

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

**COMPLAINT NUMBER: QN.71/474/21**

**WILBRODI LEONI SENYA.....COMPLAINANT**

**VERSUS**

**MOSHI URBAN WATER SUPPLY AND  
SANITATION AUTHORITY (MUWSA) ..... RESPONDENT**

**AWARD**

*(Made by the Board of Directors of EWURA at its 134<sup>th</sup> meeting held at Dodoma  
on 30<sup>th</sup> day of November, 2018)*

**1.0 Background Information**

On 10<sup>th</sup> September, 2018, Mr. Wilbrodi Leoni Senya of Miembeni in Moshi Municipality (“the Complainant”) lodged a complaint at the Energy and Water Utilities Regulatory Authority (“EWURA”) (“the Authority”) against the Moshi Urban Water Supply and Sanitation Authority (MUWSA) (“the Respondent”). The Complainant complains about the unlawful disconnection of water service at his residence and un-attended request for meter inspection and testing by the Respondent.

The Complainant alleges that on 29<sup>th</sup> June, 2018 at 13.00 hours he received a call from one of the Respondent’s staff who refused to introduce himself informing that water services has been disconnected at his residence. The Complainant states that the Respondent instructed him to pay the debt of

TZS 36,000 being TZS 16,000 for un-paid bill and TZS 20,000 for reconnection fees. The Complainant states that on 1<sup>st</sup> July 2018 he paid TZS 36,000 and thereafter water supply service was restored. The Complainant claims further, on dates not remembered the Complainant visited the Respondent's offices and reported abrupt increase of monthly bills and requested the water meter to be inspected and tested. The Complainant claims that the repair of gate valve was undertaken by the Respondent in September 2018. The Complainant states that he made several physical visits to the Respondent's Office trying to resolve the matter but he was not satisfied with the Respondent's response. The Complainant filed a complaint with the Authority praying that the Respondent be ordered to refund TZS 20,000 paid as reconnection fees; compensate him for disturbances encountered and order the Respondent to adhere to the procedures for water service disconnection.

Upon 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 EWURA (Consumer Complaints Handling Procedures) Rules, GN number 10 of 2013. On 27<sup>th</sup> September, 2018, the Respondent wrote to the Authority and confirmed that they disconnected service to the Complainant on Friday at 13.00 hours due to the long outstanding debt since July 2015. The Respondent states that the Complainant has not settled the debt since that period as he was paying the debt partially for a very long time. The Respondent states further that the Complainant reported about the leakage in his residence whereas he was given advice to establish and repair the leakage which he did not. Additionally, the Respondent Technician identified a leakage after the water meter caused by the Complainant using "gate valve" as a stopcock to control water flow to his house. The Respondent further informed that the Complainant was directed not to use "gate valve" as stopcock therefore the tampered gate valve was replaced. The Respondent affirmed that they tried to resolve the matter with the Complainant through EWURA CCC in Kilimanjaro but was unsuccessful. In

conclusion, the Respondent stated that disconnection of service to the Complainant was lawful since he had long outstanding debt.

Mediation meeting involving both parties was conducted on 25<sup>th</sup> October, 2018 in Moshi Municipality, whereby it was acknowledged by both parties that the Respondent did not adhere to outlined procedures for Water Disconnection as stated in Rule 28:2(a-c) of the Water Supply and Sanitation (Quality of Service) Rules, 2016. The matter was settled on the following terms:

- (a) that both Complainant and Respondent shall share equally the cost of reconnection fees TZS 20,000; and
- (b) that the Respondent shall refund TZS 10,000 to be credited in Complainant account; conduct repair and the Complainant shall purchase the required materials.

## **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) at Dodoma this 30<sup>th</sup> day of November, 2018.

  
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**NZINYANGWA E. MCHANY**  
**DIRECTOR GENERAL**