



*Non-Confidential Version*

# ***Consultation: Draft Regulations for Numbering Usage Rights and Number Portability Service Provision***

*Twilio's Response to the review by Public Utilities Commission*

28 June 2021



## 1. About Twilio

- 1.1 Twilio is a leading global CPaaS provider and Twilio Ireland Limited is a notified electronic communications service provider in Latvia. Twilio provides services to more than 235,000 enterprises globally and powers more than 1 trillion interactions between them and their customers every year.
- 1.2 Twilio's software allows customers to communicate with their customers over voice, SMS, messaging, or email thanks to the communications capacity that companies have added into applications across a range of industries, from financial services and retail to healthcare and non-profits.
- 1.3 For instance, Twilio powers the communications for New York City's contact tracing initiative. The services enable city authorities to communicate with COVID-19 patients, educate them on the virus, and identify their close contacts through self-reporting. The platform also provides messaging-based alerts using Twilio Voice, SMS, email or WhatsApp that prompt patients to fill out secure surveys on their symptoms.
- 1.4 Other customers include European and international brands. Many of Twilio's customers are also small and medium-sized enterprises and Twilio's non-profit arm, Twilio.org, supports charitable organizations to deliver their communications needs.

## 2. Executive Summary

- 2.1 Twilio welcomes the opportunity to provide feedback on the Public Utilities Commission (**PUC**) consultation on the draft regulations for Numbering Usage Rights (**NUR Regulation**) and Number Portability Service Provision (**NPSP Regulation**) Collectively the **Draft Regulations**.
- 2.2 Twilio notes that in terms of the Draft Regulations the changes are largely structural and editorial changes with the exception of some substantive changes including the following:
  - the grant, extension, cancellation or transfer of numbering rights can be approved in a streamlined way without consideration at the board of regulators;
  - introduction of application forms for transfer and cancellation of the rights of use of numbers as well as the application;
  - introduction of a term that allows an end user to request number portability within 2 months of termination of a contract for electronic communications service unless they have waived the rights;



- 2.3 The Draft Regulations are intended to come into force on the same day as the new Electronic Communications Act.
- 2.4 Twilio therefore welcomes the opportunity to make comments on the Draft Regulations. Given that much of the Draft Regulation merely repeats existing provisions, Twilio comments are concentrated on the few areas where it believes that substantive changes proposed in the Draft Regulations require clarification.
- 2.5 Please do not hesitate to refer any questions or remarks that may arise as a result of our comments to:

Twilio Ireland Limited  
Address: 25-28 North Wall Quay, Dublin 1 Ireland  
Attention: Twilio Global Regulatory Affairs  
Email: regulatory-notices@twilio.com

### **3. Twilio's Comments**

- 3.1 Section 5.3 of NPSP Regulation is intended to deal with the situation where the end user has terminated their contract and within 2 months requests that the disconnected number be ported. Such a request can only be made where the end user has not waived that right.
- 3.3 Twilio notes the above section of the Draft Regulation provides that:

*The end user shall provide the following information to the recipient in the application*

*5.1 the number transferred to the end user for use*

*5.2 name, surname and personal identification code or name and registration of the legal person number as well as the name of the donor service provider, if valid for the end-user an existing electronic communication service agreement;*

*5.3 name, surname and personal identification code or name and registration of the legal person number, the name of the previous provider of the electronic communications service and the date of termination of the electronic communication service contract, if the end user has the electronic communications service contract has been terminated.*

- 3.4 Twilio would suggest that it might be useful to add to clause 5.3 “an acknowledgment by the end user that they have not previously waived the right to port the number” given that any such waiver would have likely been given to the donor service provider and the



gaining service provider will want to be assured that no such waiver exists before lodging the application for number portability on the end user's behalf.

3.5 Twilio also notes that clause 10 of NPSP Regulation states that:

*If the use of the ported number in the recipient's public electronic communications network is terminated and the recipient has not received an end user application for porting, the ported number goes to the merchant who has numbering usage right have been granted or transferred to the specific number.*

3.6 Twilio would suggest that the wording be added into this clause to make it clear that the number should only be returned after the customers right to port has expired. Therefore, Twilio suggest amending the clause to read as follows:

*If the use of the ported number in the recipient's public electronic communications network is terminated and the recipient has not received an end user application for porting **within two months of the termination**, the ported number goes to the merchant who has numbering usage right have been granted or transferred to the specific number."*

3.7 With respect to the NUR regulation, Twilio supports removing the requirement for a Council meeting for the approval of the various applications for allocation, extension, cancellation and transfer on the basis that this will streamline the process. On a similar note with regard to the NUR regulation, the introduction of application forms for transfer and cancellation of rights of use also helps to provide certainty to electronic communications merchants as to what they are required to do in these cases.