

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



**TRIBUNAL APPEAL NO. 06 OF 2020**

**TANZANIA ELECTRIC SUPPLY CO. LTD  
(TANESCO).....APPLICANT**

**VERSUS**

**ADRIAN MUGISHAGWE SHUMBUSHO.....1<sup>ST</sup> RESPONDENT**

**ENERGY AND WATER UTILITIES REGULATORY  
AUTHORITY (EWURA).....2<sup>ND</sup> RESPONDENT**

**ORDER**

This appeal as correctly observed by the Tribunal and conceded by the learned counsel for parties, is incompetent for want of complete proceedings upon which this Tribunal could base its decision and it has obvious contravened the provisions of Rule 11(6) of this Tribunal Rules of 2012.

Without much ado, therefore, this appeal is hereby struck out with no order as to costs as the issue of incompetence of the appeal was raised *suo motto* by the Tribunal.

Order accordingly.

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**Hon. Stephen M. Magoiga – Chairman**

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**Hon. Donald L. Chidowu – Member**

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**Hon. Dr. Theodora Mwenegoha – Member**

**23/7/2020**

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

**IN THE MATTER OF AN INTENDED TRIBUNAL APPEAL  
NO. 9 OF 2020**

**BETWEEN**

**PAN AFRICAN ENERGY TANZANIA LTD.....APPELLANT**

**AND**

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

**ORDER**

Memorandum of Appeal is hereby rejected for the reason that the decision appealed does not qualify to be brought on appeal before this Tribunal under provisions of Energy and Water Utilities Regulatory Authority Act, Part IV Sections 29(1) and Part VI Section 36(2).

In the circumstances that you are aggrieved by the rejection, you may refer the matter to the Chairman of the Tribunal under Rule 12(2) of the Fair Competition Tribunal Rules, 2012.



**Renatus I. Rutatinisibwa**

**REGISTRAR**