

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

COMPLAINT NUMBER NP.71/135/116

WILFRED MESHACK FUNEGE.....COMPLAINANT

VERSUS

TANZANIA ELECTRIC SUPPLY COMPANY LIMITEDRESPONDENT

SETTLEMENT AWARD

*(Made by the Board's Legal and Corporate Affairs Committee through its
meeting held on the 23rd day of January, 2021)*

1.0 Background Information:

On 2nd September 2020, the Energy and Water Utilities Regulatory Authority ("EWURA") ("the Authority") received a complaint from Mr. Wilfred M. Funege of P.O. Box 208, Katubuka Ward, Kigoma Ujiji Municipality in Kigoma Region ("the Complainant") against the Tanzania Electric Supply Company Limited ("TANESCO") ("the Respondent"). The Complaint is disputing the debt of TZS 1,568,311.00 that was transferred from his conventional meter account to his LUKU meter account without prior notice by the Respondent.

The Complainant claims that on 30th May 2020 when he purchased electricity through his mobile phone worth TZS 10,000, instead of getting 28.02 KWH as usual, he got 14.1KWH. The Complainant states that the electronic payment message showed that the Respondent had deducted a total of TZS 5000 from his purchase value. The Complainant states further that he wrote a letter and

visited the Respondent's offices to seek clarification on the matter and he was informed that the debt of TZS 1,568,311.00 was transferred to his LUKU account number 24211495254 in order to recover the revenue loss from his previous meter. The Complainant was therefore advised to pay the debt. Being dissatisfied with the explanations, the Complainant filed this complaint praying for Orders that the Respondent be compelled to waive the debt and refund the deducted money on his electricity purchases.

Upon receipt of the complaint, on 4th September 2020, the Authority wrote to the Respondent instructing 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 16th November 2020, the Respondent, filed its defense and informed the Authority the following:

- a) the Complainant is their customer of meter number 68003533;
- b) the Respondent changed Complainant's conventional meter to LUKU meter 24211495254; and
- c) that, the debt of TZS 1,568,311.00 was transferred to Complainant's LUKU meter as the revenue loss for electricity consumed by the Complainant for 5 years without paying as required by the law.

Mediation meetings involving both parties were conducted on 11th and 15th December 2020 at Greenview Hotel Hall in Kigoma Municipality. At the end of the mediation session, the matter was settled on the following terms:

- i. that the Complainant shall pay the Respondent TZS 575,000.00 as revenue loss for 24months; and
- ii. that since the Complainant had already paid TZS 75,000.00, the remaining balance of TZS 500,000.00 shall continue to be paid through deductions of 50% of the Complainant's electricity purchases whenever he makes electricity purchases.

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 January, 2021.



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KAPWETE LEAH JOHN
SECRETARY TO THE BOARD