**Decision No. 1/11 of the Board of the Public Utilities Commission**

Adopted 18 August 2022

**Regulations Regarding the Provision of Number Portability Service**

*Issued pursuant to*

*Section 43, Paragraph three of the Electronic Communications Law and Section 25, Paragraph one of the law On Regulators of Public Utilities*

**I. General Provisions**

1. These regulations prescribe:

1.1. the conditions for the provision of the number portability service and for the continuity of services;

1.2. the time limits for the provision of the number portability service;

1.3. the costs which may be included in the charge for the provision of the change of a service provider;

1.4. the scope of the information to be submitted to the Public Utilities Commission and the procedures for its submission.

2. Within the meaning of these regulations, the term “ported number” shall mean a number transferred for use to an end-user which is retained by the end-user when changing the provider of electronic communications services (hereinafter – the merchant).

3. The merchant shall port a number transferred for use to an end-user as follows:

3.1. public fixed telephone network number – from one public fixed electronic communications network to another public fixed electronic communications network;

3.2. public mobile telephone network number – from one public mobile electronic communications network to another public mobile electronic communications network;

3.3. short number, service number, internet of things or machine to machine communications (IoT/M2M) number within the country – from one public electronic communications network to another public electronic communications network;

3.4. internet of things or machine to machine communications (IoT/M2M) number for extraterritorial use – from one public electronic communications network to another public electronic communications network if this is technically possible.

**II. Receipt of Number Portability Service**

4. An end-user shall indicate the following information in an application to the recipient:

4.1. if the end-user has a valid or terminated electronic communications services contract – given name, surname, and personal identity number or the name and registration number of a legal person, the number transferred for use to the end-user and the name of the donor service provider;

4.2. in other cases – the serial number of the subscriber identification module (SIM) card and the name of the donor service provider.

5. After receipt of an application from an end-user, the recipient shall verify the information indicated in the application and, in the case referred to in Sub-paragraph 4.2 of these regulations, request to present the subscriber identification module (SIM) card.

6. The recipient has the right to request and verify also other information necessary to evaluate the right of an end-user to submit an application and to receive the number portability service.

7. After receipt of an application from an end-user:

7.1. the recipient shall send to the donor service provider information on the application received from the end-user;

7.2. the donor service provider shall provide to the recipient a confirmation on the receipt of the sent information;

7.3. the donor service provider shall, within 24 hours after receipt of the information referred to in Sub-paragraph 7.1 of these regulations, except for Saturdays, Sundays, or public holidays, provide to the recipient a confirmation on the porting of the number transferred for use to the end-user or the refusal, providing a justification;

7.4. the recipient shall inform the end-user of the porting of the number;

7.5. the recipient shall activate the number transferred for use to the end-user:

7.5.1. in the case provided for in Sub-paragraph 3.1 of these regulations – at the time mutually agreed upon by the recipient and the end-user, without exceeding the interruption in the provision of electronic communications services longer than two hours;

7.5.2. in the case provided for in Sub-paragraphs 3.2 and 3.3 of these regulations – from Monday to Friday, from 3.00 to 5.00 o’clock, with the exception of public holidays.

8. An end-user may withdraw their application before the activation of the number transferred for use to the end-user on the public electronic communications network of the recipient.

9. If the use of the ported number on the public electronic communications network of the recipient has been stopped and the recipient has not received an application from the end-user for the porting of the number to another public electronic communications network, the ported number shall, not later than six months after stopping the use, be assigned to such merchant to whom the right of use of numbering to the particular number has been granted or retransferred.

**III. Charge for Number Portability Service**

10. The donor service provider may set a charge for the recipient for the number portability service which shall be close to the costs.

11. The donor service provider is entitled to specify a charge for the porting of a number transferred for use to an end-user in the amount which does not exceed the total sum arising from the costs of:

11.1. processing the information provided by the recipient on the application from the end-user, verification of end-user data and routing number, clarification of information and correcting the mistakes;

11.2. making changes in the switching or routing equipment, and also the accounting and payment systems and databases of the donor service provider;

11.3. the exchange of payment information between the donor service provider and recipient;

11.4. the registration of the number porting in the numbering database;

11.5. the use of the numbering database which depend on the number of ported numbers.

12. The donor service provider shall calculate the costs referred to in Sub-paragraphs 11.1, 11.2, 11.3, and 11.4 of these regulations, using one of the following methods:

12.1. in accordance with the average time spent on each cost item for the provision of portability service for one number and the average cost of a working hour of the workforce employed in the provision of number portability service on the donor service provider in the previous calendar year;

12.2. in accordance with the average costs in the previous calendar year incurred upon receipt of the service from another merchant for the provision of portability service for one number.

13. The donor service provider shall ensure that the charge specified for the porting of the number transferred for use to an end-user is publicly available on its website, and the charge shall be applied equally to all recipients regardless of the type of the number to be ported.

14. The donor service provider shall, upon request of the Public Utilities Commission, provide a justification for the amount of the charge determined in Paragraph 10 of these regulations.

15. The regular costs which are related to the provision of number portability service shall be included in the tariff of the interconnection service for the termination of the connection on own public electronic communications network.

**IV. Closing Provisions**

16. Decision No. 1/19 of the Board of the Public Utilities Commission of 3 December 2015, Regulations Regarding the Provision of Number Portability Service (*Latvijas Vēstnesis*, 2015, No. 240; 2016, No. 237; 2021, No. 10), is repealed.

17. These regulations shall come into force on the day after their publication in the official gazette *Latvijas Vēstnesis*.

Acting Chairperson, Board Member of the Public Utilities Commission I. Birziņš