

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

COMPLAINT NUMBER: PN.71/472/06

BETWEEN

NIVARD MTEWELE COMPLAINANT

VERSUS

**DODOMA URBAN WATER SUPPLY AND SANITATION
AUTHORITY RESPONDENT**

AWARD

(Made by the Board of Directors of EWURA at its 178th Extra Ordinary meeting held at Mwanza on the 15th day of October, 2018)

1.0 Background Information

On 15th August 2018, Nivard Mtewele of P.O Box 2381, Dodoma ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against the Dodoma Urban Water Supply and Sanitation Authority (DUWASA) ("the Respondent"). The Complainant seeks for an order to compel the Respondent to waive water service charges because he currently does not have water supply services.

The Complainant states that sometime back in 2004 he was informed by his neighbor that his water meter and part of water pipe at his plot has been stolen, he visited the plot to confirm and reported the matter to the Respondent so as to stop the water supply services until when he is ready to continue with his plot development and that the Respondent recorded the matter in their Customer record book and was informed that he will be

required to pay for a new water meter when he is ready to continue with water services. The Complainant states that after a very long time the Respondent started to send water bills messages through his mobile phone and he inquired about the situation through personal visit and a letter which they responded that the bills are service charges which he has to pay.

The Complainant was unsatisfied with that response and he filed a formal complaint requesting the Authority to order the Respondent to remove the service charges from his Account so that he pays for a new water meter; and restore water services at his plot.

Upon 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 6th September, 2018, the Authority received a letter of defense from the Respondent in which they acknowledged receipt of the complaint through EWURA Summons dated 15th August, 2018. t. The Respondent stated that after going through the Complaint they had the following to say;

- (i) that the Complainant has never requested for termination of water supply services at his plot and that he has never reported for water meter theft thus he remained to be a DUWASA
- (ii) that Customer service charges are costs which DUWASA charge consumers in relation to bill preparation and delivery and repair of water service pipes when required.

The Respondent concluded that they disagree with the Complainant submission hence requested the Authority to dismiss the complaint with costs.

A mediation meeting involving both parties was conducted on 25th September, 2018 at EWURA Office in Dodoma City. During the mediation

meeting the Complainant failed to provide the letter which he claims to serve the Respondent to terminate his service contract until further notice. The matter was settled and the parties agreed that:

- (a) the Complainant shall pay the Respondent outstanding service charges of TZS 302,017.85 and will continue to pay a monthly service charges so as to maintain his Account; and
- (b) the Respondent to serve the Complainant with a new water meter at his cost when he is ready to restore water services at his site.

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) at Mwanza this 15th day of October, 2018.

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NZINYANGWA E. MCHANY
DIRECTOR GENERAL