



Czech Telecommunication Office

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TELEGRAPHICALLY

Phone number portability

What are your rights and what are the obligations of the existing and new operator? What are you entitled to if operators are late in porting your number? How does the OKU code work and what is it needed for? The exact process of porting your phone number from one operator to another is described in a new [instructional video](#) produced by the CTU [Telecommunication Academy](#) project.

What is VPortal for?

Another [instructional video](#) focuses on VPortal - a comprehensive telecommunication services visualization tool operated by the Czech Telecommunication Office. It serves as a tool for users to compare the quality of telecommunications services in the Czech Republic. The portal is divided into individual modules according to the type of services - mobile services, broadcasting services, TV services and development criteria.

Better signal on the train

CTU and Správa železnic (Czech Railway Infrastructure Manager) [have concluded a cooperation agreement](#) aimed at improving the quality of the signal of mobile operators on railway corridors included in the European TEN-T transport network. CTU will use a special measurement vehicle of Správa železnic to verify, among other things, the fulfilment of the commitments which lay down the obligation to ensure 100% coverage of the main rail corridors and 98% of the secondary rail corridors within the European TEN-T transport network by February 2025.

Market Development Report and Price Development Report

At the end of September 2023, CTU released [Report on Electronic Communications Market Development](#) with a focus on 2022 and [Report on Development of Prices](#) in the electronic communications markets in the period 2018-2022. For more information see the [Press Release](#) dated 27 September 2023.

Business entities are also entitled to number portability

CTU quite often deals with questions concerning whether a certain legal regulation applies only to consumer subscribers or also to subscribers who business entities are. The answer always depends on the particular case, as there are differences in some areas. However, the right to keep the number free of charge, regardless of the service provider, applies to any subscriber, including business entities.

An interesting fact, CTU first briefly states that the explicit provision of free telephone number portability was made by an amendment to the Electronic Communications Act ([Act No. 311/2019 Coll.](#)),

which entered into effect on 1 April 2020 (for more details see, for example, [Monitoring Report No. 3/2020](#)). Among other things, the amendment greatly simplified the whole process of portability and, in principle, prohibited, from that period onwards, any charge for the porting of the telephone number to another provider. However, the provider may charge a different fee related to the termination of the contract, and there the situation may differ; see the information box.

According to the currently valid provision of [Section 34\(1\) of the Electronic Communications Act](#), an undertaking operating a public communications network or providing a publicly available electronic communication service is obliged to ensure that any subscriber who so requests may retain their telephone number or, as the case may be, numbers, from the range of the numbering plan free of charge, irrespective of the undertaking providing the service, which applies in the case of geographic numbers in a designated territory and in the case of non-geographic numbers anywhere in the territory of the country.

The term "subscriber", as defined in the Electronic Communications Act, refers to anyone who has entered into a contract with an undertaking providing publicly available electronic communication services for the provision of such services, i.e. in this particular case it is completely irrelevant whether the subscriber is a consumer or a business entity.

TERMINATION OF THE CONTRACT

→ For consumers or natural persons acting as entrepreneur, a contract without a commitment can be terminated at any time without penalty. For a contract with a commitment, it depends on when it is terminated. If it is within three months of its conclusion, the current operator can claim five per cent of the payments remaining until the end of the contract term. If the contract has run longer than three months, the consumer (or natural person acting as entrepreneur) shall not pay for the termination of the contract. However, the consumer must pay for the terminal equipment, if any, that was provided on discounted terms (such as a mobile phone or modem).

→ For legal persons, however, this depends on the individual terms and conditions agreed in the contract.

DECREE ON NUMBER PORTABILITY AND INTERNET: Portability of telephone numbers and internet works, no change in legislation is needed

The practical implementation of telephone number portability and the switching of the Internet access service provider is governed by Implementing Decree [No. 58/2022 Coll.](#) CTU evaluated how everything works in practice and, despite the discovery of minor deficiencies, was able to conclude that there are no reasons to change the implementing Decree.

The Czech Telecommunication Office regularly evaluates the effectiveness of its regulatory measures. This is also the case with Decree No. 58/2022 Coll., on conditions for number portability and the switching of Internet access service provider (hereinafter referred to as change of the ISP and the "Decree"). One year after the Decree came into effect, CTU evaluated its practical implementation and its impact on both users of electronic communications services and providers of such services. In doing so, it also made use of suggestions from users received during the period of validity of the Decree and requested the opinions of leading associations representing service providers.

As a result, it was found that both options - phone number portability and switching the Internet access service providers - work and are used in practice. While in the case of telephone number portability this option has been available and working since 2003 (or 2006 for numbers on mobile networks), in the case of switching Internet access service providers it has only been available since 2022.

