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THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY

(EWURA)

COMPLAINT NUMBER EWURA/33/1/236

BETWEEN

PAUL SANGU FOR AND ON BEHALF OF

YUSTINA NANDONE COMPLAINANT

VERSUS

TANZANIA ELECTRIC SUPPLY

COMPANY LIMITED..... RESPONDENT

AWARD

(Made by the Board of Directors of EWURA at its 95th Ordinary Meeting held at Dar es Salaam on the 9th April, 2015)

1.0 Background Information

On 9th September 2014, Mr. Paul P. Sangu, on behalf of Ms. Yustina Nandone ("the Complainant"), lodged a complaint at the Energy and Water Utilities Regulatory Authority (EWURA) ("the Authority") against Tanzania Electric Supply Company Limited, (TANESCO) ("the Respondent") for unlawful power disconnection. In addition, the Complainant was disputing an unjustified supplementary bill amounting to TZS 3,169,933.89 (which comprised of inspection costs, penalty for tampering with the meter, cost of replacing the meter and costs for unpaid electricity). The Complainant claims that all visible seals in the meter were intact and that he was not involved during meter audit exercise. The Complainant further claims that

meter malfunctioning might have been caused by technical fault and not meter tampering. Consequently, the Complainant demanded that:

- (a) the Respondent be ordered to restore power to the Complainant's premises with immediate effect;
- (b) the Respondent be ordered to cancel the accrued unjustifiable supplementary bill of TZS 3,169,933.89; and
- (c) the Respondent be ordered to re-imburse the cost of fuel used by the Complainant to run the generator for the entire period of power disconnection.

After 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 Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure), Rules, GN Number 10/2013. The Respondent informed the Authority that, while conducting a routine meter audit exercise at the Complainant's premises, the meter number 04140894736 was found tampered. The Respondent further states that, as an outcome of the audit exercise, a supplementary bill of TZS 3,169,933.89 was raised and should be paid by the Complainant as a pre-requisite condition for power restoration.

Mediation meetings involving both parties were conducted on 23rd December 2014 and 03rd February 2015 with a view to finding an amicable settlement. At the conclusion of the meetings the parties agreed on the following:

- (a) that the Respondent should re-compute the accrued bill for the power used but not paid for the period between March 2013 and April 2014. The supplementary bill shall be TZS 1,254,416.12 and not TZS 3,169,933.89;
- (b) that the Respondent waives the accrued interest and the remaining bill to be paid by the Complainant shall be TZS 773,566.12 plus inspection fee of TZS 480,850.00;

- (c) that the Complainant shall pay the Respondent a total amount of TZS 1,254,416.12 by March 2015 and that the Respondent shall consider the amount already paid by Complainant; and
- (d) that the matter be marked settled and each party is satisfied.

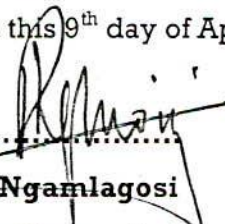
The above points of agreement were reduced into writing as required by Rule 13 (4) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN. No 10/2013 and the same are contained in the attached Settlement Form.

2.0 **Decision**

The parties have reached an agreement and, we, under the provisions of Rule 13 (4) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN. No 10/2013, 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 9th day of April, 2015.


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Mr. Felix Ngamlagosi
(Director General)