

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

**COMPLAINT NUMBER: NP.71/472/20**

**SOSPETER BARNABAS NICHOLAUS.....COMPLAINANT**

**VERSUS**

**KIGOMA WATER SUPPLY AND  
SANITATION AUTHORITY.....RESPONDENT**

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**SETTLEMENT AWARD**

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*(Made by the Board of Directors of EWURA at its 149<sup>th</sup> Ordinary meeting held in  
Dodoma on 27<sup>th</sup> day of February 2020)*

**1.0 Background Information**

On 26<sup>th</sup> September 2019, the Energy and Water Utilities Regulatory Authority (“the Authority”) received a complaint from Mr. Sospeter B. Nicholas of Mgeo Street, Buhanda Ward in Kigoma Municipality (“the Complainant”) against the Kigoma Water Supply and Sanitation Authority (“KUWASA”) (“the Respondent”). The Complainant is complaining against the undue delay by the Respondent in connecting water services at his premises.

The Complainant claims that on 12<sup>th</sup> July 2019, he paid the Respondent TZS 187,000 for water connection but since then he has not been connected with water services. The Complainant further claims that, after visiting the

Respondent's office several times to follow up on the matter, the Respondent connected him to services after a 19 day delay contrary to Clause 13 of the Respondent's Customer Service Charter. Consequently, the Complainant filed this complaint praying for Orders that the Respondent be compelled to do the following:

- a) compensate the Complainant for the water delayed connection; and
- b) refund the Complainant TZS 187,000 for failing to provide reliable water services.

Upon receipt of the complaint on 26<sup>th</sup> September 2019, the Authority wrote to the Respondent instructing them to present their defense to the complaint in terms of Rule 5 (1) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN No. 10/2013. On 19<sup>th</sup> November 2019, the Respondent filed its defense and informed the Authority the following:

- a) that the Complainant paid for water services connection on 12<sup>th</sup> July 2019 and was connected with the services on 30<sup>th</sup> July 2019 through meter number 01959;
- b) that Clause 13 of the Respondent's Customer Service Charter requires compensation to a customer if water connection is delayed for seven working days. The Complainant paid for the water connection on 12<sup>th</sup> July 2019 and the Respondent had until 22<sup>nd</sup> July 2019 to provide the water services. Thus, since the Complainant was connected to the water services on 30<sup>th</sup> July 2019, the Respondent is liable to compensate the Complainant TZS 10,000 for the delay and TZS 5000 per day for the five day delay as stipulated in Clause 13; and
- c) that the Complainant never filed a complaint at the Respondent's office to request for compensation for the delayed water connection.

A mediation meeting involving both parties was conducted on 16<sup>th</sup> and 17<sup>th</sup> December 2019 at Green View Hotel Hall in Kigoma Municipality. During mediation, it was noted that the Complainant now has reliable water services at his premises.

At the end of the mediation session, the parties agreed on the following terms:

- a) that the Respondent shall pay the Complainant TZS 35,000 as compensation for the delayed water services; and
- b) that the amount in (a) above shall be credited into the Complainant's account in settling the Complainant's upcoming bills;

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 10/2013, 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 Dodoma this 27<sup>th</sup> day of February, 2020.

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