

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

COMPLAINT NUMBER: EWURA/33/4/220

BETWEEN

IGO MUSSA SHING'OMA COMPLAINANT

VERSUS

MWAUWASA..... RESPONDENT

AWARD

**(Made by the Board of Directors of EWURA at its 162nd Extra-Ordinary
Meeting held at Dar es Salaam on 18th October 2016)**

1.0 Background Information

On 15th October 2015, Mr. Igo Mussa Shing'oma ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against Mwanza Urban Water and Sewerage Authority (MWAUWASA) ("the Respondent"), disputing disconnection of water supply at account number 288765, the outstanding bill amounting to TZS 2,302,435.80 and failure by the Respondent to supply water at account number 19200. The Complainant claims that sometime in August 2015 a meter on account number 19200 was stolen and the matter was reported to both the Police and the Respondent. The Complainant claims to have been directed by the Respondent to pay for installation of another meter which directive he complied with. The Complainant further claims that although a new meter was paid for but the Respondent did not install another meter. Due to the foregoing the Complainant decided to file a complaint with the Authority with the following demands:

1. that the Respondent be ordered to urgently install the new meter at account number 19200;
2. that the Respondent be ordered to restore water supply at the Complainant prepaid Account Number 288765;
3. that assessment be made at Account Number 19200 to ascertain the correct bill; and
4. the Respondent be ordered to pay the cost of this complaint.

After receipt of the complaint, EWURA ordered the Respondent to submit a defense to the complaint within twenty one (21) days as required by the Energy and Water Utilities Regulatory Authority (Consumer Complaints Settlement Procedures), Rules, GN Number 10/2013. The Respondent informed EWURA that, from 21st May 2015, they started producing bills using data logger and main billing system. The Respondent further stated that data loggers produce spot bills but the main server produces the bill after one month. The Respondent further claims to have informed customers about the existence of both systems through public media and that bills submitted to the Complainant were correct.

The mediation meeting involving both parties was conducted on 13th August 2015, however, the parties could not reach a settlement and requested for more time to resolve the matter. The parties were given two more weeks to negotiate a settlement and report back. Following the failure by both parties to provide feedbacks on the progress made the Authority scheduled the matter for hearing on 22 and 25 April 2016.

On 22nd April 2016 both parties appeared before the Division of the Authority for hearing and indicated their willingness to resolve the matter amicably. On 25th April the parties reached a settlement on the following terms:

- (a) that the Complainant owed the Respondent a total amount of TZS 1,302,435.80; and

(b) that since the Complainant has already paid the Respondent TZS 600,000.00, the remaining balance of TZS 702,435.80 shall be paid by 30th November 2016.

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.

GIVEN UNDER SEAL of the Energy and Water Utilities Regulatory Authority (EWURA) in Dar es Salaam this 23rd day of January, 2017.



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NZINYANGWA E. MCHANY
ACTING DIRECTOR GENERAL