



Czech Telecommunication Office

July 2021

Telegraphically

Mobile signal in the metro

The Public Transit Company and a consortium of three mobile operators and CETIN have succeeded in covering more Prague metro stations with LTE and 5G network signals. According to a list on the [Prague Public Transit Company's](#) website, passengers can already enjoy good reception at the vast majority of stations, with the [stated goal](#) of complete metro coverage by the end of this year. The last station will be Jiřího z Poděbrad, where the planned modernization of the station will precede.

Better signal on the train?

According to [its statement](#), Czech Railways will use new Siemens technology in the carriages, which has modified the metal-plated windows so that they are less likely to attenuate the passage of the mobile signal. Carriages with these windows could be put into operation later this year. It is the metal-plated windows and walls of trainsets in general that cause attenuation of the signal of mobile networks, as CTU found when [measuring the wall attenuation of selected trainsets in 2016](#). For more information see [article on the Czech Radio website](#).

Telecommunication Academy on YouTube

As part of the Telecommunications Academy Project, we have launched our own [channel on YouTube](#) where we publish educational videos that will help seniors in particular to orient themselves in the field of telecommunications and postal services. In the [first](#) of the "Telecommunications in a Nutshell" series of videos, the basic concepts for consumers are clearly explained, in the [second](#) we look at the pitfalls of contracting and number portability, and in the August video we will look at the procedure for submitting claims about services.

Electronic data collection: Newly published forms in the electronic data collection system

At the beginning of July 2021, CTU published a half-year form, ART211 – Services provided in electronic communications in the Electronic Data Collection System, available at <https://monitoringtrhu.ctu.cz> for undertakings in electronic communications. This form is used to collect data mainly for relevant market analyses, international reporting, and the national statistical service. A template of this form can be found on the [CTU website](#), and its completion and submission is possible only in the Electronic Data Collection System via a web browser. The deadline for completing and submitting the form is 31 August 2021.

T-Mobile must reduce the wholesale price of mobile data for Český bezdrát

Operator T-Mobile Czech Republic a.s. must reduce the wholesale price of mobile data charged to Český bezdrát s.r.o. by 41%. The Council upheld the first-instance decision of the CTU Council Chair, and thus rejected the appeal filed by T-Mobile against the original decision. The second instance decision cannot be appealed.

The dispute between T-Mobile and Český bezdrát began in 2019. Český bezdrát submit a dispute decision petition to CTU after it was unable to reach an agreement with T-Mobile regarding the reduction of the price for wholesale data.

T-Mobile refused to conclude an amendment to its 2015 contract with the virtual operator, which would have reduced the wholesale price for mobile data. Český bezdrát stated as the reason for the request the fact that T-Mobile had reduced its retail prices and increased the volume of data in its tariffs several times since the conclusion of the contract, but the wholesale price for data remained virtually unchanged, or decreased only slightly. As a result, T-Mobile's retail price to consumers was lower than T-Mobile's wholesale price to the virtual operator. In the opinion of Český bezdrát, this meant that it could not compete with T-Mobil with its offers.

At first, CTU left both parties room for further negotiations. CTU joined the negotiations as a mediator and tried to bring the parties to an agreement to reduce wholesale prices. As no agreement had been reached between the parties, Český bezdrát filed an application with CTU to issue a decision in the dispute. In March 2021, the CTU Council Chair issued a decision complying with this application.

The first-instance administrative body concluded that the respondent's procedure, when it refuses to straighten out the market environment in relevant market No. 5 in relation to the complainant, is contrary to the principle of fairness as a general principle of civil law. It considered proved that the respondent had refused to accede in any way to the proposal to reduce the wholesale prices previously charged to the complainant under the interconnection agreement, as amended on 1 May 2016, and thus straighten out the obvious barrier to the complainant's competitive and profitable operation in the retail mobile data market.

