

THE UNITED REPUBLIC OF TANZANIA



**IN THE FAIR COMPETITION TRIBUNAL OF TANZANIA
AT DAR ES SALAAM**

APPEAL NO. 06 OF 2018

BETWEEN

RICHARD MCHIMBUNGULU KABUDI APPELLANT

AND

**TANZANIA ELECTRIC SUPPLY COMPANY LTD
(TANESCO)..... 1ST RESPONDENT**

**ENERGY AND WATER UTILITIES REGULATORY
AUTHORITY (EWURA).....2ND RESPONDENT**

(Notice Pursuant to Rule 16 of the Fair Competition Tribunal Rules, 2012).

TAKE NOTICE THAT an appeal has been lodged in the Tribunal against the whole award and order of the Energy and Water Utilities Regulatory Authority (EWURA), the 2nd Respondent herein, dated 9th May, 2017 in Complaint Number EWURA 33/1/402 in respect of a claim by the Appellant against TANESCO for payment of T.shs. 150,168,500.00 being compensation for the damage done to his house and household items following the fire incidence, allegedly caused by an electric fault from TANESCO's supply system, which destroyed his house located at Plot No. 7, Area "C" within Dodoma Municipality in Dodoma Region in which EWURA held that the Appellant failed to prove that the source of fire that destroyed the Appellant's house was an electric fault from TANESCO's supply system and consequently dismissed the complaint in its entirety.

The Appellant contends, among other things, that the 2nd Respondent erred both in law and fact by applying double standard in accepting and considering the evidence adduced by the 1st Respondent and ignoring that of the Appellant as regards the source of fire thereby reaching to unfair decision and therefore the whole award and order of the 2nd Respondent be reversed by quashing the said award and order with costs, and order that the Appellant be compensated accordingly.

BY THIS PUBLIC NOTICE any person who considers that he has sufficient interest in the outcome of the appeal may apply to intervene in the proceedings within seven days of

the first publication of this notice to the Fair Competition Tribunal, 9th Floor, Ubungo Plaza, Morogoro Road, P.O. Box 79650, Dar es salaam.

GIVEN UNDER MY HAND AND SEAL of the Tribunal this 20th day of February, 2018.

REGISTRAR