

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

COMPLAINT NUMBER: QP.71/474/03

BETWEEN

**ABUBAKAR AL-SHATRY FOR AND
ON BEHALF OF SUMMIT CENTRE.....COMPLAINANT**

AND

**ARUSHA WATER SUPPLY AND SANITATION
AUTHORITY (AUWSA).....RESPONDENT**

AWARD

*(Made by the Legal and Corporate Affairs Committee of the Board of Directors of
EWURA at its Meeting held in Dar es Salaam on 26th day of February, 2018)*

1.0 Background Information

On 12th September, 2017, Mr. Abubakar Al-Shatry of P.O. Box 7376, Sokoine Drive Area, within Arusha City (“the Complainant”) on behalf of the Summit Centre lodged a complaint at the Energy and Water Utilities Regulatory Authority (“EWURA”) (“the Authority”) against the Arusha Water Supply and

Sanitation Authority (AUWSA ("the Respondent")) complaining about improper and sudden increase in sewerage charges from July 2017. The Complainant claims that he is being charged TZS 2,000,000.00 per month as sewerage charges from the previous charges of TZS 187,500.00 per month. The Complainant claims that, as per the Respondent, the basis for the said sewer charges is the fact that the Complainant's premises is not connected to the Respondent's water supply network. The Complainant claims to have been using water from his private borehole since 2000.

The Complainant argues that they had taken several measures to resolve the matter with the Respondent including requesting to be provided with the basis for calculations of sewer charges making it TZS 2,000,000.00 per month. Despite the repeated request from the Complainant, the Respondent refused to discuss the matter. Following the said refusal the Complainant filed a complaint with the Authority and prays that the Respondent be ordered to provide the formula they used in calculating the Complainant's monthly sewerage charges.

Upon receipt of the complaint, the Authority ordered the Respondent to submit its defense to the complaint within twenty-one [21] days as required by the EWURA (Consumer Complaints Handling Procedures) Rules, GN 10/2013. The Respondent replied back and stated that for a very long time, they had been under billing on sewerage services their customers, who were not using AUWSA's water service but that from boreholes.

Mediation meetings involving both parties were conducted on 1st November and 17th November 2017 at the EWURA Northern Zone Office, Arusha. During mediation meeting the Complainant claims that the Respondent did not

involve them in assessing their water consumption which forms the basis for computing sewerage charges. The parties agreed to work together in order to establish the amount of water being consumed by the Complainant and hence compute sewerage charges on the water consumption using the rate approved in the EWURA Tariff Order No. 2016-003. At the end the matter was settled on the following terms:

(a) that the Complainant and Respondent shall evaluate together the Complainant's water consumption which shall be used as a basis for computing the sewerage charges; and


(b) that the Respondent shall document the agreed re-assessed monthly sewerage charges of TZS 878,486.40 per month and the Complainant shall pay the agreed amount starting from the month of July 2017.

The agreed points were reduced into writing as required by Rule 13 (4) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN. No 10/2013 and contained in the Settlement Form.

2.0 Decision

The parties have reached an agreement and, pursuant to Rule 13 (4) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN. No 10 of 2013, 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 Dar es Salaam this 26th day of February, 2018.



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NZINYANGWA E. MCHANY
DIRECTOR GENERAL