

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

COMPLAINT NUMBER: EWURA/33/4/268

BETWEEN

SIMON COLLERY REPRESENTING WATOTO

KICHEKO ORPHANAGE COMPLAINANT

AND

ARUSHA URBAN WATER SUPPLY AND

SANITATATION AUTHORITY RESPONDENT

AWARD

*(Made by the Legal and Corporate Affairs Committee of the Board of Directors
of EWURA at its 73rd Meeting held at Dar es Salaam on the 2nd day of March
2017)*

1.0 Background Information:

On 5th September 2016, Mr. Simon Collery acting on behalf of Watoto Kicheko Orphanage Center (“the Complainant”) filed a complaint at the Energy and Water Utilities Regulatory Authority (“the Authority”) against the Arusha Urban Water Supply and Sanitation Authority, (AUWSA) (“the Respondent”) challenging an arbitrary water bill of over TZS 1,000,000.00. The Complainant claimed that the water bill which consists of 100 units for the month of May 2016, 400 units for the month of June 2016 and 465 units for the July 2016, is too high taking into account the poor water supply from the Respondent. The Complainant requested the Authority to order the Respondent to:

- (a) cancel the bill amounting to TZS 1, 000,000.00 and investigate the matter; and
- (b) **immediately restore** water supply services at the Complainant’s premises with a new meter.

Upon receipt of the complaint, the Authority ordered the Respondent to submit a defence to the complaint within twenty one (21) days as required by the EWURA (Consumer Complaints Settlement Procedures) Rules, GN 10/2013. On 29th September, 2016, the Respondent submitted their statement of defense in which they admitted that on 10th August, 2016 they disconnected water services at the Complainant's premises. The Respondent stated that meter readings at the Complainant's premises for the months of May, June and July, 2016 were 9248, 9648 and 10113 units, respectively, which totaled to TZS. 1,060,461.15. The Respondent further stated that water services disconnection at the Complainant's premises was lawfully done in accordance with Rule 23(3) of the Water Supply and Sanitation (Quality of Services) Rules, 2016 due to failure by the Complainant to pay the bills in time.

The Respondent stated further that on 12th August, 2016 the Complainant registered his complaint at their office and they handled it accordingly. That on 16th August, 2016 the Complainant's meter was tested and on the next day he was assisted to investigate on the possibility of any leakage at his premises. The outcome revealed that the meter was stuck and there was no water leakage at his service line. The Respondent concluded by stating that AUWSA is ready to install a new water meter and restore water supply services at the Complainant's premises but they do not see any justification for them to cancel the debt. They concluded by advising the Complainant to settle the debt.

The mediation meeting involving both parties was conducted on 16th November, 2016. During mediation it was noted that, the Respondent had installed a new meter and restored water supply services to the Complainant's premises on 18th October, 2016. With regard to the disputed bill it was agreed that the average consumption of three months (from 18th October, 2016 to 17th February 2017) be used to establish a correct bill from the date the Complainant entered the premises.

The terms of agreement were reduced into writing as required by Rule 13(4) of the Energy and Water Utilities Regulatory Authority (Complaint Handling Procedure) Rules, GN. No 10 of 2013.

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 Award of the Authority. Each party shall bear its own cost.

GIVEN UNDER SEAL of the Energy and Water Utilities Regulatory Authority (EWURA) in Dar es Salaam this 2nd day of March, 2017.



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FELIX NGAMLAGOSI
DIRECTOR GENERAL