

THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY

(EWURA)

COMPLAINT NUMBER EWURA/33/1/176

BETWEEN

FRANCIS SANGA..... COMPLAINANT

VERSUS

**TANZANIA ELECTRIC SUPPLY
COMPANY LIMITED (TANESCO)..... RESPONDENT**

AWARD

**(Made by the Board of Directors of EWURA at its 76th Ordinary Meeting held at
Dar es Salaam on the 24th July 2013)**

1.0 Background Information

On 20th September 2012, Mr. Francis Sanga ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("the Authority") against Tanzania Electric Supply Company Limited, ("TANESCO") ("the Respondent") complaining on the large and unjustified supplementary bill of TZS 31,037,086.90 which he was ordered to pay by the Respondent. The Complainant further complained on the subsequent power disconnection and removal of the service line by the Respondent as a result of the unpaid supplementary bill.

The Complainant stated that on 22nd May 2012, the Respondent conducted an audit exercise at the Complainant's business premises and thereafter claimed that the Complainant's meter had been tampered which resulted into loss of revenue to the Respondent. The Complainant disputes the calculations of the

supplementary bill claiming that he was not involved during the audit exercise and that the referred meter was installed in June 2011 and not in 2008 as shown in the Respondent's calculations.

Following receipt of the complaint, the Authority ordered the Respondent to file a defense to the complaint within twenty one (21) days as required by the then the Energy and Water Utilities Regulatory Authority (Consumer Complaints Settlement Procedures), Rules, GN No. 30/2008. On 18th October, 2012, the Respondent informed the Authority that after carrying out an audit exercise, they found that the Complainant, a former staff member of the Respondent, had tampered with the Respondent's meter.

The Respondent claims that the Complainant's consumption trend shows that, energy theft started immediately after installation of the first meter in 2008. The Respondent admitted that the audit exercise was conducted on the new meter which was installed in June 2011 which shows the Complainant's actual consumption from July 2011 to March 2012. For the period between April and May 2012 the meter indicated a consumption pattern similar to that of the previous meter which was later proved to have been tampered with as well.

The mediation meeting scheduled for 26th and 27th February 2013 was held as scheduled but the parties failed to reach an amicable settlement. The matter was then forwarded to the Division of the Authority for hearing.

During the hearing session on 13th and 14th May 2013 the parties indicated their willingness to work for an amicable settlement following an offer from the Respondent to reduce the supplementary bill from TZS 31,037,086.90 to TZS 17,194,684.21. The Division granted two hours for the parties to mediate. The mediation session was held and at the end the parties agreed on the following:

- (a) that, the Complainant accepts the Respondent's offer of a reduction of the supplementary bill from TZS 31,037,086.90 to TZS 17,194,684.21;

- (b) that, the Complainant shall pay the Respondent the supplementary bill of TZS 17,194,684.21 within a period of twelve months;
- (c) that, after payment of the first installment of TZS 1,500,000.00, the Respondent shall immediately reconnect power supply to the Complainant's premises;
- (d) that, apart from points of agreement reached above, the Complainant is at liberty to request the Respondent to waive the interest on the supplementary bill of TZS 17,194,684.21 and the Respondent shall deal with such request, if any, as per the existing agreement between the parties; and
- (e) that, the matter be closed 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 24th July 2013.



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Mr. Haruna Masebu
(Director General)