

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

COMPLAINT NUMBER: SN.71/135/70

LOIS NUMBER: COMP-2025-00000008

FORTUNE CEMENT (T) COMPANY LIMITED COMPLAINANT

VERSUS

TANZANIA ELECTRIC SUPPLY

COMPANY LIMITED (TANESCO) RESPONDENT

SETTLEMENT AWARD

*(Issued by the Board Legal and Corporate Affairs Committee on its 145th
Meeting held at Dodoma on the 12th day of February 2025)*

1.0 Background Information

On 10th February 2020, Fortune Cement (T) Company Limited represented by Mr. Augustino E. Ndomba of PO Box 2390 Dar es Salaam ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against Tanzania Electric Supply Company Limited, ("TANESCO") ("the Respondent").

The Complainant is disputing the debt that has been charged, amounting to TZS 153,259,298.66 for a period of two years from 2017 to 2019 while the factory was not operating there were no production activities and the use of

electricity was only for lights. The Complainant states that the Respondent demands the Complainant to pay that debt, which is outstanding electricity bills for consumption from November 2017 to January 2020.

Complainant further states that the electricity bills charged by Respondent for the period when the factory was not operating are unreasonable and unrealistic as compared to the electricity consumed by the Complainant when the factory was not operational and they expected to receive bills that did not exceed or equal to TZS 390,850.18 per month.

The Complainant further claims that he wrote several letters to the Respondent to complain on the matter followed by several meetings but no resolution between them was reached. Consequently, the Complainant decided to lodge a complaint to EWURA (The Authority). The Complainant prays for the following orders from the Authority to compel the Respondent

1. An order that, the amount of TZS 153,259,298.66 as claimed by Respondent is unreasonable and does not reflect the actual electricity consumed by the Complainant.
2. An order that, the Complainant is duly bound to pay the electricity bills as consumed and not as exaggerated by the Respondent.
3. An order that, the amount payable to the Respondent and which is outstanding from November 2017 to January 2020 is 65,040,464.26 only.

Upon receipt of the complaint, the Authority ordered the Respondent to submit their defense to the complaint within twenty-one (21) days in accordance with Rules 6 (1) and 7 (1) of the Energy and Water Utilities Regulatory Authority (Consumer Complaints Settlement Procedure) Rules, 2020), GN No. 428/2020

On 20th March 2020, the Respondent submitted its defense and stated the following:

- (a) that the Complainant is the Respondent's customer who resides at Vikiindu Village, Mkuranga District in Pwani Region;

- (b) that, the bill amounting to TZS 153,259,298.66 is legal as charged due to outstanding bills by the Complainant and is supposed to be paid; and
- (c) that, the Complainant should prove his claims submitted on his complaint form.

Mediation meetings involving both parties were conducted on 16th April 2020 at EWURA Eastern Zone Offices, 4th Floor PSSSF Commercial Complex Building. The Parties prayed to settle themselves out of the Authority, and the feedback led to elevating the complaint to the hearing stage on 1st June 2020.

Hearing session involving both parties was conducted and the last hearing session was on 10th January 2024 where the parties prayed to settle through the mediation stage so as to end the complaint amicably. Mediation meetings involving both parties were conducted on 13th January 2024 at EWURA Eastern zone office, PSSSF building, where parties said they already settled the matter with the following conditions:

- (a) that the Respondent shall refund an amount of TZS 31,369,329.92 through a deduction on the Complainant's January 2025 electricity bill on or before 31st January 2025;
- (b) that, subject and without prejudice to clause (a) above, the Complainant shall withdraw all other reliefs he claimed in his Complaint form; and
- (c) that, apart from the December 2024 bill and any other future electricity bills, neither party shall be liable to the other for the previous electrical bills/Usage/Charges.

The agreed points 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 SEAL of the Energy and Water Utilities Regulatory Authority (EWURA) in Dodoma this 12th day of February 2025.



TONI S. MBILINYI
SECRETARY TO THE BOARD