

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

**COMPLAINT NUMBER: GA.71/472/172**

**HOWA HIRO MSEFYA..... 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 15<sup>th</sup> August 2018, Howa Hiro Msefya of Makongo Chini, 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 disputing improper bill in account number 90037869 from the end of last year, unjustifiable disconnection of water service in account number 90037869 and accumulation of improper water bills.

The Complainant filed a complaint to the Authority praying for restoration of water service without any condition, adjustment of all bills in accordance with water use, payment of TZS 10,000,000.00 as compensation for disconnection of water service without any reasons and TZS 10,000,000.00 for compensation for psychological tortures following the disconnection of water service.

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 17<sup>th</sup> September, 2018, the Respondent wrote to the Authority admitting that the Complainant is their customer with meter number 15-17-D00135643 and account number 90037869 that was installed and registered on April 2010. The Respondent further claims that the above mentioned meter was installed 15m from the Complainant's premises. The Respondent claims that the installed meter was reading a total of 1,028 units by September 2018. This Account was used to serve three houses which are the house of the Complainant and two other houses occupied by tenants. Due to huge uses of water and delaying of paying water bill, the Complainant bill was exceeding TZS 709,553.75. The Respondent claims that the Complainant was advised to pay the accumulated bill in full or to visit the Respondent office and sign agreement on how to pay in installment but Complainant did not do it hence service disconnected.

The Respondent claims that the Complainant registered concern about the efficiency of the meter and the Respondent conducted meter verification witnessed by the Complainant which confirmed that the meter reading was accurate. Finally the Respondent states that the Complainant wrote a letter requesting two additional meters for his tenants. Respondent agreed and installed two additional meters; meter number 15-17-D00150470 with account number 90162453 and meter number 15-17-D00150464 with account number 90162454. The Respondent confirmed that the bill is correct and it is originating from the correct readings of 1,028 units.

Mediation meeting involving both parties were conducted on 27<sup>th</sup> October 2018 at the EWURA Eastern Zone Office in Dar es Salaam and finally the matter was settled and the parties agreed on the following:



- (a) That, the Complainant waives the claim for compensations of TZS 20,000,000.00;
- (b) that all meters shall be installed in the area that can be seen by the Complainant and easily reached by the Complainant; and
- (c) that the Complainant shall pay the Respondent TZS 300,000.00 in two installment by November 2018 and the Respondent shall restore water supply service without demanding re-connection fee.

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**

