

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

COMPLAINT NUMBER: GA.71/472/CZ/2021/01

MOHAMED MTAFSIRI KIHARIE..... COMPLAINANT

VERSUS

TABORA URBAN WATER AND SANITATION AUTHORITY.....RESPONDENT

SETTLEMENT AWARD

***(Made by the EWURA Board of Directors through its Circular Resolution No.20
of 3rd November, 2021)***

1.0 Background Information:

On 2nd September 2021, Mohamed Mtafsiri Kiharie of P. O. Box 779 Ng'ambo Ward, Tabora Municipality ("the Complainants") lodged a complaint at the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") against the Tabora Water Supply and Sanitation Authority, ("TUWASA") ("the Respondent"). The Complainant complains against the Respondent for delayed connection of water supply service and payment of compensation for such delay.

The Complainant states that in early March 2021, the Respondent had a promotion campaign to attract new customers to connect water service, the Respondent advertised that any person who wanted to be connected with water service was supposed to pay TZS 150,000 as a connection fee. The stated amount was to be paid in installments whereby TZS 50,000 was to be paid in advance before being connected with the service, and the remaining

sum of TZS 100,000 was to be paid in installments according to the agreement between the parties.

The Complainants also claims that he applied for connection of the service and was given a control number to effect payment whereby on 9th March, 2021, he made advance payment of TZS 50,000 and was told that connection of the service would be done within seven days. The Complainant further states that until 2nd September, 2021 six months after making payment, the Respondent had not connected the service to the Complainant's house despite continuous follow up to the Respondent's office.

The Complainant decided to file a complaint with the Authority praying for orders that the Respondent be compelled to:

- (i) Connect the service to the Complainant's house;
- (ii) Pay compensation for delayed connection.

After receipt of the complaint on 2nd September, 2021, the Authority summoned the Respondent to submit written defense to the complaint within twenty-one (21) days as required by Rules 6(1) and 7(1) of the Energy and Water Utilities Regulatory Authority (Consumer Complaints Handling Procedures), Rules, G.N. Number 428/2020.

The Respondent filed a written defense on 22nd September 2021 in which the Respondent concedes to all claims of the Complainant, and stated that delay for connection was caused by scarcity of water meters at their stores caused by unexpected increase of applicants for the service after the promotion campaign. The Respondent proceeded to state that tender to procure new meters had been advertised and a person who won the tender is expected to deliver the goods before the end of October 2021. A copy of an advert for a tender notice for goods was attached to the written defense.

During mediation meeting, the Respondent informed the Authority that they initiated the campaign because water sources have increased after completion of the project of water from Lake Victoria which has added volume of water in

the region. The Respondent also states that, the procured water meters were already at the Dar es Salam port waiting for clearance before being transported to Tabora.

Mediation meeting involving both parties was conducted on 20th October, 2021 at Nazareth conference room in Tabora Municipality where the matter was settled on the agreement that the Respondent shall connect the complainant's premises to water supply services on or before 30th October, 2021.

The agreed term was reduced into writing as required by Rule 14 (4) of the EWURA (Complaints Handling Procedure) Rules, G. N. No. 428/2020 and as contained in the Settlement Form.

2.0 Decision

The parties have reached an agreement that the Respondent shall connect the complainant's premises to water supply services on or before 30th October, 2021; 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 3rd day of November, 2021.



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KAPWETE LEAH JOHN
SECRETARY OF THE BOARD

