

IN THE FAIR COMPETITION TRIBUNAL OF TANZANIA
AT DAR ES SALAAM



TRIBUNAL APPEAL NO. 4 OF 2008

SONGAS LIMITED..... APPELLANT

VERSUS

ENERGY AND WATER UTILITIES REGULATORY

AUTHORITY (EWURA)..... RESPONDENT

DRAWN ORDER

WHEREAS: The Appellant appeals against the decision of the Energy and Water Utilities Regulatory Authority (EWURA) (ORDER NO. 08-009) dated 5 August, 2008, on grounds, inter alia, that: EWURA erred in law and fact when;-

1. It ordered Songas to unilaterally amend terms previously agreed among parties to the relevant agreements in 2001
2. It issued an order which has the effect of varying agreements that were entered into before EWURA commenced its operations
3. It made an order which conflicts with the stated Government of Tanzanian commitment to attract private sector investment into Tanzania, and

WHEREAS: This Appeal coming for determination this 21st day of April, 201 before Hon. R. Sheikh, Judge/ Chairman, A. Juma, Member, and F. Kibodya, Member, in the presence of Mr. Oswald Mutaitina Principal Officer of the Appellant and of Mr. Kibuta and Mr. Kabakama, Advocates for the Appellant and Respondent, respectively.

THIS TRIBUNAL DOTH ORDER THAT: By consent the Appeal is hereby Marked withdrawn with costs infavour of the Respondent

By THE TRIBUNAL

Dated this 20th day of April, 2010

JUDGE/CHAIRMAN

Extracted on this 21th day of April, 2010