

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

COMPLAINT NUMBER: SN.71/135/69

ANIL K. SOLANKCOMPLAINANT

VERSUS

TANZANIA ELECTRIC SUPPLY COMPANY LIMITED..... RESPONDENT

SETTLEMENT AWARD

*(Made by the EWURA Board of Directors through its Circular Resolution No. 11
of 10th June, 2020)*

1.0 Background Information

On 07th February, 2020 Mr. Anil K. Solank of P.O. Box 1298, Mtwara ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against the Tanzania Electric Supply Company Limited ("TANESCO") ("the Respondent"). The Complainant is complaining against the Respondent's act of deducting 50% of the Complainant's LUKU purchase transactions to satisfy an alleged electricity debt of TZS 15,556,649.00.

The Complainant states that he operates a super market in Mtwara town and that he had been using a conventional meter numbered 6544550 until September, 2014 when the said meter was replaced with a prepaid (LUKU) meter numbered 37142302076. The Complainant further states that he went on using the LUKU meter without being informed of any outstanding bill from the removed conventional meter. The Complainant alleges further that the Respondent in November 2016 issued a supplementary bill of TZS 15,556,649.00 being consumption of 36,486 units from the removed

conventional meter numbered 6544550. The Complainant also alleges that the Respondent has been deducting fifty percent (50%) of transactional money for LUKU purchases since November 2016 to satisfy the disputed debt. The Complainant claims to have settled all bills submitted by the Respondent during the entire period of using the conventional meter. The Complainant further informed that following the Respondent's reluctance to resolve the matter, the Complainant lodged a complaint praying for orders to compel the Respondent to discontinue deductions in every purchase of electricity token, waive the debt and refund the Complainant all the deducted money.

After 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, G.N. Number 10/2013.

On 20th April, 2020 the Respondent submitted its defense and informed the Authority that the Complainant was first connected to a conventional meter number 6544550 which was removed in September 2014 with a final reading of 57,106 units. The Respondent claims that computation of the final reading from previous reading indicated the unpaid consumed units of 36,486 which is equivalent to TZS 15,556,566.97. The Respondent informed that the prepaid meter (LUKU) number 37142302076 was installed in 18th September 2014 and the outstanding bill of TZS 15,556,566.97 was credited in the Complainant account sometime in November 2016. The Respondent admitted that there was a problem with reading of the conventional meter whereby some of the months recorded zero reading and in other months very low readings were recorded contrary to the Complainant actual consumptions. For example May 2013 only 83 units recorded, Dec 2013 recorded 70 units, January 2014 recorded zero units, February 2014 recorded zero units, March 2014 recorded 90 units, April 2014 recorded 44 units, May 2014 recorded 45 units just to mention a few. The Respondent states that the Complainant actual consumptions ranges from 600 to 1500 units a month.

Mediation meetings involving both parties were conducted on 27th and 28th May 2020 at Cashew-nut Hotel, Mtwara Municipality. During the meeting, the Respondent produced records showing that the debt accrued between 2012 and 2014. The parties took further cognizance of the need for the Respondent to adhere to the requirement of Rule 50 of the Electricity Supply Services Rules, 2019 (G.N. 387) regarding preparation of supplementary bills which obliges the Respondent to Recover for maximum period of twelve months where there has been an error in the preparation of bills. At the conclusion of the mediation, the matter settled on the following terms:


- (a) that the remaining outstanding bill that the Complainant shall pay the Respondent according to the cited Rule and taking into account the amount already paid is TZS 2,879,498.39; and
- (b) that the amount stated in (a) above shall be paid in 18 months installments of TZS 160,000.00 starting from the first week of July 2020;

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, G.N. 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 THE SEAL of the Energy and Water Utilities Regulatory Authority (EWURA) at Dodoma this 10th day of June, 2020.


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KAPWETE LEAH JOHN
SECRETARY TO THE BOARD