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

COMPLAINT NUMBER EWURA/33/1/185

TANZANIA ELECTRIC SUPPLY CO. LTDCOMPLAINANT

VERSUS

RICHARD KOMBOLE..... RESPONDENT

RULING ON THE BILL OF COST

This is an ex-parte ruling on the Bill of Cost applied for by the Respondent in the original complaint following dismissal of the complaint filed by the Complainant who is a Respondent in this application. The Applicant through her advocates on the 27th April, 2017 filed an application to recover costs incurred in the defending a complaint filed by the Respondent. In this application the Applicant prayed for an order for costs amounting to TZS. 1,837,000.00. The particulars of the claim are accompanied by a certificate of folios and an attachment of receipts evidencing the costs incurred.


The particulars of the claim contain a total of five folios. The first relates to instruction fee for the sum of TZS. 1,785,000.00. whereas the rest are transport cost for attending hearing at the Authority. During the hearing, the Applicant submitted receipts evidencing the claimed costs.

The Respondent did not appear when the application came for hearing despite being dully served with the notice of hearing and without any justifiable reasons. We

therefore proceeded to hear the application ex-parte. As pointed out earlier, the Applicant submitted original copies of payment receipts evidencing the expenses incurred. We inspected the receipts and returned them to the Applicant as he requested. We were satisfied that the costs incurred as legal fees evidenced by a receipt issued on 15th January, 2014 were reasonable and justifiable as provided for under the Ninth Schedule to the Advocates Remuneration Order GN. 264 of 2015. The applicant further produced taxi receipts for transport costs totaling TZS 52,000.00. Upon examination we were satisfied that the costs were not only reasonable but necessary in enabling the advocate to handle the matter.

We are therefore satisfied that the entire claim is justified and we hereby grant the same. The Respondent is hereby ordered to pay the applicant the sum of TZS 1, 837,000.00 as costs incurred by the applicant. The Respondent shall also pay interest at the rate of 12 per cent per annum from the date of this ruling to the date of its satisfaction.

GIVEN UNDER SEAL of the Energy and Water Utilities Regulatory Authority (EWURA) in Dar es Salaam this 20th day of December, 2017.


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GERMANA QORRO
SECRETARY TO THE BOARD