The possibility of switching the Internet access service provider works despite the fact that there is still no so-called common solution for communication between operators foreseen by Act [No. 127/2005 Coll., on Electronic Communications](#), and designed to perform the necessary actions. CTU continues to support the establishment of such a common solution based on the principle of self-regulation, but also finds the obligation to establish it to be disproportionate given the diversity of the stakeholders.

This view is supported by CTU's finding that only about 10% of all newly set-up Internet access services are implemented under the Decree, i.e. as a switching of Internet access service provider. The other cases involve subscriptions set up a new ones independently of the existence of another subscription, which is subsequently terminated by the subscriber itself.

Checked by CTU in September...

...compliance with the conditions of General Authorisation No. [VO-R/12/11.2021-11](#) for the use of radio frequencies and for the operation of equipment for broadband data transmission in the 2.4 GHz - 71 GHz band

CTU completed 13 inspections in September. Defects were identified in 6 cases, consisting mainly in the use of indoor frequencies outside a building, and they were resolved by a call to rectify the identified deficiencies and will subsequently be addressed in administrative proceedings.

... the use of radio frequencies without authorisation

Based on radio monitoring, CTU carried out a total of 8 inspections focused on the use of frequencies without authorisation (including frequencies for the use of which an individual authorisation cannot be issued). In 5 cases, the use of frequencies without authorisation was detected, mainly by the operation of wireless municipal information systems. The cases were referred to resolution in administrative proceedings. In this context, the Office recommends that the holders of individual authorisations, which are mainly cities and municipalities, should apply to CTU for their renewal in time to avoid further inconveniences and possible sanctions in case that the authorisation is about to expire.

... compliance to the conditions of an individual authorisation for the use of radio frequencies

Three inspections were carried out and in 2 cases violations of the conditions of the individual authorisation were found. The operators of the equipment were issued notices to remedy the deficiencies and the cases were referred to 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 September, CTU closed 8 cases of interference to GSM, LTE and 5G public mobile communication networks, 5 cases of interference to radio and satellite signal reception, 1 case of interference to a meteorological radar, 2 cases of interference to land mobile service radio stations, 3 cases of interference to short-range devices, one case of interference to an amateur radio station and one case of interference to a broadband data transmission station. In cases where the interference was

confirmed and the source of the interference was traced, the operators of the interference sources were ordered to eliminate them. In this context, CTU draws the attention of operators of short-range devices (SRDs) and home WiFi devices to the fact that they share frequencies with other operators of these devices in the frequency bands in which they operate their devices on the basis of general authorisations. As a result of this sharing, especially in densely populated areas, the functionality of their devices can be negatively affected. These situations are resolved by mutual agreement between the operators of the devices, and if they fail to agree, CTU proceeds in accordance with the Electronic Communications Act, with the costs of the protective measures being borne by the operator of the device put into operation at a later date.

[... sources of interference with TV signal reception](#)

In September, CTU closed a total of 100 cases of TV signal reception interference. The investigation of complaints about poor TV reception revealed that in 49 cases the defect was in the viewer's equipment (most often a technical fault of the receiving antenna or lead-in), in 15 cases the interference stopped or did not manifest itself during the investigation, in 17 cases the complainant withdrew the interference complaint during the investigation. In 8 cases, the reception problem was caused by poor signal quality at the reception location. In 11 cases, a source of interference was detected, and in all cases the source of interference was identified as a base station of a mobile operator, see below.

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

As of 30 September 2023, 302 base stations were in pilot operation, and 17,252 stations were in permanent operation. In September, an LTE base station was not identified as a source of TV signal interference.

[... pilot operation of 5G/LTE base stations in the 700 MHz band](#)

As of 30 September 2023, 1,661 base stations were in pilot operation, and 5,903 stations were in permanent operation. In September, a 5G/LTE base station was identified as a source of TV signal interference in 11 cases. In all cases, the mobile network operators eliminated the interference at their own cost based on a CTU's decision. In September, CTU sent a letter via data mailbox to 51 municipalities in whose region the pilot operation of 5G base stations was launched, [with information](#) on how to proceed in the case of TV signal reception interference.

[... security, confidentiality and integrity of public networks](#)

On 3 - 4 October 2023, CTU employees carried out an inspection at Telco Pro Services, a.s.. The inspection focused on the security, confidentiality and integrity of public electronic communications networks according to [Section 88](#) and [Section 99](#) of the Electronic Communications Act and Decrees [No. 241/2012 Coll.](#) laying down the technical and organizational rules to ensure the security and integrity of public communications network and the interoperability of publicly available electronic communications services in a state of crisis, and No. [380/2022 Coll.](#) on the criteria for determining a serious breach of network and service security and loss of network integrity and the scope and form of transmission of breach information.

