

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

MALALAMIKO NAMBA. QN.71/135/122

GRACE JONAS MOTIKA MLALAMIKAJI

DHIDI YA

SHIRIKA LA UGAVI WA UMEME NCHINI

(TANESCO) MLALAMIKIWA

TUZO YA MAKUBALIANO

*(Imepitishwa na Bodi ya Wakurugenzi ya EWURA kupitia waraka wake Na. 10
wa tarehe 15 Julai, 2021)*

1.0 Maelezo ya Awali:

Mnamo tarehe 24 Machi, 2021, Mamlaka ya Udhibiti wa Huduma za Nishati na Maji "EWURA" ("Mamlaka") ilipokea malalamiko kutoka kwa Bi. Grace Jonas Motika wa Mtaa wa Naurei, Kata ya Sekei Jijini Arusha akilalamikia Shirika la Ugavi wa Umeme Tanzania ("TANESCO") (Mlalamikiwa) akitaka Mlalamikiwa aamriwe kuhamisha miundombinu ya usambazaji wa umeme inayopita juu ya paa lake pamoja na kubadilisha nguzo iliyooza.

Mlalamikaji analalamikia kuhusu Mlalamikiwa kutofanyia kazi malalamiko yake ya kupitisha miundombinu ya umeme wa njia tatu juu ya paa la nyumba yake na kutobadilisha nguzo chakavu ya umeme iliyopo kwenye makazi yake yalioko Mtaa wa Naurei, Kata ya Sekei Jijini Arusha. Mlalamikaji anaeleza kwamba ametoa taarifa na malalamiko yake kwa Mlalamikiwa mara kadhaa na mara ya mwisho aliwasilisha malalamiko kupitia barua ya tarehe 14 Oktoba 2020 lakini Mlalamikiwa hajafanyia kazi suala lake.

Mlalamikaji anaeleza zaidi kwamba nguzo ya umeme mdogo iliyooza ilisimikwa miaka ya 1990 na sasa inahitaji kubadilishwa kutokana na kuchakaa. Mlalamikaji amefahamisha kwamba miundombinu hiyo ya umeme inayopita juu ya paa la nyumba yake ina nyaya ambazo hazina maganda (*bare conductors*) jambo ambalo ni la hatari kwa Maisha ya wana familia wake na mali zake.

Hatimaye, Mlalamikaji alileta malalamiko yake EWURA na kuiomba Mamlaka imuamuru Mlalamikiwa kuondoa miundombinu ya umeme wa njia tatu inayopita juu ya paa la nyumba yake na aamrishwe kubadilisha nguzo ya umeme iliyooza iliyopo ndani ya makazi yake.

Baada ya kupokea malalamiko ya Bi. Grace Jonas Motika, Mamlaka (EWURA) tarehe 29 Machi, 2021 ilimwandikia Mlalamikiwa na kumuamuru kuleta waraka wa utetezi ndani ya siku ishirini na moja (21) kwa mujibu wa kanuni ya 6 (1) cha Kanuni za EWURA za Taratibu za Kutatua Migogoro '*Rule 6 (1) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN No. 428/2020*'.

Mnamo tarehe 30 Aprili 2021, Mlalamikiwa alileta utetezi wake na kuiambia Mamlaka kwamba anamtambua Mlalamikaji na kwamba amekua mteja wa huduma za umeme Jiji la Arusha. Mlalamikiwa ameeleza kuyafahamu madai ya Mlalamikaji ya kuondoa laini ya umeme mdogo (*Low Tension Line*) pamoja na kubadilisha nguzo iliyooza katika makazi yake. Mlalamikiwa alieleza kwamba atafanya mawasiliano na Mlalamikaji ili kufika yalipo makazi yake kisha kufikia muafaka.

Kikao cha usuluhishi baina ya pande zote mbili kilifanyika tarehe 28 Mei 2021, katika Ofisi za EWURA Kanda ya Kaskazini zilizopo jijini Arusha. Mwisho wa kikao cha usuluhishi, wadaawa walikubaliana Mlalamikiwa atahamisha nyaya za umeme zilizopita juu ya paa la nyumba ya Mlalamikaji na atabadilisha nguzo iliyooza iliyopo kwenye makazi ya Mlalamikaji mnamo au kabla ya tarehe 31 Mei, 2021.

2.0 Makubaliano

Pande zote mbili zimefikia muafaka na kwa mujibu wa kanuni ya 14(5) ya Kanuni za Taratibu za Kutatua Migogoro TS. namba 428/2020, 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 15 Julai, 2021.


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GERMANA QORRO
KATIBU WA BODI

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

COMPLAINT NUMBER: QN.71/135/122

GRACE JONAS MOTIKA COMPLAINANT

VERSUS

TANZANIA ELECTRIC SUPPLY

COMPANY LIMITED..... RESPONDENT

SETTLEMENT AWARD

*(Made by the EWURA Board of Directors through its Circular Resolution No. 10
of 15th July, 2021)*

1.0 Background Information

On 24th March 2021, Ms. Grace Jonas Motika of Naurei Street in Sekei Ward, P. O. Box 418, Arusha City, Arusha Region ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against the Tanzania Electric Supply Company Limited, ("TANESCO") ("the Respondent") claiming that the Respondent be ordered to remove over-head electrical cables and change decayed electrical poles installed on her plot.

The Complainant states that the Respondent has been reluctant with regard to removing a three-phase electric installations across the Complainant's premises located at Naurei Street within Arusha City. The Complainant claims to have reported the matter to the Respondent several times and lastly report was made on 14th October 2020 but there has been no response from the Respondent. The Complainant further claims the electric pole which was erected around 1990s is obsolete. The Complainant states

that the service lines passing through her roof has bare conductors and thus possess great danger to her family and property.

The Complainant filed a complaint with the Authority and prayed for an order against the Respondent to remove bare LV three phase wires and compel them to remove the electric pole installed in her compound.

After receipt of the complaint, on 29th March 2021 the Authority ordered the Respondent to submit their defense to the complaint within twenty-one (21) days as required by the Energy and Water Utilities Regulatory Authority (Consumer Complaints Handling Procedures), Rules, G.N. Number 428/2020. On 30th April 2021, the Respondent filed its defense acknowledging that the Complainant is their customer and that they are aware of her complaint regarding relocation of low-tension lines and removal of rotten electric pole. The Respondent further stated that they have contacted the Complainant and arranged for complaint settlement. Additionally, the Respondent promises to resolve the complaint on or before 15th May 2021.

Mediation meeting involving both parties was conducted on 28th May, 2021 at EWURA Northern Zone Offices, Arusha. At the conclusion of the mediation, the matter was settled and the parties agreed that the Respondent shall remove the three phase LV conductors passing over the Complainant's roof and replace the rotten electric pole in her compound on or before 31st May 2021.

The agreed term was reduced into writing as required by Rule 14 (4) of the EWURA (Complaints Handling Procedure) Rules, G. N. 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, G.N. 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) in Dodoma this 15th day of July, 2021.


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GERMANA QORRO
SECRETARY OF THE BOARD