

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

COMPLAINT NUMBER: SN.71/472/32

AGNES HAMISI NAMTAPIKA..... COMPLAINANT

VERSUS

MAKONDE WSSA RESPONDENT

SETTLEMENT AWARD

*(Made by the Legal and Corporate Affairs Committee of the Board of Directors
of EWURA at its 92nd meeting held at Dar es Salaam on the 21st day of October
2019)*

1.0 Background Information:

On 30th July 2019, Agnes Hamisi Namtapika of Nangwala Street Newala District, Mtwara Region ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against the Makonde Water Supply and Sanitation Authority (Makonde WSSA) of P. O. Box 90 Newala Mtwara ("the Respondent"). The Complainant is complaining against the Respondent's action of denying her water supply services for a period of five years while imposing unjustifiable bills on monthly basis.

The Complainant claims that from 2014, she was denied access to water supply services despite having been connected to the Respondent infrastructure. The Complainant claims that, in 2017 she was supplied with water for three months only. The Complainant claims further that she reported the matter to the Respondent through their meter reader but no

action was taken. As a result of the foregoing the Complainant filed this complaint requesting the Authority to Order the Respondent to:

- a) provide reliable water supply services to her premises; and
- b) pay the cost of complaint follow up.

Upon receipt of the complaint, the Authority ordered the Respondent to submit their 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 13th September, 2019, the Respondent wrote to the Authority acknowledging to have received complaints from the Complainant with regard to lack of water supply services for five years and on improper billing. The Respondent states that inadequate water supply affected not only the Complainant but most of their customers in Newala Township. The Respondent states further that water pipes to the Complainant's premises and other customers were highly intermingled which makes it difficult to supply water through these pipes due to numerous leakages. The Respondent claims that maintenance has already been done and water is regularly flowing to the Complainant's premises and other customers as well.

A mediation meeting involving both parties was conducted on 8th October 2019 at Shimo la Mungu Hotel, Newala Town in Mtwara Region. During mediation meeting the Respondent apologized for the failure to supply water to the Complainant's premises and poor communication experienced between the parties. The Respondent assured the Complainant that water supply will resume after completion of the ongoing repair of the damaged water pump. The Respondent further states that they have completed the construction of new water infrastructure to replace the one built during colonial era. The matter was settled and the parties agreed that, the Complainant's outstanding bill of TZS 36,680.00 be

adjusted by waiving TZS 31,480.00 and thus the Complainant shall pay the Respondent TZS 5,200.00 only.

The agreed terms 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 21st day of October, 2019.

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NZINYANGWA E. MCHANY
DIRECTOR GENERAL