

THE ENERGY AND WATER UTILITIES REGULATORY AUTHORITY

(EWURA)

COMPLAINT NUMBER: QN.71/135/102

DAVID PETER KIMARO COMPLAINANT

VERSUS

TANZANIA ELECTRIC SUPPLY COMPANY LIMITED..... RESPONDENT

SETTLEMENT AWARD



((Made by the EWURA Board of Directors at its 157th Ordinary Meeting held on the 27th day of November, 2020))

1.0 Background Information

On 11th August 2020, Mr. David Peter Kimaro of Kikwemalia Street, Koboko South Village, Nasai Ward, Siha District in Kilimanjaro Region ("the Complainant") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against Tanzania Electric Supply Company Limited, ("TANESCO") ("the Respondent"). The Complainant alleges delayed service connection to his residence in Koboko South Village, Nasai Ward, Siha District in Kilimanjaro Region ("the premises").

The Complainant further alleges that he requested for service connection to the premises in November 2019 and after several follow ups the Respondent informed him that there was shortage of electricity poles. The Complainant states that in September 2020 the Respondent provided a surveyor who informed him that 11 to 13 electricity poles were required for his electricity supply connection to the premises. The Complainant further

states that the Respondent informed him that they had no budget at that particular time, nevertheless they promised to consider the Complainant in the Financial Year 2021/2022 budget. The Complainant being unsatisfied filed this complaint praying for Orders that the Respondent be compelled to immediately connect the Complainant's premises to electricity supply service.

Upon receipt of the complaint, on 12th August 2020, the Authority ordered the Respondent to submit its defense to the complaint within twenty-one [21] days as required by the EWURA (Consumer Complaints Handling Procedures) Rules, G.N. 428/2020.

On 11th September 2020, the Respondent submitted its defense and informed the Authority that the Complainant was given service connection application form on 22nd November 2019. The Respondent further stated that they are responsible for the costs for service connection for such customers in rural areas whose distance is beyond thirty meters (30m) as per the Order issued by Minister for Energy in May 2019. The Respondent stated that since the Complainant's premises are more than thirty meters (30m) from the Respondent's infrastructure therefore installation of over ten poles require availability of funds.

Mediation meetings involving both parties were conducted on 19th October 2020 and 16th November 2020 in CCM Meeting Room, Sanya Juu, Siha District. During the mediation, it was noted that the Respondent will construct the service line under project finance which will require mid-year budget review in December 2020 and further confirmed that they have already delivered on site 5 electricity poles. At the conclusion of the mediation, the matter was settled on the following terms:

- (a) that the Respondent shall bear the entire cost of service line connection to the premises amounting to TZS 5,463,521.51; and

(b) that the Respondent shall construct the electricity service line for electricity supply to the premises on or before 28th February 2021.

The agreed terms were reduced into writing as required by Rule 14 (4) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, G.N. No. 428/2020 and contained in the Settlement Form.

2.0 **Decision**

The parties have reached an agreement and, pursuant to Rule 14 (5) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, G.N. No. 428 of 2020, 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 27th day of November, 2020.



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KAPWETE LEAH JOHN
SECRETARY TO THE BOARD