

8

THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY

COMPLAINT NUMBER EWURA/33/2/176

BETWEEN

FUNDISHA J. MADULU COMPLAINANT

VERSUS

BARREL PETROL ENERGY Co. LTD RESPONDENT

AWARD

(Made by the Board of Directors of EWURA at its 147th Extra-Ordinary Meeting held at Dar es Salaam on this 31st day of August 2015)

1.0 Background Information

On 27th March 2015, Mr. Fundisha J. Madulu ("the Complainant") of P.O. Box 79600 Dar es Salaam lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against Barrel Petrol Energy Co. Ltd ("the Respondent") who are located at Mbagala Kilwa Road, Dar es Salaam for being supplied with substandard diesel. The Complainant claims that on 25th March 2015 around noon, the Respondent supplied him with substandard diesel valued at TZS 96,750.00.

The Complainant claims further that shortly after leaving the Respondent's service station, his car started misfiring. The Complainant went back to the filling station but the attendant was not cooperative and insisted that their products complied with the required standards. On 27th March 2015, the Complainant filed a formal complaint with the Authority questioning the quality of the Respondent's diesel and he made the following demands:

1. that the Respondent be ordered to compensate the Complainant at the tune of TZS 160,000.00 being the amount spent for repair of the damaged car; and
2. that the Respondent be ordered to compensate the Complainant at the tune of TZS 210,000.00 being the cost of loss of business.

Following receipt of the complaint, the Authority ordered the Respondent to submit a defense to the complaint within twenty one (21) days as required by the EWURA (Consumer Complaints Handling Procedures), Rules, GN Number 10/2013.

On 17th April, 2014, the Respondent informed the Authority that their diesel was within acceptable standards and availed documents showing the laboratory results of the consignment from the supplier. On 18th June 2015, the parties attended a mediation meeting and they both observed the need for the Authority to increase public education about its duties and functions and locations of its offices. The parties also agreed to settle the matter amicably on the following terms:

- (a) that the Complainant agreed to drop all demands against the Respondent;

(b) that this matter be marked settled and each party is satisfied.

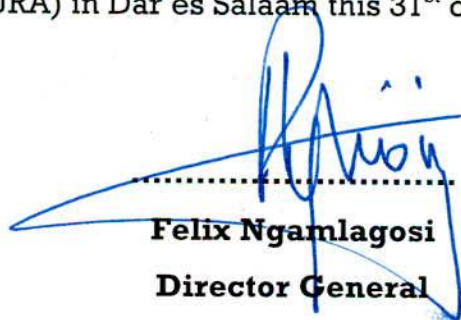
The above points of agreement were reduced into writing as required by Rule 13 (4) of the EWURA (Complaints Handling Procedure) Rules, GN. No 10/2013 and contained in the attached Settlement Form.

2.0 **Decision**

The parties have reached an agreement and, we, under the provisions of Rule 13 (4) of the EWURA (Complaints Handling Procedure) Rules, GN. No 10/2013, hereby register as the Award of the Authority the agreement contained in the Settlement Form attached hereto.

Each party shall bear its own costs in pursuing this matter.

GIVEN UNDER SEAL of the Energy and Water Utilities Regulatory Authority (EWURA) in Dar es Salaam this 31st day of August 2015.


.....
Felix Ngamlagosi
Director General