The summary of the original verdict is as follows: *“If the Civil Code establishes the principle that no one may benefit from their dishonesty, then, according to the first-instance administrative body, that dishonesty must be remedied by a decision requiring the respondent to enter into a new price amendment to the interconnection agreement with the complainant, at the complainant's request, to the extent set out in operative part I of the decision.”*

The [decision](#) entered into force on 24 June 2021, following the rejection of T-Mobile's appeal by the CTU Council.

What about unsolicited marketing calls?

CTU has recently noticed an increased number of complaints regarding unsolicited marketing calls. The consumers concerned consistently pointed out that they had been exposed to commercial offers by telephone, even though they had indicated in the telephone directory that they did not wish to be contacted for marketing purposes.

However, upon a more detailed investigation, CTU found in several cases that consumers did not have their telephone numbers listed in the public directory, which is one of the prerequisites that must be fulfilled in order for CTU to qualify the conduct in question as an offence within the meaning of the applicable provisions of the Electronic Communications Act.

For the purposes of this Act, it is not sufficient for the consumer to tell the caller that they no longer wish to be contacted for marketing purposes. The callers do keep their own directories, but these cannot be considered a public directory within the meaning of the Electronic Communications Act. Listing only in a directory of a specific caller does not constitute the prohibition on contacting for marketing purposes under the Act.

If a consumer only contacts a caller who makes unsolicited commercial offers over the phone, they are likely to exercise their rights under the General Data Protection Regulation, better known as GDPR. The regulation is based on the idea that everyone is free to decide what will happen with their personal data.

If a consumer wants to stop being contacted by telephone at all with unsolicited commercial offers, they should contact their telephone service provider. And raise a request with the provider to list their telephone number (and other personal data) with an indication of prohibition on marketing in the public directory. The provider shall then ensure that this data is forwarded to the entity publishing the directory. This information can usually be provided when the contract with the provider is concluded. Any changes to the data listed in the public directory are always free of charge.

Although the Electronic Communications Act does not limit the number of public directories, the most common one is the one operated by Conectart s.r.o., which is publicly available at www.1188.cz. However, not all service providers have a contract concluded with the operator of this directory on hand-over of subscriber data for the purposes of maintaining the public directory, [for example, Vodafone Czech Republic a.s.](#)

The Parliament is currently debating an amendment to the Electronic Communications Act. If passed, consumers will soon see substantial change in this area. Explicit consent of the subscriber will now be required for them to be contacted for marketing purposes. If their consent is not indicated in the public directory, it will be assumed that they do not wish to receive such marketing contact. Of course, this will not apply to situations where they are contacted by a doctor, the service provider, a vendor and others who have the option to “call” their clients according to data protection rules on the basis of the client's consent, a legitimate interest of the company or some legal ground.

Guide for the users of postal services

Consumers, as well as other users of postal services, can contact CTU with their:

- **questions about postal services**
- **complaints about postal services**
- **suggestions for investigation of the postal service operator's practices**
- **objections against claim settlement regarding postal service provided**

Questions, complaints or suggestions should preferably be sent to CTU in writing, either in paper form or in an electronic form, either by e-mail or to a data mailbox, or by filling in a [form](#) at the CTU website. In addition to the written form of the question, complaint or suggestion, another permissible option is the oral form: you can call us or come to CTU in person and communicate your question, complaint or suggestion to CTU on the record.

Your question, complaint or suggestion does not have to be preceded by any previous communication with CTU. Your submissions shall be processed in accordance with Section 42 of the Administrative Procedure Code. This means that if you request it, CTU will inform you within 30 days of receipt of the submission whether or not there are grounds for initiating administrative proceeding (or that it is necessary to refer the complaint to another public authority). If you want to be informed about the outcome of this assessment (i.e. whether or not we have initiated an administrative proceeding), you must request this from CTU as part of your submission.

The situation is different for an objection against claim settlement. First, you must submit the actual claim about the postal service provided with the relevant postal services operator. Only if the postal service provider handles the complaint to your dissatisfaction you can file an objection to such handling with CTU.

