

THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY

COMPLAINT NUMBER EWURA/33/1/98

BETWEEN

GIDEON NGAAY COMPLAINANT

VERSUS

TANZANIA ELECTRIC COMPANY LIMITED RESPONDENT

AWARD

(Made by the Board of Directors of EWURA at its 88th Extra-Ordinary Meeting held at Dar es Salaam on 19th December 2011)

1.0 Background Information

On 31st March 2011, Mr. Gideon Ngaay (“the Complainant”) lodged a complaint to EWURA against Tanzania Electric Supply Company Limited (TANESCO) (“the Respondent”) on an outstanding bill of TZS 547,492.21 which had been transferred to his LUKU account. The Complainant claims that his former analogue meter No. AY. 23122 which was installed in December 2004 stopped working in May 2007 and the Respondent was informed but no action was taken. However, the Complainant continued to receive power from the Respondent as usual.

Sometime in June 2007 the Respondent disconnected power at the Complainant's premises on the grounds of unpaid bills amounting to TZS 145,885.80. An agreement was then reached between the Complainant and

the Respondent and power was restored in June 2007. Upon settlement of the outstanding bill of TZS 145,885.80, the Respondent served the Complainant with another bill for the period of June –November 2007 amounting to TZS 95,506.00 which was paid and thereafter the Complainant was paying a flat rate of TZS 10,000.00 a month. Sometime in November 2010, the Complainant was told of an outstanding bill of TZS 547,492.21 which was transferred to his LUKU account which he disputes.

The Complainant claims that apart from writing several letters asking for clarification, no response was received from the Respondent. The Complainant took further initiatives by making several visits to the Respondent's office in Arusha and was directed to see the chief accountant. The Complainant claims that the chief accountant used harsh language and told him that he will die whilst following up on the matter.'

On the other hand, the Respondent claims that after installation of the LUKU meter at the Complainant's premises, a supplementary bill was prepared for the entire period when the meter was not working. The Respondent used an average of three months' consumption when the meter was working minus the amount already paid by the Complainant. The entire bill was TZS 840,492.61 of which TZS 94,287.55 is interest accrued. The Respondent further claims that the amount paid by the Complainant amounting to TZS 293,000.00 was subtracted from the main bill and the remaining outstanding bill was TZS 547,492.21 which was transferred to his LUKU account.

On 11th March 2011, EWURA wrote to the Respondent requesting a report on how it has dealt with the matter. The Respondent wrote to EWURA on 1st June 2011 claiming that the detailed breakdown of the bill was communicated to the Complainant on 7th March 2011 via a letter referenced AR/RFO/cust/07.

On 10th September 2011 a mediation session was concluded and the parties agreed on the following:

- (a) that the outstanding bill of TZS 547,492.21 is a true reflection of the Complainant's power consumption but that the accrued interest shall be determined and deducted;
- (b) that the Respondent shall replace the faulty meters at the Complainant's premises as soon as practical; and
- (c) that the Respondent apologises to the Complainant for the harsh language used by the Respondent's staff and for not responding to the Complainant's letters on time.

The points of agreement above were reduced into writing as required by Rule 5 (6) of the EWURA (Complaints Handling Procedure) Rules, GN. No 30/2008 and are contained in the attached Settlement Form.

2.0 **Decision**

The parties have reached an agreement and by virtue of Rule 5 (6) of the EWURA (Complaints Handling Procedure) Rules, GN. No 30/2008, the Authority hereby registers the agreement contained in the Settlement Form attached hereto as the Award of the Authority.

Each party shall bear its own costs in pursuing this matter.

GIVEN UNDER SEAL of the Energy and Water Utilities Regulatory Authority (EWURA) at Dar es Salaam this 19th day of December 2011.



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Mr. Haruna Masebu
(Director General)