

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

**COMPLAINT NUMBER: GA.71/472/160**

**HEZRON CHACHA KEHONGO..... COMPLAINANT**

**VERSUS**

**DAWASA.....RESPONDENT**

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**AWARD**

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*(Made by the Legal and Corporate Affairs Committee of the Board of Directors of EWURA at its 87<sup>th</sup> Meeting held at Dar es Salaam on the 8<sup>th</sup> day of December, 2018)*

**1.0 Background Information**

On 20<sup>th</sup> June 2018, Hezron Chacha Kehongo of Kilongawima Area, Dar es Salaam ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against the Dar es Salaam Water and Sewerage Authority (DAWASA) ("the Respondent"). The Complainant is complaining for high and unjustifiable water bills for the period of July 2017 to February 2018 as a result of a faulty meter.

The Complainant claims to have a monthly consumption of between TZS 30,000/- and 80,000/- but in June 2017 he was served with a bill of TZS 130,000/- which was on the higher side but he paid. The Complainant claims further that in July 2017 he reported the concern to the Respondent's Tegeta office but no action was taken. The Complainant further states that he made three visits at the Respondent's Tegeta office but there was no

action taken. The Complainant reported the matter at the Respondent Gerezani Head Office and the Tegeta Manager was instructed to visit the site under dispute but still no action was taken as usual. The Complainant states that on 28<sup>th</sup> February 2018 the Respondent disconnected water service at his premises on the claim of accumulated bills of TZS 1,017,045.25. The Complainant filed a complaint with the Authority praying that the Respondent be ordered to restore water service and replace the faulty meter.

Upon 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 31<sup>st</sup> July 2018, the Respondent submitted a defense claiming that after receiving the Complainant's allegations of a faulty meter number 1104506, an investigation was conducted and meter test was carried out which revealed that the meter was in good working condition. The Respondent further states that the Complainant enjoyed water supply service for one year without paying contrary to the water connection contract. The Respondent advised the Complainant to enter into contract on how he is going to settle the outstanding bill.

A mediation meeting involving both parties was conducted on 7<sup>th</sup> August 2018 however parties failed to settle and the matter was forwarded to the Division of the Authority for hearing. In September 2018 the Secretary to the Division called the Complainant for setting hearing date but the Complainant prayed for another mediation session which was allowed. On 22<sup>nd</sup> November 2018 another mediation meeting was convened. During mediation meeting it was noted that the Complainant has paid TZS 500,000.00 as part payment of the outstanding bill of TZS 1,017,045.25. It was also noted that despite the Respondent's claims to have conducted meter test but there is no meter testing report submitted to the Authority

and that the disputed meter was removed at the Complainant's request and another meter was installed. The matter was discussed and finally settled on the following terms:

- a) that the Complainant shall pay the Respondent TZS150,000.00 in addition to the TZS 500,000.00 he has already paid; and
- b) that the Respondent shall restore water service at the Complainant premises with immediate effect.

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 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 8<sup>th</sup> day of December, 2018.

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**NZINYANGWA E. MCHANY**  
**DIRECTOR GENERAL**

