

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

COMPLAINT NUMBER: EWURA/33/4/283

BETWEEN

**JUDITH MATERU ON BEHALF OF
ANNA MKAPA SEC.SCHOOL COMPLAINANT**

VERSUS

**MOSHI WATER SUPPLY
AND SANITATION AUTHORITY RESPONDENT**

AWARD

**(Made by the Board of Directors of EWURA at its 169th Extra Ordinary
Meeting held at Dar es Salaam on 21st March 2017)**

1.0 Background Information

On 16th January 2017, Ms Judith Materu on behalf of Anna Mkapa Secondary School of P.O Box 8824, Bomambuzi Area, Moshi ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against the Moshi Water Supply and Sanitation Authority (Moshi WSSA) ("the Respondent") for water meter replacement without notice and for being served with unfair water bill of December 2016 amounting to TZS 433,029.94. The Complainant stated that the Respondent on unknown day in October 2016 visited their premises and replaced the existing water meter No. 00209479 with water meter No. 06601288 without notification and that on December 2016 the Respondent served them with inappropriate bill of TZS 433,029.94 which does not match with their daily consumption. The Complainant states further that she visited the Respondent offices to seek clarification on the two issues but she was not satisfied with explanation given at the front desk and could not

be directed to see senior officials. The Complainant prayed that the Respondent be ordered to:

- (a) give explanation and reason for meter replacement; and
- (b) adjust the bill.

Upon receipt of the complaint, on 18th January 2017 the Authority ordered the Respondent to submit its defence to the complainant within twenty one [21] days as provided under Rule 6(1) of the Energy and Water Utilities Regulatory Authority (Consumer Complaints Settlement Procedures), Rules, GN Number 10/2013.

On 2nd February 2017, the Respondent submitted its defence and stated that the Complainant is their customer with Account Number 11912 and meter Number 06601288 and that the water meter is their property. The Respondent stated that it has the mandate to change or repair its assets including the water meter whenever there is a need to so. The Respondent submitted that on 10th October 2016 in an emergency state in collaboration with the Complainant's watchman, they changed the existing meter No. 00209479 which was defective and replaced it with a new meter No.06601288 as the Complainant was not around. The Respondent further stated after the installation of the new water meter, water consumption trend started to reflect the historical water consumption for the period from September 2014 to March 2015. The Respondent claimed that the actual water bill for the month of December 2016 is not TZS 433,029.94 as claimed by the Complainant instead the actual water bill for December 2016 is TZS 236,966.20. The Respondent argued that the current water bill reflects the actual consumption of the Complainant. Furthermore, the Respondent explained that they had never received any official complaint from the Complainant requesting verification of water consumption for the month of December 2016. Therefore, the Respondent prayed for the orders from the Authority that:

- (a) the complaint be dismissed;
- (b) the Complainant pay their water bill within the billing cycle to avoid water service disconnection as required by water regulations; and

(c) the Complainant to pay the costs of the complaint.

The mediation meeting involving both parties was conducted on 15th February, 2017. During the meeting, the Respondent acknowledged and apologized for the negligence done by its staff who went to replace the water meter without notifying the Complainant. The Complainant has already paid the bill in total and the new water meter was tested and it was accurate. The matter was marked settled on the term that the meter is accurate and therefore the bill is correct.

The agreed points were reduced into writing as required by Rule 13 (4) of the Energy and Water Utilities Regulatory Authority (Consumer Complaints Settling 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 cost.

GIVEN UNDER SEAL of the Energy and Water Utilities Regulatory Authority (EWURA) in Dar es Salaam this 21st day of March 2017.



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ENG. CHARLES OMUJUNI
ACTING DIRECTOR GENERAL