

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

COMPLAINT NUMBER: EWURA/33/1/430

BETWEEN

KIRINJIKO ISLAMIC SECONDARY SCHOOL..... 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 18th October 2016, Kirinjiko Islamic Secondary School represented by Mr. Said O. Nsigarila of P. O. Box 62 Same, Kilimanjaro ("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 the use of a single meter in determining power consumption for a number of institutions within their compound namely one primary school, Advanced and Ordinary level secondary schools, Teachers Training College, staff houses and a water pumping house. The Complainant claims that initially each institution had its own meter but was advised by the Respondent's staff to have one meter covering the entire compound to be placed at the transformer. However, the distance from which the meter was installed to the point of respective power use causes power loss which significantly increased monthly electricity bills payable by the Complainant. The Complainant further states that, since electricity bills at staff houses' are

combined with that of other institutions within the Kirinjiko Islamic Centre, most of staff members use electricity irresponsibly.

On 23rd October 2010, the Complainant wrote to the Respondent's District Manager requesting for meter separation for each institution as well as for each staff house, but no action was taken only empty promises given by the Respondent. A month later, the Complainant communicated with the Respondent's Head Office and was equally given empty promises. On 17th June 2014, the Complainant reminded the Respondent's Head Office of their promises just to be told that the Respondent's organization policies do not provide remedies for such requests.

As a result of the foregoing, the Complainant requests the Authority to order the Respondent to:

- (a) install a meter at each of the Complainant's institutions and staff houses;
- (b) be responsible for the distribution of electricity within the Complainant's compound; and
- (c) be responsible for maintenance and any emergency work within the Complainant's premises.

After 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 27th October, 2016, the Respondent wrote to the Authority claiming that the Complainant's request to install meters at each of the Complainant's institutions is contrary to Clause 8 of the Respondent's Distribution Engineering Instruction Manual on Revenue Protection Principles and Practices which categorizes customers according to their monthly consumption. The Respondent also stated that the Complainant's request also contravenes the EWURA Tariff Order Number 2016-010 which categorizes the Complainant as a T2 customer for consuming more than 7,500 units per month. Installing a meter at each institution or staff house would mean that the Complainant's general consumption would decrease and would therefore necessitate a change in the Complaint's category from

T2 to a lower category. The Respondent claimed that the Complainant's consumption for the past 22 months was at an average of 23,188.55 units per month and based on their consumption trend, they are supposed to pay a monthly service charge of TZS 14,233 and kVA of TZS 15,004 and TZS 198 per unit.

A mediation meeting involving both parties was conducted on 9th and 10th December 2016 at Elephant Hotel in Same town and both parties took cognizance of the need for improved communication between themselves particularly on issues related to power outages and bill payments. At the end the matter was settled on the following terms:

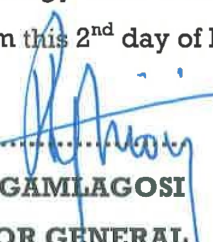
- a) that the Respondent shall shift the transformer, sub-station and the Complainant's meter to a position to be agreed on by both parties for the purpose of locating the aforementioned components closer to the point of power use and thus minimizing loss of power. The cost of shifting shall be borne by the Complainant; and
- b) that the Respondent shall install prepaid (LUKU) meters at each of the Complainant's staff houses. The cost of carrying out this activity shall also be borne by the Complainant.

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