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**THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY**

**COMPLAINT NUMBER EWURA/33/4/178**

**BETWEEN**

**AUDAX RWEYEMAMU KAMUHABWA ..... COMPLAINANT**

**VERSUS**

**DAR ES SALAAM WATER SUPPLY  
AND SEWERAGE CORPORATION ..... RESPONDENT**

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**AWARD**

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

**1.0 Background Information**

On 4<sup>th</sup> July 2014, Mr. Audax Rweyemamu Kamuhabwa ("the Complainant") lodged a complaint at the Energy and Water Utilities Authority ("EWURA") ("the Authority") against the Dar es Salaam Water Supply and Sewerage Corporation, (DAWASCO) ("the Respondent"). The Complainant complains on the lack of water supply at his premises located at Msasani, Bonde la Mpunga area near Mayfair Plaza, in the city of Dar es Salaam after a pipe supplying water to his premises was cut off by a contractor. The Complainant submitted that during the evening of 9<sup>th</sup> June 2014, the pipe that

supplies water to his premises was cut off by a contractor who was carrying out construction works at the area.

The Complainant claims that when he contacted the contractor about the matter, the contractor said that they had already compensated the Respondent for the damages caused to the water supply system in the said area. The Complainant states that on 12<sup>th</sup> June 2014, the Complainant met with the Respondent's Kinondoni Area Manager, who told him that they were not compensated by the contractor and as such he should follow up the matter with the contractor. The Complainant further claims that on 14<sup>th</sup> June 2014, he wrote a letter to the Respondent's Kinondoni Area Manager regarding the matter but he received no response. On 4<sup>th</sup> July 2014 the Complainant filed a complaint with the Authority with the following demands:

- (a) that the Respondent be ordered to immediately restore water supply at the Complainant's premises;
- (b) that the Respondent pay the Complainant the cost for inconveniences and the cost of purchasing water from alternative sources; and
- (c) that the Respondent be ordered to ensure that the Complainant is supplied with water.

After 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 Energy and Water Utilities Regulatory Authority (Complaints Handling Procedures), Rules, GN 10/2013. The Respondent submitted, among other things, that they are not responsible to pay the Complainant as they were not responsible for the termination of water services to the Complainant. The Respondent argues that, in any case, the Complainant is among the

beneficiaries of the project once it is completed. The Respondent further argues that the Complainant is not the only person who is affected by the project; more than 400 consumers have also been affected.

On 30<sup>th</sup> January 2015, mediation meeting was held and parties agreed on the following:

- (a) that once the project is completed, the Respondent shall restore water supply at the Complainant's premises and to all affected customers;
- (b) that the Respondent shall always issue public notices on any water supply interruption to allow customers to store enough water;
- (c) that in case of similar project in future the Respondent shall do the needful to look for alternative supply of water to its customers;
- (d) that the Complainant shall drop claims on refund of cost incurred to purchase water from alternative sources; and
- (e) the matter is marked settled and each party is satisfied.

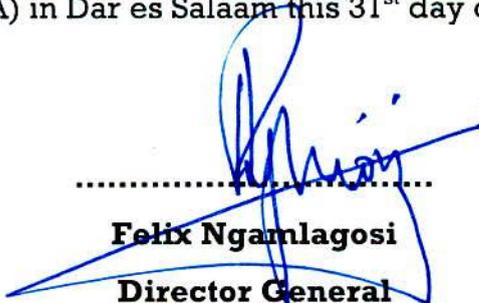
The above points of agreement were reduced into writing as required by Rule 13 (4) of the EWURA (Complaints Handling Procedure) Rules, GN. No 10/2013 and contained in the attached Settlement Form.

## **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 31<sup>st</sup> day of August 2015.



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**Felix Ngamlagosi**  
**Director General**