

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

COMPLAINT NUMBER: EWURA/33/1/464

BETWEEN

SIMON RICHARD REPRESENTED BY

MS LILIAN NTAWIMENYA..... COMPLAINANT

AND

TANZANIA ELECTRIC SUPPLY

COMPANY LIMITEDRESPONDENT

AWARD

*(Made by the Board of Directors of EWURA at its 170th Extra-Ordinary Meeting
held at Dar es Salaam on the 7th day of June 2017)*

1.0 Background Information

On 23rd January 2017, Ms Lilian Ntawimenya on behalf of Mr. Simon Richard of Rahaleo Juu, Mtwara, ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against the Tanzania Electric Supply Company Limited, ("TANESCO") ("the Respondent") disputing an outstanding debt of TZS 78,278.63 credited in his LUKU account without prior notice. The Complainant claims that when his former conventional meter was replaced with LUKU meter on 20th November 2014 there was no outstanding bill. The Complainant claims further that on 12th November 2016, he was shocked to find out an outstanding bill of TZS 78,278.63 credited in his LUKU account without prior notice. The Complainant alleges that the Respondent has been forcefully collected the disputed outstanding bill through an automatic deductions from his account by deducting 50% of any token of electricity he purchases for his LUKU meter. The Complainant decided to

file a complaint with the Authority requesting the Authority to order the Respondent to halt the 50% automatic deduction of the purchase price of electricity every time he purchases electricity and that the Respondent should refund the Complainant, all the amount deducted so far.

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 (Consumer Complaints Handling Procedures), Rules, GN Number 10/2013.

On 22nd February, 2017, the Respondent wrote to the Authority claiming that when the Complainant conventional meter was replaced with LUKU meter, the Complainant had unpaid balance which unfortunately was not promptly transferred to his new LUKU account. The Respondent claims further that the balance was transferred to the Complainant LUKU account on 1st November 2016. The Respondent prayed that the Complainant's claim be dismissed on its entirety since the liability to pay for the power consumed lies with the Complainant.

Mediation meeting involving both parties was conducted on 4th May 2017 at VETA Mtwara. A Mediation meeting involving both parties was conducted on 4th May 2017 at VETA Mtwara where it was acknowledged by both parties that the outstanding debt amounting to TZS 78,278.65 was a lawful debt owed by the Complainant to the Respondent and that the said debt accrued during the Complainant's use of a conventional meter. They further acknowledged that the said debt was credited to the Complainant's LUKU account without prior notice contrary to best practices. It was agreed that the Complainant shall continue to pay the said debt to its full satisfaction.

The agreed terms was 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 7th day of June 2017.


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EDWIN KIDIFFU

SECRETARY TO THE BOARD