

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

COMPLAINT NUMBER: EWURA/33/1/441

BETWEEN

JAMAAT COMPLAINANT

AND

**TANZANIA ELECTRIC SUPPLY
COMPANY LIMITED..... RESPONDENT**

AWARD

*(Made by the Legal and Corporate Affairs Committee of the Board of Directors
of EWURA at its 73rd Meeting held at Dar es Salaam on the 2nd day of March
2017)*

1.0 Background Information

On 10th November 2016, Mr. Rizwan Rattansi on behalf of JAMAAT of P. O. Box 233 Asia Street, Dar es Salaam, ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against the Tanzania Electric Supply Company Limited, ("TANESCO") ("the Respondent") disputing a supplementary bill of TZS 1,946,869.02 raised by the Respondent. As per the Complainant, the basis of their complaint lies on the grounds that there were no electricity purchases made by the Complainant from May 2014 to May 2015 due to defective LUKU meter. The supplementary bill was settled through automatic deductions from the Complainant's account of 50% of any purchase of electricity by the Complainant. The Complainant claimed that the LUKU meter at their premises was defective from April 2016 and the matter was reported to the Respondent in the same month. The Complainant admitted not to have purchased electricity from May 2014 to

explained that on 12th December 2013, the new LUKU meter was installed and 56.46 units were transferred from the old meter into the new meter. In addition, the new LUKU meter came with 50 free units and the old meter card had 464.08 units which were purchased using token number 6851 9885 3850 6005 2131. On 28th December 2014, TZS 500,000.00 was used to purchase additional 1854.5 units making a total of 2425.04 units. The Complainant further claimed that a total of 2425.04 units were sufficient for them up to May 2015.

The Complainant stated that after several written communication with the Respondent, the supplementary bill was reduced from TZS 1,946,869.02 to TZS 673,265.44 which is still unjustifiable. The Complainant decided to file a complaint with the Authority requesting the Authority to order the Respondent to halt the 50% automatic deduction of the purchase price of electricity every time they purchase electricity and that the Respondent should refund the Complainant, all the deducted amount.

After receipt of the complaint, the Authority ordered the Respondent to submit their defence 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 21st December, 2016, the Respondent wrote to the Authority acknowledging the Complainant as their rightful customer with LUKU meter number 43001312594 and that indeed the Complainant had reported the faulty meter on 25th April 2016. The Respondent claimed further that upon investigation, it was discovered that there were several months in which the Complainant did not purchase electricity namely May 2014 to May 2015 hence causing a revenue loss of TZS 1,946,869.02. The Respondent stated that further verification was done and the supplementary bill was reduced to TZS 673,265.44. The Respondent affirmed their decision that the Complainant be ordered to pay the supplementary bill of TZS 673,265.44 and that the complaint be dismissed with costs.

The mediation meeting involving both parties was conducted on 13th January 2017. During the mediation meeting, the Respondent agreed with the Complainant's line of argument that the Complainant had sufficient units to cover the period between May 2014 and May 2015. It was also noted that the supplementary bill of TZS 673,265.44 was fully deducted through the 50% automatic deduction on every purchase made by the Complainant. The matter was settled and the parties agreed on the following:

- a) that the Respondent shall waive the supplementary bill of TZS 673,265.44 and that the Complainant shall be offered a LUKU token having 1572 units equivalent to TZS 673,265.44; and
- b) that the Complainant shall willingly withdraw his demand for costs associated with following up this complaint.

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) in Dar es Salaam this 2nd day of March, 2017.


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FELIX NGAMLAGOSI
DIRECTOR GENERAL