You must submit your claim within the time limit set out in the postal terms and conditions of the relevant operator. Be careful since for example with Česká pošta and Zásilkovna, the time limit is only two days for certain types of claims (damage to or loss of the content of the postal item). The operator also has a certain time limit to process it. For example, Česká pošta states that: “Unless otherwise agreed, the company shall settle the claim without undue delay, at the latest within 30 days of the date of the claim filing.” The same time limit is stated by Zásilkovna.

All those who were entitled to submit a claim itself may also submit an objection against claim settlement to CTU. The objection should preferably be submitted in a paper form or electronically with an electronic signature or through a data mailbox. However, it may also be submitted orally on the record. An objection against claim settlement shall be submitted within one month of the time the result of the handling of the complaint was delivered to you or, as the case may be, when the time limit for settling the claim has expired with no result. Note that this deadline is not extended or postponed in any way - even if you contact the relevant postal service operator, its ombudsman, or anyone else (other than CTU) again.

The submission of an objection against claim settlement initiates an administrative proceeding where it is necessary to prove the claimed facts. Submitting an objection is subject to an administrative fee of CZK 100. CTU has 90 days to deal with the objection. In particularly complex cases this period may exceptionally be extended, but CTU must duly inform both parties.

The pick-up of postal items does not apply to postal items with a green stripe

In a number of situations in which consumers contact us, for example with a complaint or an objection against claim settlement, CTU actually finds mistakes on the part of the service provider, and the service provider itself often takes remedy before an official settlement is reached, or it is the objection against claim settlement that leads to such remedy. However, there are repeated complaints/questions/suggestions where we have to conclude that the fault is not with the service provider.

The first example described refers to the so-called postal item pick-up - it is a service in which the post does not deliver postal items to the addressee's residence, but leaves them at an agreed post office. The addressees pick up and take the postal items themselves.

Official postal items with a green stripe, which are most often used by authorities, courts or other state institutions, are not covered by the postal item pick-up service. Such postal items are never placed in the pick-up folder, nor is a call for pick-up placed in the folder. These postal items are normally delivered to the address or deposited at a -relevant depositing post office of Česká pošta, which, however, may not be the same as the post office chosen for the pick-up.

Checked by CTU in June...

...compliance with the conditions of General Authorization No. [VO-R/12/03.2021-3](#) for use of radio frequencies and operation of equipment for broadband data transmission in 2.4 GHz to 71 GHz frequency bands

CTU carried out a total of 10 inspections. Defects were identified in all cases, consisting in harmful interference with priority radiocommunications service stations (meteorological radars) and use of indoor frequencies outside a building, which were resolved by a call to rectify the identified deficiencies and which will subsequently be addressed in administrative proceedings.

... compliance with the conditions of General Authorization No. [VO-R/24/05.2019-4](#) for the operation of equipment of infrastructure for transmitting radio signals inside tunnels, premises of buildings and trains

CTU carried out a total of 3 inspections. Defects - operation of equipment without the consent of mobile network operators - were found in all cases; they were resolved by a call to rectify the identified deficiencies and will subsequently be addressed in administrative proceedings.

... use of radio frequencies

CTU carried out 23 inspections focusing on the use of frequencies without authorization. All of the inspections revealed the use of frequencies without individual authorization; the cases were referred for resolution in administrative proceedings.

... sources of interference with the operation of electronic communications equipment and networks, the provision of electronic communications services or the operation of radiocommunications services

In June, CTU completed a total of 128 investigations, of which there were 96 cases of interference with television reception, 15 cases of interference with GSM and LTE public mobile communications networks (in 5 cases the source of interference was the active element of TV reception), 2 cases of interference with a meteorological radar, 7 cases of interference with radio and satellite signal, 2 cases of interference with aircraft radio stations, and 6 cases of interference with various systems (amateur radio station, PCO receiver, CB radio station, short-range devices, etc.). The investigation of complaints about poor TV reception revealed that in 72 cases the defect was in the viewer's equipment, in 4 cases it was due to the effect of shading, reflections or reception of signal in a non-covered area, in 12 cases the interference stopped or occurred sporadically. Seven interference reports were cancelled by their submitters during the investigation of the interference. In one case it was a local transmitter defect, consisting of poor synchronization within a single frequency network (SFN).