1,235 - the number of decisions issued in September on the matter, of which 1,226 decisions concerned a dispute over payment (payment of the price for services).

1,801 – the number of administrative proceedings initiated in September concerning subscriber disputes between the person carrying out the communication activity and the subscriber. These are

the disputes over payments and objections to a claim settlement concerning the billing of the price or the provided publicly available electronic communications service.

INTERFERENCE WITH TV BROADCASTING: Do mobile networks affect TV signal reception via antenna?

The Czech Telecommunication Office has been confronted with the opinion that mobile radio networks are to blame for the poor quality of TV signal reception through the antenna, because they interfere with the TV signal and thus deteriorate its quality and availability. So what is the actual situation with TV signal interference from 4G/5G mobile radio networks?

The signal from mobile networks can in fact cause interference to TV signal reception under certain conditions. These are situations where a mobile network using an adjacent frequency band to the television frequency band, if its base stations are located close to viewers' TV antennas, can cause undesirable interference to or even complete jamming of TV signal reception. This problem was foreseen when the 700 MHz band was released for the deployment of 5G mobile radio networks.

Interference can be easily removed within a few days

For this reason, safeguards have been included in the conditions for holders of mobile frequency block allocations to completely eliminate this undesirable phenomenon. However, the elimination of this phenomenon, although not difficult, cannot be achieved before its occurrence because of the difficulty in predicting its location. Elimination of interference requires technical intervention at the receiving TV antenna of the viewers, both in cases where they receive the signal via an individual antenna and in cases of community television antennas. The technical adjustment on the viewers' side is provided and paid for by the mobile network operator whose signal caused the interference. What is important is that CTU should become aware of television interference to specific viewers in time. For this reason, information on mobile network impact issues and recommended practices is published on [CTU's website](#) and sent to the municipal authorities of each town and municipality in whose area a mobile network in the 700 MHz band is put into operation. The information sent contains specific instructions on how citizens should proceed if their television signal is interfered with for this reason.

As mentioned above, the mobile network operator is obliged to ensure the adjustment of the receiving antenna in the viewer's premises at its expense, subject to a decision of the Office. In order for CTU to be able to issue such a decision to the operator, citizens/television viewers must [report](#) to CTU in particular the deterioration in television signal reception as soon as possible after its occurrence. The development of the situation with the interference of television signal reception from mobile networks is monitored and evaluated on an ongoing basis, and the general public is informed about the situation on a monthly basis in the form of CTU's monthly monitoring reports.

A selection of planned items on the agenda of the CTU Council meeting

ASMKS system innovation

The CTU Council will discuss a concept paper on the upgrade and maintenance of the automated radio spectrum monitoring system for the stationary part of the system. This material is a continuation of the ongoing Automated Radio Spectrum Monitoring System (ASMKS) modernisation project - mobile part. Furthermore, at the Tehov site, the Council members will be introduced to the current ASMKS, its management and specific needs for modernisation and maintenance in the next 10-15 years in

relation to the development of new technologies and ensuring control of efficient radio spectrum utilisation in the Czech Republic.

Information on readiness for the role of National Digital Services Coordinator

The CTU Council will be briefed on the timetable for preparing the Office to take on the new scope of duties and the timeframe for the staffing and organisation and technical implementation of the service activities that will result from the new role of Digital Services Coordinator. At the same time, the Council will be informed about the current legislative situation regarding the adaptation of the Czech legal order not only to the Digital Services Act (DSA).

Spoofing – supporting material for the workshop and General Authorisation

The Council will be informed about the evaluation of the information obtained from the workshop and the follow-up meetings. At the same time, the Council will be presented with a plan for further action towards regulatory measure, which will be presented at the next workshop.

Measure of General Nature (OOP) 4 (WACC) – for publication

A draft measure of general nature updating the return of the capital invested according to weighted average cost of capital (WACC) for electronic communications services, including access services provided via next generation FTTH/FTTB and very high capacity networks in the version after notification by the European Commission, for publication, will be submitted to the Council for approval.

We will also inform you via press releases about the key materials discussed by the CTU Council.

Radio spectrum management

Final CEPT meeting in Dublin: European proposals for WRC-23 finalised

The final plenary meeting of the European Conference Preparatory Group for the World Radiocommunication Conference WRC-23 (CEPT/CPG) was held in Dublin from 18 to 22 September 2023. The main objective of the meeting was to adopt the second set of European Common Proposals for WRC-23 and to finalize the updates of the CEPT Reports on the WRC agenda items.

A complex discussion was required to finalise the draft conditions to ensure the protection of satellite networks in case the band would be used by IMT (6G) in the future. The proposed solution consists in a statistical evaluation of the radiation of 6G antennas in directions above the horizon.

