

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

COMPLAINT NUMBER. GA.71/472/217

TABU SAID ATHUMANICOMPLAINANT

VERSUS

**KIGOMA WATER SUPPLY AND
SANITATION AUTHORITY.....RESPONDENT**

SETTLEMENT AWARD

*(Made by the EWURA Board of Directors through its Circular Resolution No. 19
of the 23rd day of December, 2020)*

1.0 Background Information

On 2nd October 2020, the Energy and Water Utilities Regulatory Authority ("the Authority") received a complaint from Ms. Tabu S. Athumani of Mgeo Street, Buhanda Ward, Kigoma- Ujiji Municipality, Kigoma Region ("the Complainant") against the Kigoma Water Supply and Sanitation Authority ("KUWASA") ("the Respondent) complaining against the undue delay by the Respondent in connecting water supply services at his premises.

The Complainant claims that on 10th September 2020, she paid the Respondent TZS 245,200.00 for water supply services connection but since then she has not been connected with the said water supply services. The Complainant further claims that after visiting the Respondent's office several times to follow up on the matter, the Respondent connected water services at his premises after 52 days delay contrary to Clause 13 of the

Respondent's Customer Services Charter. Consequently, the Complainant filed this complaint praying for Orders that the Respondent be compelled to compensate the Complainant for the delayed water services connection.

Upon receipt of the complaint, on 12th October 2020, the Authority wrote to the Respondent instructing them to present their defense to the complaint in terms of Rule 6 (1) of the Energy and Water Utilities Regulatory Authority (Complaints Handling Procedure) Rules, GN No. 428/2020.

On 1st December 2020, the Respondent filed its defense and informed the Authority the following:

- a) it is true that on 30th September 2020, the Complainant was yet to be connected with water supply services due to lack of flow meters. However, the Complainant was connected with water supply services on 4th December 2020 through meter number 18114813 with account number 040600172,
- b) Clause 13 of the Respondent's Customer Services Charter requires compensation if water connection is delayed for more than seven working days. Therefore, the Respondent is liable to compensate the Complainant TZS 10,000.00 for first day and TZS 5000.00 for each delayed day for the water connection as stipulated in the Clause; and
- c) the Complainant had never filed a complaint at the Respondent's office to request for compensation for the delayed water services connection.

Mediation meeting involving both parties was conducted on 15th December 2020 at Greenview Hotel, Kigoma Municipality. During the mediation, it was noted that currently the Complainant has been connected with water supply services at his premises. Moreover, it was observed that the Complainant is entitled to compensation for 52 days amounting to TZS

265,000.00. At the end of the mediation session, the parties agreed on the following terms;

- i. that, the Respondent shall pay the Complainant TZS 200,000.00 as compensation for the delayed water services connection; and
- ii. that, the amount in (i) above shall be credited into the Complainant's account in settling the Complainant's upcoming bills.

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, GN. 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, GN. 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 23rd day of December 2020.



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KAPWETE LEAH JOHN
SECRETARY TO THE BOARD