

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

COMPLAINT NUMBER: NP.71/135/09

ASHERY I. MTAGOMA.....COMPLAINANT

VERSUS

TANZANIA ELECTRIC SUPPLY

COMPANY LIMITED.....RESPONDENT

AWARD

***(Made by the Board of Directors of EWURA at its 177th Extraordinary meeting held
in Dar es Salaam on the 28th March, 2018)***

1.0 Background Information:

On 9th August, 2017, Mr. Ashery I. Mtagoma of Kabuhoro, Kirumba, in Mwanza City ("the Complainant") lodged a complaint to the Energy and Water Utilities Regulatory Authority ("the Authority") against Tanzania Electric Supply Company Limited ("TANESCO") ("the Respondent") complaining on the delayed electricity connection at his premises. The Complainant claims that on a date he does not recall he applied

to the Respondent's offices for power connection to his house. The Complainant further claims that following the said application he was served with the quotation on 6th December 2016 requiring him to pay the sum of TZS 696,669.64 being the charges for the service line and connection fee. On 21st December 2016 the Complainant paid the required amount but since then he has not been connected with power supply services. The Complainant further claims that he followed up the matter at the Respondent's office and was told that, in order to be connected, he must show proof of payment. Unfortunately, the Complainant did not have the receipt. The Complainant further states that on the day that he went to the Respondent's office to make payment, he was told that the payment system was down and therefore they could not print the receipts for payment.

The Complainant further claims that one person in the name of God, who was at the cashier's office at the time, advised him to leave behind the money and mobile number so that when the system start working again he will call him to come and collect his receipt. The Complainant claims that he left the money and the mobile number with Mr. God but he was never called back to collect his receipt. The Complainant claims that following that incident he had family problems and thus he could not follow up on the matter until April 2017 when he visited the Respondent's offices only to find out that Mr. God had been fired and his payment receipt is nowhere to be found. This is despite the fact that Complainant's name was on the list for people waiting to be connected to electricity power services. The Complainant prays that the Respondent be ordered to connect electricity at his premises.

Upon receipt of the complaint, on 9th August 2017, the Authority ordered the Respondent to file a reply to the complaint pursuant to the provisions of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, Government Notice No. 10/2013. On 28th August 2017, the Respondent, filed its defense and inform the Authority the following:

- (a) it is not true that the Complainant paid TZS 697,000.00 for service line and connection fee for the past four months as he claimed in his complaint;
- (b) that since the Complainant did not pay for the service line as requested on the letter from the Respondent dated 6th December 2017 the Respondent is not obliged to connect electricity power at the Complainant's premises;
- (c) that any payment received at the Respondent's cash office must have a printed receipt but the Complainant did not make payment according to the laid down procedure instead he paid to a staff of the Respondent,
- (d) that the claim made by the Complainant that he has paid the money to the Respondent's staff without getting a receipt is a criminal offence and that the Respondent is not responsible for such payments; and
- (e) that in order to be connected to the services the Complainant has to pay the amount shown on the quotation letter as required by the Respondent something that the Complainant has not done yet.

Mediation meetings were held at EWURA Lake Zone Office in Mwanza on 15th and 20th September 2017 where the parties agreed that the Respondent shall connect electricity at the Complainant's premises immediately after receiving TZS 696,669.64 from the Complainant being charges for connection fee and service line.

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 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 28th March, 2018.



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NZINYANGWA E. MCHANY

DIRECTOR GENERAL