

**THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY**

**COMPLAINT NUMBER EWURA/33/1/68**

**BETWEEN**

**MARCUS DAVID MDEMU ..... COMPLAINANT**

**VERSUS**

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

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**AWARD**

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**(Made by the Board of Directors of EWURA at its 52<sup>nd</sup> Ordinary Meeting held  
at Dar es Salaam on the 14<sup>th</sup> September 2011)**

**1.0 Background Information**

On 26<sup>th</sup> July 2010, Mr. Marcus David Mdemu (“the Complainant”) lodged a complaint at EWURA against Tanzania Electric Supply Company Limited (TANESCO) (“the Respondent”). The Complainant demanded a refund of TZS 10,897,242.84 as supplementary bill paid to the Respondent under protest. The Complainant paid the supplementary bill following disconnection of power by the Respondent at his milling machine located at Mafinga town, Mufindi District. The Respondent paid the disputed bill so that power can be restored so that he could be able to meet contractual obligations with his clients.

The Respondent on the other side claims that supplementary bill was prepared following audit report which revealed that the Complainant

meter seal was broken and meter was tampered with and as a result, the meter registered less than the actual power consumed.

On 3<sup>rd</sup> August 2010 EWURA wrote to the Respondent requesting for a report to be submitted by 30<sup>th</sup> August 2010 on how it has dealt with the matter, but no report was submitted. A reminder letter was sent to the Respondent on 1<sup>st</sup> December 2010. Even with a reminder letter no report was received by EWURA from the Respondent. Efforts were made by the Complaint Unit of EWURA to mediate the parties and mediation meeting was held on 23<sup>rd</sup> May 2011.

During mediation session held on 23<sup>rd</sup> May 2011 the parties agreed to settle the matter on the following terms:

- (a) that the Respondent shall avail a copy of the power connection contract to the Complainant;
- (b) that the Complainant shall deploy technical adviser and seek the Respondent's approval before adding extra milling machines;
- (c) that the Complainant's supplementary bill was revised to be TZS 8,697,766.00 instead of TZS 10,897,242.84 paid by the Complainant, and therefore the Respondent shall credit TZS 2,199,476.44 in the Complainant's account; and
- (d) that the matter be closed and each party is satisfied.

The points of agreement above were reduced into writing as required by Rule 5 (6) of the EWURA (Complaints Handling Procedure) Rules, GN. No 30/2008 as contained in the attached Settlement Form.

## 2.0 **Decision**

The parties have reached an agreement and, we, under the provisions of Rule 5 (6) of the EWURA (Complaints Handling Procedure) Rules, GN. No

30/2008, hereby register as the Award of the Authority the agreement contained in the Settlement Form attached hereto.

Each party shall bear its own costs in pursuing this matter.

**GIVEN UNDER SEAL** of the Energy and Water Utilities Regulatory Authority (EWURA) in Dar es Salaam this 14<sup>th</sup> day of September 2011.

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**Simon F. Sayore**  
(Chairman)

*Haruna Masebu*  
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**Haruna Masebu**  
(Director General)