[... pilot operation of LTE base stations in the 800 MHz band](#)

As of 30 June 2021, 209 base stations were in pilot operation, and 16,816 stations were in permanent operation. In June, an LTE base station was not identified as a source of TV signal interference in any case.

[... a coordination working group was also activated in June](#)

to address the impact of harmful interference from the 700 MHz band on the reception of digital terrestrial television (DTT), consisting of representatives of CTU, mobile network operators and digital terrestrial TV broadcasters. Within this coordination group, procedures have been agreed to minimize the negative impact of the operation of next generation networks in the 700 MHz band on TV viewers receiving DTT.

5,244 - the number of decisions issued in June on the matter, of which 5,229 decisions concerned the dispute over payment (payment of the price for services).

2,217 – the number of administrative proceedings initiated in June concerning subscriber disputes between the person carrying out the communication activity and the subscriber. These are the disputes over payments and objections to the settlement of a complaint about the billing of the price or the provided publicly available electronic communications service.

Price regulation

Single European mobile and fixed termination rates - FAQs

On its [website](#), the European Commission has published frequently asked questions and answers regarding the [Delegated Regulation](#) of 18 December 2020 setting a single maximum Union-wide mobile voice termination rate and a single maximum Union-wide fixed voice termination rate (MTR and FTR). On this website, the European Commission answers frequently asked questions about the costs included in regulated prices, the scope of regulation applied, especially with regard to calls from countries outside the EU/EEA, or the conversion of prices into the national currencies of EU Member States. The obligations to apply Union-wide mobile and fixed termination rates apply from 1 July 2021. More detailed information on the specific level of regulated termination rates was published by CTU in its monitoring report No. [5/2021](#).

Radio spectrum management

Conference on the use of the radio spectrum attracted a large number of participants

A three-day conference called [European Spectrum Management Conference](#) took place in June; it was already the sixteenth conference in a row and it was organized by Forum Europe in cooperation with other partners. The virtual meeting attracted a total of 800 representatives of international organizations, government institutions, regulators, operators, industry, academia and technology companies to engage in the discussion. Key themes included European targets for the next decade, emphasis on spectrum sharing, development of innovation including a dynamic approach to the spectrum, and generally responsible approach by regulators to frequency management.

Important topics included, for example, the TV frequency band (frequencies below 694 MHz), which is being analyzed in Europe for possible future use also for mobile networks. One of the possible other technologies for future television, as reported by the European Broadcasting Union (EBU), is “5G Broadcast”, the specification of which is being developed in the 3GPP Project. This is not 5G, but rather a technology tailored for audiovisual dissemination, including free-to-air capability.

The frequency bands called “mid-bands” which are around 6 GHz were also widely discussed at the conference. The potential for future access networks lies in these frequencies. In Europe, the lower part of the band is newly designated for high-speed Wi-Fi 6E applications, while the upper part is being analyzed for possible use by 5G networks. Another alternative use of the upper part is to extend the Wi-Fi frequencies to the entire 6 GHz band to create a continuous 1180 MHz for high throughput connectivity.

Other topics of the conference included, for example, projects of satellite networks (designated for internet connection) solved by a large number of satellites placed in a low orbit. The projects of OneWeb, SpaceX and Amazon are now joined by projects and upcoming constellations of the European Union.

DIGITAL RADIO BROADCASTING T-DAB

The Czech Republic [will not switch off](#) analogue radio broadcasting in the FM band and does not plan to switch exclusively to digital signal distribution in the DAB+ standard. Thus, the state will leave the popularization of digital broadcasting to the operators themselves, and will only adjust the conditions for digital broadcasting for Český rozhlas (Czech Radio) which will be allocated frequencies for its digital network ČRo DAB+ by law.

