

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

**COMPLAINT NUMBER: SN.71/135/75**

**OMARY ALLY MANAWANGA ON BEHALF OF  
MSIKITI WA SUFA CHIPUTA.....COMPLAINANT**

**VERSUS**

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

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**SETTLEMENT AWARD**

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*(Made by the EWURA Board of Directors through its Circular Resolution No.11  
of 10<sup>th</sup> day of June, 2020*

**1.0 Background Information**

On 3<sup>rd</sup> April 2020, the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") received a complaint from Omary Ally Manawanga on behalf of Msikiti wa Sufa of Chiputa, Mtwara Region ("the Complainant") against the Tanzania Electric Supply Company Limited ("TANESCO") ("the Respondent"). The Complainant claims from the Respondent for a refund of TZS 376,669.94 being excess payment made in respect of the construction of an extended service line.

The Complainant states that in November 2019 they applied for power connection for the Mosque through filling in the relevant forms. The Complainant stated further that the Respondent conducted a survey and issued an invoice with a connection fee of TZS 696,000.00 including among

other things, the payment for two electricity poles. The complainant says they paid the connection fee based on a verbal promise from the Respondent that they will be refunded when new customers get connected to their extended service line. The Complainant alleges further that the Respondent started connecting new customers to the same line but no refund was made as promised.

On 18<sup>th</sup> March 2020, the Complainant claims they wrote a letter to the Respondent concerning the refund but there was no response. Finally the Complainant lodged this complaint to the Authority praying for Orders that the Respondent be compelled to refund the Complainant part of the amount paid for the extension line through new customer connections.

Upon receipt of the complaint, on 3<sup>rd</sup> April 2020, 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 28<sup>th</sup> April 2020, the Respondent replied and stated that the Complainant is not their customer. The Respondent stated further that the customer recognized is Omary Ally Madangwa who received a quotation of TZS 696,669.64 and paid to the Respondent through receipt number OPDS0734 for the Service line number 1001989027.

The Respondent states further that considering that the complainant is not their customer the Complainant is not entitled to claim from the Respondent. Alternatively, the Respondent claimed that there was no any agreement between the Complainant and the Respondent regarding the refund after construction of the service line.

Mediation meeting involving both parties was conducted on 29<sup>th</sup> May 2020 at Cashew-nut Hotel hall in Mtwara Municipality. At the mediation parties took cognizance of the provisions of the Electricity General Regulation,

GN. Number 63, Regulation 4(1) which states that "*where customer applies for power supply which requires the extension of electricity supply line and the licensee is not in a position to finance the construction of the requested line, the customer may opt to pay the cost of construction of electricity supply line.....*" It was noted that currently there are two new connections on the Complainant's extended line and more are expected to connect in the future. Parties also noted that normal charge of connecting electricity is TZS 320,000.00. It was further noted that the Complainant paid TZS 696,669.94 for construction of the extended line in question. Accordingly therefore, the Complainant paid TZS 376,669.94 in excess which should be refunded. The matter was settled and the parties agreed on the following terms;

- a. that the Respondent shall refund the Complainant the sum of TZS 376,669.94 in installments of 37,500.00 from each new connection made via the Complainant's extended service line to the maximum of ten new connections ; and
- b. that the above refund in (a) shall be effected for the maximum of ten customers connected to the Complainant's paid extended service line and within four (4) years from the date of the Complainant's connection.

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 THE SEAL** of the Energy and Water Utilities Regulatory Authority  
(EWURA) at Dodoma this 10<sup>th</sup> day of June, 2020.



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**KAPWETE LEAH JOHN**  
**SECRETARY TO THE BOARD**

