

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

COMPLAINT NUMBER: EWURA/33/4/259

BETWEEN

COCA COLA KWANZA LIMITED COMPLAINANT

VERSUS

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

AWARD

**(Made by the Board’s Legal and Corporate Affairs Committee at its 72nd
Meeting held at Dar es Salaam on the 21st November 2016)**

1.0 Background Information

On 1st August 2016, M/S Coca Cola Kwanza Limited ("the Complainant") of P. O Box 7813, Sam Nujoma Street, Mikocheni Dar es Salaam lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against the Dar es Salaam Water Supply and Sewerage Corporation, ("DAWASCO") ("the Respondent") for being supplied with an estimated bill instead of a bill based on the actual consumption. The Complainant also complains against the Respondent’s shifting of the meter from the Complainant's premises to Mwenge junction and frequent bursting of supply pipes with poor response from the Respondent. The Complainant claims to have reported the matter to the Respondent in December 2015, however, there was no response from the Respondent's side. The Complainant further claims that the January 2016 bill was computed using a rate of TZS 1,853.20 per cubic meter instead of TZS 1,663 per cubic meter as per the tariff approved by EWURA. As a result

of the foregoing, the Complainant asked the Authority to order the Respondent to:

- (a) issue bills based on actual consumption in line with meter readings;
- (b) relocate the Complainant's meter from Mwenge junction to its premises;
- (c) address the problem of frequent bursting of water pipes; and
- (d) refund the overcharged amount of TZS 8,315,000.00 for the month of January 2016.

After receipt of the complaint, the Authority ordered the Respondent to submit their defense to the complaint within twenty one (21) days as required by the Energy and Water Utilities Regulatory Authority (Consumer Complaints Handling Procedures), Rules, GN Number 10/2013. On 26th May, 2016, the Respondent submitted his statement of defence, and stated the following:

1. that it was not the Respondent's intention to issue estimated bills but this was necessitated by the technical problems at the Complainant's meter;
2. that before issuing the estimated bills, the Respondent had to discuss with the Complainant's officials and reach a consensus. The Respondent further claims that the meter problem was mainly caused by placing the valve too close to the meter and the back flow experienced on the flow meter when the Complainant reservoir is full and the valve closed down;
3. that a technical team from their Head Office visited the Complainant's site and came up with a report with recommendations to end the meter problem and frequent pipe bursting; and
4. that the Complainant's bill of January 2016 had discrepancies and that remedial measures will be taken.

The mediation meeting involving both parties was conducted on 6th and 7th October 2016 and the matter was settled and the parties agreed on the following:

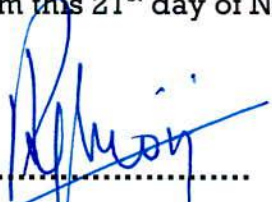
- (a) that the 8 inch, DN200 mm, ductile iron-D1, water supply pipe connected from Mlimani City will remain solely dedicated for the Complainant;
- (b) that the Respondent shall use the meter located at the Complainant's premises to take readings for the purpose of billing;
- (c) that the Respondent's technical team's recommendations shall be taken into consideration and therefore the Respondent shall provide technical specifications to the Complainant by 20th October 2016 for proper technical installation of flow meter.
- (d) that the Respondent shall install the necessary pipes and fitting within a month after the Complainant has allocated an appropriate location and constructed a facility whereby the flow meter will be installed by the Respondent.;
- (e) that the Respondent shall install another valve just before the meter located at the Complainant's premises two weeks from the date of this agreement;
- (f) that the Respondent shall credit the Complainant's account with TZS 8,315,000.00, the amount which was overbilled in January 2016; and
- (g) that the Respondent shall take the necessary measures to improve the relationship and communication with the Complainant for the smooth provision of water services for the benefit of both parties.

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 attached 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 November 2016.



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FELIX NGAMLAGOSI
DIRECTOR GENERAL

