

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

**COMPLAINT NUMBER. NP.71/135/22**

**BETWEEN**

**SAIDIA WAZEE KARAGWE (SAWAKA).....COMPLAINANT**

**VERSUS**

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

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**AWARD**

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*(Made by the Legal and Corporate Affairs Committee of the Board of Directors of  
EWURA at its 85<sup>th</sup> Meeting held at Dar es Salaam on the 23<sup>rd</sup> day of July, 2018*

**1.0 Background Information**

On 29<sup>th</sup> March 2018, the Energy and Water Utilities Regulatory Authority (“the Authority”) received a complaint from the Civil Society Organisation called Saidia Wazee Karagwe (SAWAKA) which was represented by Mr. Adalbert Kweyamba (“the Complainant”) complaining against the Tanzania Electric Supply Company Limited (“TANESCO”) (“the Respondent”). The Complainant’s claim is on the alleged illegal power disconnection at SAWAKA offices located at Kayanga Town in Karagwe District, Kagera Region (“the premises”). The Complainant claims that on 23<sup>rd</sup> October 2017, the

Respondent's officials went to the premises and disconnected power from the premises.

The Complainant disputes the allegations made by the Respondent that they tampered with the meter at the premises hence occasioning revenue loss amounting to TZS 10,080,720.38. The Complainant states that they have been the Respondent's customer since 1997 and have been paying their electricity bills accordingly. The Complainant claims that they are surprised to be accused of power theft and being served with an unjustified and inflated supplementary bill. Additionally, the Complainant questions the procedures used by the Respondent in disconnecting power at the premises. The Complainant alleges that the Respondent's officials changed and installed the new meter at the premises and therefore they should be responsible for whatever happened to the meter.

The Complainant concludes by stating that, this matter has brought a lot of inconveniences to them. The Complainant prays for immediate power restoration and further prays for the debt to be withdrawn by the Respondent and seeks compensation of TZS 200,000,000 for inconveniences caused by power disconnection by the Respondent.

Upon receipt of the complaint, on 3<sup>rd</sup> April 2018, the Authority wrote to the Respondent instructing them to present their defense to the complaint in terms of Rule 5 (1) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN No. 10/2013. 10/2013. On 23<sup>rd</sup> April 2018, the Respondent, filed its defense and informed the Authority the following:

- a) that, the Complainant is their customer and the Respondent provides electricity services at the Complainant's premises through LUKU meter number 01343697114;

- b) that the Respondent had lawfully disconnected electricity services at the Complainant's office premises since 23<sup>rd</sup> October 2017;
- c) that on 23<sup>rd</sup> October 2017, during the meter replacement exercise by the Respondent, the Respondent's officials discovered that the Complainant was stealing power by connecting a jumper wire between the input terminal and the output terminal of the meter;
- d) that due to this power theft, the Respondent followed their standard procedures by immediately disconnecting power at the Complainant's premises and the Complainant was served with the supplementary bill amounting to TZS 10,080,720.38 which the latter was required to settle so that power can be restored at the premises; and
- e) that, the Respondent does not recognize the compensation requested by the Complainant instead the Complainant is required to pay the said amount in full in order to settle the dispute.

Mediation meetings involving both parties were conducted on 10<sup>th</sup> July 2018 at the ELCT Hall in Karagwe District. At the end of the mediation session the matter was amicably settled with the following terms:

- a) that the Complainant agreed to withdraw their claim for compensation of TZS 200,000,000;
- b) that the Complainant shall pay the Respondent TZS 10,080,720.38 in full settlement of the Complaint in twelve installments from 31<sup>st</sup> July 2018 to 30<sup>th</sup> June 2019. The monthly installments shall be TZS 840,060.05;
- c) that the Complainant shall be connected with power immediately after paying the first installment;
- d) that in the event of a default in payment of monthly installments for two consecutive months, the whole outstanding amount shall become due and the Respondent shall be entitled to disconnect power from the Complainant's premises; and

e) each party shall bear its own costs.

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 21<sup>st</sup> day of August, 2018.

  
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**KAPWETE JOHN**  
**SECRETARY TO THE BOARD**