021,
- c) Mlalamikiwa emeomba radhi kwa lugha chafu iliyotumika wakati wa kusitisha huduma; na
- d) Mlalamikaji anapaswa kumlipa Mlalamikiwa kiasi walichokubaliana cha shilingi 181,425.00 ndani ya siku saba (7) kuanzia tarehe 16 Agosti, 2021.

Makubaliano haya yamefupishwa kimaandishi kama inavyoainishwa kwenye 'Kanuni ya 14 (4) ya Mamlaka ya Udhibiti wa Huduma za Nishati na Maji (Taratibu za kutatua Migogoro) Kanuni, Tangazo la Serikali. Namba 428/2020' na kama inavyoainishwa kwenye fomu ya makubaliano.

2.0 Makubaliano

Pande zote mbili zimefikia muafaka na kwa mujibu wa Kanuni ya 14 (5) ya Mamlaka ya Udhibiti wa Huduma za Nishati na Maji(Kanuni za kutatua Migogoro) Kanuni, Tangazo la Serikali. Namba 428 la 2020', makubaliano haya yameandikishwa kama Tuzo ya Mamlaka. Kila upande utabeba gharama zake katika shauri hili.

IMETOLEWA KWA LAKIRI ya Mamlaka ya Udhibiti wa Huduma za Nishati na Maji-EWURA, Dodoma tarehe 27 Agosti, 2021.



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KAPWETE LEAH JOHN
KATIBU WA BODI

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

COMPLAINT NUMBER. RP.71/135/39

NEEMA MARTIN NGAO GROUP.....COMPLAINANT

VERSUS

TANZANIA ELECTRIC SUPPLY COMPANY LIMITED.....RESPONDENT

SETTLEMENT AWARD

*(Made by the EWURA Board of Directors through its Circular Resolution No.16
of 27th August, 2021)*

1.0 Background Information

On 14th July 2021, the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") received a complaint from Neema Martin Ngao Group of Mazwi Sumbawanga, Rukwa Region ("the Complainant") against the Tanzania electric supply company Limited ("TANESCO") ("the Respondent"). The Complainant is complaining against the alleged unlawful disconnection of service done by the Respondent.

The Complainant explains that she is the Respondent's customer with meter number 37135409953 but when the event occurred she was away and received the call from her tenant that the Respondent disconnected the service for the reason that they found that outer cover of their meter was opened and kept on the floor. The Complainant says a few days later she visited the Respondent's office for clarification but she was told to ask her relatives who reside at the premises in question. The Complainant explains

that she was in dilemma because she has no any relative who resides at the premises other than mere tenants only. More over the Complainant claims that the Respondent gave her a letter in which she was required to pay the sum of TZS 362,850.00 as a fine for damage to the Respondent's property (meter). Hence, the Complainant decided to file this complaint praying for Orders that the Respondent be compelled to do the following:

- a) the Respondent to restore the service to the Complainant premises,
- b) the Respondent to waive the fine which is not supposed to be paid by the Complainant; and
- c) the Respondent to apologize for the poor customer service offered to the Complainant.

Upon receipt of the complaint, on 15th July 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 27th July 2021, the Respondent filed its defense and informed the Authority that on 16th June 2021 on Wednesday the Revenue protection unit (RPU) conducted inspection in Mazwi area.

The Respondent stated that on that day the Respondent's staff were grouped into three group and one of the groups was directed to conduct inspection to the Complainant's meter. The Respondent explained that they had been informed before that there was a problem with that meter and when they reached at the Complainant's premises, they found that the Complainant's meter had no outer cover. The Respondent further explained that, seals were destroyed and screw of the outer cover was not found. The Respondent claimed that they tried to reach out for the complainant to explain the matter twice but she could not be reached. The Respondent therefore decided to disconnect electricity supply service.

Mediation meeting involving both parties was conducted on 12th August 2021 at Libori Conference Centre, in Sumbawanga Municipality, Rukwa Region. The matter was settled and the parties agreed on the following terms;


- a) that, both parties agreed to share the cost of repair of the damage to the Respondent's meter; at TZS 181,425 each party,
- b) that, the Respondent shall restore the service on 12th August 2021.
- c) that, the Respondent apologize for the bad language used during disconnection of the service; and
- d) that, the Complainant shall pay her share of the sum of TZS 181,425 within seven (7) days from 16th August 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 27th day of August, 2021.



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KAPWETE LEAH JOHN
SECRETARY TO THE BOARD