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

COMPLAINT NUMBER: PN. 71/309/07

BETWEEN

JOANITHA OWOKUSHUBIRA LWANKOMEZI..... COMPLAINANT

VERSUS

IBRA GENERAL ENTERPRISES..... RESPONDENT

AWARD

*(Made by the Board of Directors of EWURA at its 128th Ordinary Meeting held at
Dodoma on the 22nd day of May, 2018)*

1.0 Background Information

On 18th March 2018, Ms. Joanitha Owokushubira Lwankomezi of P.O Box 1249 Dodoma in Kisasa East ("the Complainant") lodged a complaint at the Energy

and Water Utilities Regulatory Authority (“EWURA”) (“the Authority”) against Ibra General Enterprises of Makole, Dodoma (“the Respondent”).

The Complainant alleged that on 18th March 2018 she passed at the Respondent’s station and purchased petrol fuel worth TZS 20,000.00 but after driving for about 5 km, the car broke down. The Complainant further states that she went back to the petrol station and informed the Respondent’s staff, named Ally, that she suspected that their fuel was adulterated. The staff denied the allegation on grounds that their petrol station had never been accused of such malpractices, however she was advised to investigate the source of the problem and report to the station if it is proved that it was the Respondent’s fuel that caused the car breakdown. The Complainant therefore filed a complaint and prayed to the Authority that the Respondent be ordered to:

- a) refund costs incurred in repairing the Complainant’s vehicle;
- b) pay the Complainant costs of following up this matter; and
- c) any other costs to be determined by the Authority.

Upon receipt of the complaint, the Authority ordered the Respondent to submit its defense to the complaint within twenty-one [21] days as required by the EWURA (Consumer Complaints Handling Procedures) Rules, GN 10/2013.

On 26th day of March, 2018, the Respondent wrote to the Authority and admitted that on 18th March 2018, the Complainant submitted her complaint at their petrol station. The Respondent claimed that they had explained to the Complainant that their petrol station had never received such complaints from other customer and that they advised her to investigate the source of the problem as some problems could be technical and not fuel related. The

Respondent submitted laboratory test results on the fuel samples taken by EWURA Petroleum Inspectors on 15th February 2018 and 21st March 2018 respectively which both showed that all products conformed to the Tanzania Bureau of Standards (TBS) specifications.

Mediation meetings involving both parties were conducted on 20th April 2018 and concluded on 27th April 2018 at the EWURA Offices in Dodoma city. The Complainant stated during mediation that she took her vehicle to a garage for inspection but did not provide any details of the results of that inspection. Therefore, the matter was settled by both parties accepting the laboratory results.

The agreed terms 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.

GIVEN UNDER SEAL of the Energy and Water Utilities Regulatory Authority
(EWURA) in Dar es Salaam this 22nd day of May, 2018.



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NZINYANGWA E. MCHANY

DIRECTOR GENERAL