Telecommunications regulation in the EU

European Commission

EC has launched a series of consultations on the Digital Compass. The issue of action plan, co called Digital Compass Policy Programme, will be the next step. To this end, EC is [consulting on the Roadmap](#) by 22 July 2021. At the same time, EC also launched [targeted consultation](#) which is open until 3 August 2021, and a [discussion forum](#). EC also consults in parallel on digital principles which shall be included in the prepared joint declaration of EU institutions. This consultation is open until 2 September 2021.

On 29 June, European Commission published the [results](#) of the Special Eurobarometer survey on electronic communications, showing recent trends in electronic communications across the EU.

The survey is focusing on internet access, fixed and mobile phones, service bundles, receiving costly fraudulent calls and SMSs, roaming, emergency communications, information about the environmental impact of electronic communications and service subscriptions during the pandemic.

On 1 July 2021, [Commission Delegated Regulation \(EU\) 2021/654](#) of 18 December 2020, supplementing [Directive \(EU\) 2018/1972](#) of the European Parliament and of the Council by setting a single maximum Union-wide mobile voice termination rate and a single maximum Union-wide fixed voice termination rate

EU Council

[Slovenia](#) took over the EU Presidency on 1 July 2021. [The programme](#) of the Slovenian Presidency covers economic recovery after the COVID-19 pandemic, strengthening of EU resilience to similar crises, extending the EU block to include Western Balkan countries, accelerating a fair and inclusive digital transformation and reaffirming the EU role in the world. Strengthening cyber security, strengthening Europe's digital sovereignty and the ethical use and development of artificial intelligence, which is identified as one of the key technologies of the future in the context of the availability of big data, are the [priorities](#) in the field of electronic communications.

Official Journal of the EU

On 8 June, [Regulation \(EU\) 2021/887](#) of the European Parliament and of the Council of 20 May 2021, establishing the European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination Centres, was published. This Regulation shall enter into legal force on the twentieth day following that of its publication in the Official Journal of the European Union and shall be binding in its entirety and directly applicable in all Member States.

On 25 June, [Commission Decision \(EU\) 2021/1038](#) of 23 June 2021, granting a transitional period to the Kingdom of the Netherlands pursuant to Decision 2008/477/EC as regards an update of relevant technical conditions applicable to the 2 500-2 690 MHz frequency band, was published.

On 30 June, [Commission Implementing Decision \(EU\) 2021/1067](#) of 17 June 2021 on the harmonised use of radio spectrum in the 5 945-6 425 MHz frequency band for the implementation of wireless access systems including radio local area networks (WAS/RLANs), was published.

Cyber security

On 23 June, European Commission submitted a [vision to build a new Joint Cyber Unit](#) to step up response to large-scale security incidents impacting public services, as well as the life of undertakings and citizens across the European Union. It is a concrete deliverable of the [EU Cybersecurity Strategy](#) and the [EU Security Union Strategy](#), contributing to a safe digital economy and society. As part of this package, the Commission is [reporting](#) today on progress made under the Security Union Strategy over the past months.

On 28 June, [Regulation](#) establishing the European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination Centres came into legal force. [The European Cybersecurity Competence Centre](#), which will be located in Bucharest, will contribute to strengthening European cybersecurity capacities and to boosting research excellence and competitiveness of the Union's industry in the cybersecurity field.

EU Calendar

12. 5. – 2. 9.	public consultation on a set of European Digital Principles
3. 6. – 3. 9.	public consultation on the Data Act
16. 6. – 26. 7.	public consultation on the draft BEREC Opinion on the General Authorisation Regime
16. 6. – 26. 7.	public consultation on the draft BEREC Report on COVID-19 crisis – lessons learned regarding communications networks and Services for a resilient society
22. 6. – 3. 8.	public consultation a discussion forum on the Digital Compass Policy Programme
24. 6. – 22. 7.	public consultation on the roadmap for Digital Compass Policy Programme