

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

COMPLAINT NUMBER. SN.71/472/66

**RASHID J. MSHANA FOR AND
ON BEHALF OF RESIDENTS OF NHC FLATS
UBUNGO.....COMPLAINANT**

VERSUS

**DAR ES SALAAM WATER AND
SEWERAGE AUTHORITY.....RESPONDENT**

SETTLEMENT AWARD

***(Made by the Board of Directors of EWURA through its Circular Resolution
No.5 of 10th May, 2021)***

1.0 Background Information:

On 25th January 2021, the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") received a complaint from Residents of Ubungo NHC Flats represented by Mr. Rashid J. Mshana of Ubungo NHC block one, Dar es Salaam Region ("the Complainant") against the Dar es Salaam Water and Sewerage Authority ("DAWASA") ("the Respondent"). The Complainant is complaining against the Respondent's act of imposing sewerage charges on a flat rate basis of TZS 18,800 per month to most of the residents of Ubungo NHC flats.

The Complainant claims that the Respondent has been charging them a flat rate for sewerage charges contrary to the approved Tariff Order which set

charges to be based on consumed clean water. The complainant further claims that efforts were made to get clarification from the Respondent but did not show the initiative to solve the problem.

The Complainant decided to file this complaint requesting the Authority to Order the Respondent to issue sewerage charges based on the Authority approved tariff.

Upon receipt of the complaint, on 26th January 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 17th March 2021, the Respondent filed its defense and informed the Authority that they acknowledge receipt of the Complainant's claims through a public meeting with the Complaints and the Authority summons which required them to submit a defense. The Respondent admitted that for the time being residents of Ubungo NHC pay a monthly flat bill of TZS 18,948 for sewerage and TZS 1,663 per unit for clean water.

Mediation meeting involving both parties was conducted on 21st April 2021 at Authority Zonal Office Dar es salaam. During the mediation the Complainant expressed disappointment on the poor customer care showed by the Respondent for which the Respondent apologized. It was noted that the Respondent's sewerage bills were not based on approved Tariff Order issued on 21 June, 2019. The matter was settled and the parties agreed that that the Respondent shall charge sewerage based on the individual's monthly consumption of the clean water.

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 10th day of May, 2021.



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KAPWETE LEAH JOHN
SECRETARY TO THE BOARD