

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

**COMPLAINT NUMBER: GA.71/135/98**

**BETWEEN**

**HAPPINESS PHILLOMBELE AS THE  
NEXT FRIEND OF IBRAHIM SWEDI ZAKARIA.....COMPLAINANT**

**VERSUS**

**TANZANIA ELECTRIC SUPPLY COMPANY LIMITED .....RESPONDENT**

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**ORDER**

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*(Made by the Board of Directors of EWURA at its 144<sup>th</sup> Ordinary Meeting held at Arusha on the 28<sup>th</sup> day of September 2019)*

**THIS COMPLAINT** is coming for final determination before the Board of Directors of EWURA on this 28<sup>th</sup> day of September, 2019 for Orders that the Respondent be compelled to pay the Complainant the sum of TZS 236,550,000.00; being special and general damages for the Complainant's dwelling house and properties therein destroyed following the fire alleged to have been caused by an electrical fault in the Respondent's infrastructure.

The Board having considered the oral testimonies, the law and the evidence adduced at the hearing has reached the decision as set out below.

The Board **DOES HEREBY ORDERS** that the complaint be and is hereby dismissed for want of evidence and each party should bear its own costs.

**GIVEN UNDER SEAL** of the Energy and Water Utilities Regulatory Authority (EWURA) at Dodoma this 28<sup>th</sup> day of September, 2019.



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



RW1. We are also in concurrence with the submission of the Respondent's counsel that there is no technical expertise to suggest that effects of over voltage would single out one customer and leave out the rest. We disagree with the Complainant counsel's submission which tends to distort what RW1 said during his testimony. The Complainant's counsel's submission at paragraph 3.2 and 4.1.1 tends to suggest that RW1 admitted that there was a fuse fault at the transformer leading to over voltage which was not the case. Part of RW1 testimony is quoted below:

**CA:** In TANESCO's infrastructures towards the complainant's is there a transformer?

**RW1:** Yes.

**CA:** What does transformer do?

**RW1:** To step up voltage to the users.

**CA:** What things regulate voltage?

**RW1:** There are fuses.

**CA:** What is the role of a fuse?

**RW1:** If there is high voltage the fuse disconnects power.

**CA:** Why?

**RW1:** A fuse has a ratio that should be transmitted and if there is more voltage it is supposed to stop that over voltage.

**CA:** To what extent does the fuse protect users?

**RW1:** 220-250 volts. Beyond that fuse disconnects power to the users to prevent problems.

**CA:** So fuse protection is 100%?

**RW1:** yes

**CA:** If there is a fuse it protects; where the electricity is from or flowing to?

**RW1:** Where it is flowing to.

**CA:** If there is high voltage and a house burns what has happened?

**RW1:** When there is high voltage, there are always many people who are affected.

**CA:** High voltage does not affect only one person?

**RW1:** Many people are affected when there is high voltage.

**CA:** What authority proves what you are saying about high voltage affecting many users?