

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

MALALAMIKO NAMBA. GA.71/135/338

**JOSEPH K. ONYANGO KWA NIABA YA
WAKAZI WA MTAU WA ZANZIBAR.....MLALAMIKAJI**

DHIDI YA

SHIRIKA LA UGAVI WA UMEME NCHINI.....MLALAMIKIWA

TUZO YA MAKUBALIANO

*(Imetolewa na Bodi ya Wakurugenzi ya EWURA kupitia Waraka wake
namba 10 wa tarehe 15 Julai, 2021)*

1.0 Maelezo ya Awali:

Mnamo tarehe 6 Mei 2021, Mamlaka ya Udhubiti wa Huduma za Nishati na Maji "EWURA" ("Mamlaka") ilipokea malalamiko kutoka kwa Wakazi wa mtaa wa Zanzibar wakiwakilishwa na Bw. Joseph Kanga Onyango wa Zanzibar Makoko, S.L.P 1066 Musoma, Mkoa wa Mara dhidi ya Shirika la Ugavi wa Umeme Nchini Tanzania ("TANESCO") (Mlalamikiwa). Mlalamikaji analalamikia kitendo cha Mlalamikiwa kutopeleka huduma ya umeme kwa wakazi wa mtaa wa Zanzibar.

Mlalamikaji ameeleza kwamba walipata tangazo kutoka kwa Waziri wa Wizara ya Nishati na Madini kwamba kuunganishiwa huduma ya umeme wa REA kwa wananchi ni shilingi TZS 27,000.00. Mlalamikaji anaendelea kueleza kuwa tangu mwezi wa 9 mwaka 2020, wakazi wa mtaa wa Zanzibar waliomba huduma ya umeme lakini hadi sasa bado hawajaunganishiwa

huduma hiyo. Mlalamikaji anadai kila akifuatilia kwa Mlalamikiwa anajibiwa hakuna nguzo ilihali wakazi hao wakiziona nguzo zikipelekwa sehemu nyingine. Matokeo yake, Mlalamikaji alileta malalamiko EWURA na kuiomba Mamlaka imuamuru Mlalamikiwa kupeleka huduma ya umeme kwa wakazi wa Mtaa wa Zanzibar haraka iwezekanavyo.

Baada ya kupokea malalamiko ya Bw. Joseph K. Onyango, Mamlaka (EWURA) tarehe 7 Mei 2021 ilimwandikia Mlalamikiwa na kumuamuru kuwasilisha utetezi ndani ya siku ishirini na moja (21) kwa mujibu wa Kifungu cha 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 2 Juni 2021 Mlalamikiwa aliwasilisha utetezi wake na kuiambia Mamlaka yafuatayo;

- i. kwamba Mlalamikiwa anakiri kupokea malalamiko haya kupitia barua ya kuwasilisha waraka wa kuleta utetezi kutoka EWURA ya Bwana Joseph Kanga Onyango kwa niaba ya wakazi wa mtaa wa Zanzibar,
- ii. kwamba, eneo la Zanzibar lipo Musoma Mjini ni eneo ambalo lina umeme kwa muda mrefu. Katika maeneo haya bei elekezi ya kuunganisha huduma ya umeme kwa mujibu wa gharama za EWURA ni TZS 320,960.00 kwa wateja walio mita 30 toka miundombinu ilipoishia,
- iii. kwamba, eneo lote ambalo halijapata huduma ya umeme lilishafanyiwa survey kama walivyoeleza kwa bahati mbaya mradi haukuweza kutekelezwa kutokana na ukosekanaji wa vifaa kwa wakati na kusababisha kazi hiyo kutotekelezeka hadi mwaka wa fedha kuisha;na
- iv. katika mwaka wa fedha unaokuja wa 2021/2022 tayari eneo hili limewekwa kwenye bajeti kwa mara nyingine na makadirio ya 2.5km za ujenzi wa laini ndogo, mradi wenye thamani ya shilingi TZS 61,695,522.54 kwa ajili ya kuwafikia wateja ambao hawana huduma.

Kikao cha usuluhishi baina ya pande zote mbili kilifanyika tarehe 22 Mei 2021 katika ukumbi wa Hoteli ya Afrilux iliyopo katika Manispaa ya Musoma, Mkoa wa Mara. Mwisho wa kikao cha usuluhishi, pande zote mbili zilikubaliana kwamba Mlalamikawa atapeleka huduma ya umeme kwa Wakazi wa Mtaa wa Zanzibar (Walalamikaji) kabla ya tarehe 30 mwezi Juni mwaka 2021.

Makubaliano haya yamefupishwa kimaandishi kama ilivyoainishwa kwenye 'Rule 14 (4) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN. No 428/2020' na kama inavyoainishwa kwenye fomu ya makubaliano.

2.0 Makubaliano:

Pande zote mbili zimefikia muafaka na kwa mujibu wa Kanuni ya 14 'Rule 14 (5) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN. No 428 of 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.


.....
GERMANA QORRO
KATIBU WA BODI

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

COMPLAINT NUMBER. GA.71/135/338

**JOSEPH K. ONYANGO ON BEHALF OF
ZANZIBAR STREET RESIDENTS.....COMPLAINANT**

VERSUS

TANZANIA ELECTRIC SUPPLY COMPANY LIMITEDRESPONDENT

SETTLEMENT AWARD

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

1.0 Background Information

On 6th May 2021, the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") received a complaint from Residents of Zanzibar Street, represented by Joseph Kanga Onyango of Zanzibar Makoko Street, P.o. Box 1066, Musoma Municipal, Mara Region ("the Complainant") against the Tanzania Electric Supply Company Limited ("TANESCO") ("the Respondent"). The Complainant demands for power supply in Zanzibar Street, Musoma Municipality.

The Complainant claims that the Government through Minister of Energy while in Mara Region announced that all citizens who requires electricity power supply through Rural Electricity Agency (REA) to pay TZS 27,000.00 for electricity power connection. The Complainant alleges that the Residents of Zanzibar Street applied for electricity connection since September 2020

after several follow-ups the Respondent informed them that the Complainants require electricity poles and unfortunately, the Respondent had no budget at that particular time. The Complainant being unsatisfied filed this complaint praying for Orders that the Respondent be compelled to immediate supply electricity services to residents of Zanzibar Street.

Upon receipt of the complaint, on 7th May 2021, the Authority wrote to the Respondent instructing 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 2nd June 2021, the Respondent, filed its defense and informed the Authority the following:

- a) that, the Complainants are residents of Zanzibar street represented by Joseph K. Onyango of Zanzibar Makoko, P.o. box 1066, Musoma-Mara Region and dispute is on delay for electricity supply connection,
- b) that, Zanzibar Street is in Musoma Municipality and has electricity services. Moreover, the Street is in urban area therefore, the fee for electricity power supply connection is TZS 320,960.00 for customers who are within 30metres from the Respondent's infrastructure.
- c) That, part of Zanzibar Street has no electricity services due to lack of tools to complete the project, and that the Respondent's budget was limited for July 2020 to June 2021; and
- d) That the Respondent budgeted TZS 61,695,522.54 to supply electricity and the remaining part of Zanzibar Street is also included on the budget for year 2021/2022.

Mediation meeting involving both parties was conducted on 22nd June 2021 at Afrilux Hotel Hall, Musoma Municipality, Mara Region. At the end of the mediation session, the matter was settled on the agreement that the Respondent shall supply electricity services to the residents of Zanzibar Street not later than 30th June 2021.

The agreed term was 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 15th day of July, 2021.



.....
GERMANA QORRO
SECRETARY TO THE BOARD