

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

COMPLAINT NUMBER: NP.71/472/04

PHILBERT EMMANUEL COMPLAINANT

VERSUS

**BUKOKA WATER SUPPLY AND
SANITATION AUTHORITY..... RESPONDENT**

AWARD

*(Made by the Board of Directors of EWURA at its 127th Ordinary Meeting held in
Dodoma on this 30th day of April 2018)*

1.0 Background Information

On 2nd February 2018, Mr. Philbert Emmanuel of Kashai- Omukishenye, Bukoba Municipality ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against Bukoba Water Supply and Sanitation Authority, ("BUWASA") ("the Respondent") disputing the debt amounting to TZS 522,421.00, that had been transferred to his meter. The Complainant claimed that on 28th December 2017, the Respondent served him a bill amounting to TZS 522,421.00 being the bill allegedly for the month of December 2017. The Complainant claims further that, from the time he started receiving the water supply services from the Respondent he has never received a bill with such a huge amount like the disputed one. Furthermore, the Complainant claims that he reported the matter to the Respondent requesting them to adjust the disputed bill to reflect

his actual bill. Upon being contacted the Respondent informed the Complainant that the debt might have been due to water leakages as a result of the old and dilapidated water service line at his house. The Respondent advised the Complainant to accept the bill and settle the same by instalments. The Complainant refused to pay the debt as advised by the Respondent. The Complainant prays for orders from the Authority that the Respondent be ordered to adjust the debt from his account so that he can continue paying his normal bills.

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 8th March 2018, the Respondent submitted its defense and states that on 29th January 2018 the Respondent received the letter from the Complainant requesting the Respondent to withdraw the debt of TZS 522,421 from his account. The Respondent stated further that after receipt of the letter, they invited the Complainant to their office to discuss the matter. After the meeting with the Complainant, it was agreed that the Complainant together with Respondent's staff shall visit the Complainant's premises to check the actual meter reading at that time in order to resolve the dispute. The Respondent states that after the visit it was observed that the readings were contrary to that which is disputed by the Respondent, and in view of that, the debt was corrected to TZS 422,578.00. Moreover, the Respondent discovered that there was water leakage after the meter which causing high water consumption reading at the Complainant's house and thus a high water bill. The Complainant was advised to repair the water infrastructure at his premises to avoid any future dispute.

Mediation meetings involving both parties were conducted on 27th and 28th March 2018 at Lutheran Church Hall in Bukoba Municipality and the parties agreed on the following:

- (a) that, the Respondent shall pay TZS 296,999.00 being the bill for the period of three consecutive months from September to December 2017; and
- (b) that, the total amount in (a) above shall be paid by the Complainant on or before 27th April 2018.

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 Dodoma this 22nd day of May, 2018.



.....
NZINYANGWA E. MCHANY
DIRECTOR GENERAL