



2 November 2023

**Consultation on a draft amendment to the Communications Parameters, Fees and Value Added Services Ordinance 2009.**

Dear Sir /Madam

We are writing on behalf of Twilio Ireland Limited a registered ECS provider in Austria. As a leading global Communications Platform as a Service (CPaaS) provider, Twilio provides services to more than 300,000 enterprises globally and powers more than 1 trillion interactions between them and their customers every year.

Twilio's software allows customers to communicate with their customers over voice, SMS, messaging, or email thanks to the communications feature that companies have added into applications across a range of industries, from financial services and retail to healthcare and non-profits.

Twilio serves a number of global customers as well as Government organizations. Many of Twilio's customers are also small and medium-sized enterprises. Twilio's non-profit arm, Twilio.org, supports charitable organizations to deliver their communications needs, such as the Norwegian Refugee Council, a global NGO supporting refugees worldwide. Twilio is also a technology partner and supporter of the United Nation's Vaccine Alliance GAV

Twilio has a number of comments to make on the proposed amendments to the ordinance. Twilio is of course working from a translation of the proposed amendments, but it suggests that the current amendments are drafted in a way that is not absolutely clear and could benefit from some clarification.

- The structure of the text of Section 5a is rather convoluted with exceptions rather than straightforward positive statements, e.g. the non-applicability of §5a.(1). For the sake of transparency, it would be preferable to make § 5a clearer.
- There is no obligation imposed on operators to conclude agreements (§5a.(2)) to exclude certain numbers. Operators that offer services to e.g. call centers that make legitimate calls from outside Austria through the use of Austrian numbers are at the mercy of the operators receiving the international calls to conclude such agreements. Moreover, there is no mechanism provided for situations where legitimate calls are blocked. It would have been useful to include a mechanism for how that should be dealt with rather than leaving this to be resolved between operators.
- With regard to calls made from Austrian mobile numbers, and where a temporary number of an Austrian operator or a similar technical process is not used it is unclear from the text what should happen. For the sake of transparency this should be clarified.



- The text of § 5a.(3) is unclear. We assume that the reference to two CLIs refers to a Network CLI and a Presentation CLI but this should be clarified and that the reference to the CLI displayed is a reference to the Presentation CLI but this could also be clarified.

We hope that these comments are useful and look forward to seeing the final version of the regulation. We can make these comments available in translation if required.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Irina Michalowitz".

Dr. Irina Michalowitz

Senior Director EMEA Public Policy