

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

COMPLAINT NUMBER: QN.71/135/37

**HEMED MZUI FOR AND ON
BEHALF OF PILLY GANDI.....COMPLAINANT**

VERSUS

TANZANIA ELECTRIC SUPPLY COMPANY LIMITED..... RESPONDENT

AWARD

*(Made by the Board of Directors of EWURA at its 135th Ordinary meeting held at
Dar es Salaam on 27th day of December, 2018)*

1.0 Background Information

On 2nd October 2018, Ms. Pilly Gandhi represented by Mr. Hemed Mzui of Msasani Street in Kaloleni Ward, Moshi Municipality in Kilimanjaro Region ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against Tanzania Electric Supply Company Limited, ("TANESCO") ("the Respondent"). The Complainant complains on the alleged unjustified decision by the Respondent to transfer him from Customer Tariff Category D1 to Customer Tariff Category T1 without notice with respect to his house located at Msasani Street in Kaloleni Ward, Moshi Municipality in Kilimanjaro Region.

The Complainant claims that in early September 2018 while purchasing electricity token worth TZS 10,000.00, the sales vendor informed him that he will receive only 28.1 units. The Complainant further claims that on 10th September 2018 when purchasing electricity token worth TZS 20,000 he

received 56.20 units only and on 30th September 2018 when he purchased electricity token worth TZS 9,890 he was issued with 27.8 units only. The Complainant states that generally his monthly electricity consumption is 56 units but he normally purchases electricity token as saving to be used by his family while he is away on duties as a tour guide. The Complainant further stated that in September 2018 he contacted the Respondent offices in Moshi Municipality and was informed that he was re-categorized from Customer Tariff Category D1 after an assessment of his purchase trend. The Complainant informed that during "Mwenge wa Uhuru" exhibition, he met EWURA CCC Representative in Kilimanjaro Region to seek clarification on the matter. The said representative communicated with the Respondent but he was not satisfied with the Respondent's clarifications on the transfer to Customer Tariff Category T1. Consequently the Complainant filed a complaint and requested the Authority to order the Respondent to transfer him back to Customer Tariff Category D1.

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, G.N. Number 10/2013.

On 25th October, 2018, the Respondent submitted its defense and informed the Authority that the Complainant is their customer with meter no. 22132401104 whose average monthly electricity consumption is 77kWh which is above the Customer Tariff Category D1. The Respondent further claims that the Complainant was transferred to Customer Tariff Category T1 according to Tariff Order 2016-010 issued by the Authority. The Respondent stated that the company has complied with the procedures and requirements of the Tariff Order 2016-010 which directed them to transfer any customer whose monthly consumption exceeds 75kWh/month in three consecutive months. For that reason, the Respondent argued that the Complainant is not eligible to be in the Customer Tariff Category D1.

Mediation meeting involving both parties was conducted on 5th November, 2018 in Moshi Municipality where the matter was settled on the understanding that the Respondent shall transfer the Complainant back to Customer Tariff Category D1.

The agreed point was 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 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 costs.

GIVEN UNDER SEAL of the Energy and Water Utilities Regulatory Authority (EWURA) at Dar es Salaam this 27th day of December, 2018.



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GERMANA QORRO
SECRETARY TO THE BOARD