

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

COMPLAINT NUMBER: SN.71/472/36

GWALUGWA JOHN NONI..... COMPLAINANT

VERSUS

MORUWASA RESPONDENT

SETTLEMENT AWARD

(Made by the Board of Directors of EWURA at its 146th Ordinary Meeting held at Dodoma on the 26th day of November 2019)

1.0 Background Information:

On 16th October 2019, Gwalugwa John Noni of P. O. Box 1617 Nanenane Area in Morogoro Municipality ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against the Morogoro Urban Water Supply and Sanitation Authority (MORUWASA) of P. O. Box 5476 Morogoro ("the Respondent"). The Complainant is complaining against the move by the Respondent in imposing extra and unjustifiable bills of TZS 178,517.50 for the month of May 2017, TZS 165,059.25 for the month of June 2017 and TZS 131,709.35 for the month of January 2019 making the total of TZS 475,286.10 outstanding bills.

The Complainant claims that in August 2017 she went to the Respondent's office and complained about the high water bills for the period of May, June and July 2017. The Complainant claims further that the Respondent's staff visited her premises and removed the water meter for the purpose of

testing. The Complainant states that the following day the same Respondent's staff returned a different meter claiming that her meter was faulty. The Complainant claims that she requested the disputed bills be adjusted accordingly. The Complainant claims also that in January 2019 she received another high and unjustifiable bill and further discovered that the two months disputed bills of the year 2017 were still in her account and not adjusted as agreed.

The Complainant alleges that on 8th March 2019 she wrote a letter to the Respondent disputing the bills of May, and June 2017 and that of January 2019. No response was received from the Respondent so far. Consequently, the Complainant filed this complaint requesting for orders that the Respondent be compelled to:

- 1) make an adjustment on bills which reflect the actual water consumption; and
- 2) supply water at the Complainant premises based on water rationing schedule.

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 4th November, 2019, the Respondent wrote to the Authority acknowledging receipt of the Complainant's complaint on improper bills. The Respondent states that the Complainant's bills for the months of May 2017 and June 2017 were TZS 178,517.50 and TZS 165,059.25, respectively. The Respondent claims that they conducted meter testing on 11th May 2017 in the presence of the Complainant's housemaid and realized that the meter was functioning well but the Complainant did not accept the meter testing results for the reason that meter testing was conducted in her absence. The Respondent agreed and did in fact repeat the meter test and the outcome remained the same. The Respondent claims that the

Complainant used to pay only part of her monthly bills thereby causing accumulation of unpaid bills and that the Complainant's meter is working perfectly well. The Respondent states further that on 24th October 2019 meter testing was conducted again in the presence of the Complainant and results show that meter efficiency was good. On the issue of unreliable water supply, the Respondent explains that water supply is based on the rationing schedule due to lack of sufficient water from the source.

Mediation meeting involving both parties was conducted on 8th November 2019 at Edema Hotel Morogoro. During mediation it was observed and acknowledged that meter testing was done contrary to established procedures. At the end of the mediation the matter was settled on the following terms:

- 1) the disputed debt for the months of May and June 2017 TZS 343,576.75 is adjusted to be TZS 145,774.75 and no dispute for the bill of January 2019;
- 2) the Complainant shall pay, the Respondent, the adjusted bills in (1) above in installments for ten months starting from December 2019; and
- 3) the Respondent shall adhere to the rationing timetable in supplying water to all customers including the Complainant.

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) at Dodoma this 26th day of November, 2019.

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NZINYANGWA E. MCHANY
DIRECTOR GENERAL