With regard to the revision of the 470-694 MHz frequency band used for terrestrial television broadcasting, an option was adopted retaining the existing conditions for Broadcasting but adding the possibility of local use of the frequencies for non-public networks and with the assumption of a future reassessment of the band at WRC-31.

Some controversial proposals were put forward for new items for future WRC conferences, such as the reconsideration of the criteria for protection of geostationary systems for the fixed satellite service with the intention of creating more favourable conditions for new non-geostationary constellations, or the suggestion to explore additional bands for IMT/6G in the range between 7 and 24 GHz. However, the meeting did not accept these proposals.

The CPG meeting adopted a second set of a total of 34 proposals for WRC-23, as well as three draft amendments to resolutions on procedural matters to be considered by the Radiocommunication Assembly.

MARKET ANALYSES

Market No. 1 – Wholesale local access provided at a fixed location

CTU has launched a [public consultation](#) on the draft price decision for CETIN a.s. as part of the administrative proceedings initiated on 30 August 2023 concerning the imposition of price regulation obligations on an undertaking with significant market power according to the results of the analysis of relevant market No. 1 – “Wholesale local access provided at a fixed location”, issued by CTU’s Measure of General Nature [No. A/1/07.2023-2](#). In the decision, CTU plans to impose on CETIN a.s., for the territorial units defined by the analysis, an obligation to negotiate fixed maximum prices for co-location services, cost-oriented prices for access to dark fibre and to apply for unbundling services (physical access to the metallic local loop, physical access to the optic fibre local loop and virtual access to the local loop) such prices of services that enable equally efficient undertakings as the participant to the proceedings (CETIN) to profitably replicate services in the related downstream wholesale market for services with central access provided at a fixed location for mass-market products (former market No. 3b - “Wholesale central access provided at a fixed location for mass-market products” – according to the Commission Recommendation of 9 October 2014 on relevant product and service markets (2014/710/EU)). Comments on the draft decision can be submitted within 30 days of the start of the consultation.

Imposition of REM obligations

Based on the result of the analysis of relevant market No 1 - Wholesale local access provided at a fixed location and the result of the analysis of the former relevant market No. 3b - Wholesale central access provided at a fixed location for mass-market products, on 4 September 2023 CTU launched administrative proceedings for the imposition of REM obligations or for the withdrawal of existing imposed obligations (market No. 3b). CTU provided the draft decisions to CETIN as a party to the proceedings and, after addressing the comments received, launched a public consultation on both draft decisions on 18 October 2023. Calls for comments are published on CTU website [here](#) and [here](#).

Telecommunications regulation in the EU

Official Journal of the EU

On 11 September, [Commission Delegated Regulation \(EU\) 2023/1717](#) of 27 June 2023 amending [Directive 2014/53/EU of the European Parliament and of the Council](#) as regards the technical specifications for the charging receptacle and charging communication protocol for all the categories or classes of radio equipment capable of being recharged by means of wired charging was published. The Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. This Regulation shall be binding in its entirety and directly applicable in all Member States.

On 21 September, a [corrigendum of the Czech version of Commission Implementing Decision \(EU\) 2023/1353 of 30 June 2023](#) setting out key performance indicators to measure the progress towards the digital targets established by Article 4(1) of [Decision \(EU\) 2022/2481 of the European Parliament and of the Council](#) was published.

On 29 September, [Council Decision \(EU\) 2023/2096](#) of 28 September 2023 on the position to be taken on behalf of the European Union within the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part as regards the modification of Annex XXVIII-B (Rules applicable to telecommunication services) and Annex XXVIII-C (Rules applicable to postal and courier services) to that Agreement was published.

European Commission

On 6 September, the European Commission designated six gatekeepers - Alphabet, Amazon, Apple, ByteDance, Meta, Microsoft - under the [Digital Markets Act \(DMA\)](#). In total, 22 core platform services provided by gatekeepers have been designated. The six gatekeepers will now have six months to ensure full compliance with the DMA obligations for each of their designated core platform services.

In parallel, the Commission has opened four market investigations to further assess Microsoft's and Apple's submissions arguing that, despite meeting the thresholds, some of their core platform services do not qualify as gateways. These are Bing, Edge and Microsoft Advertising for Microsoft and iMessage for Apple. The investigation should be completed within a maximum of 5 months. In addition, the Commission has opened a market investigation to further assess whether Apple should be designated as gatekeeper also in context with the provision of iPadOS service, despite not meeting the thresholds. Under the DMA, this investigation should be completed within a maximum of 12 months.

On 13 September, the President of the European Commission, Ursula von der Leyen, presented her [2023 State of the Union Address](#) in the European Parliament. In her address, she referred to paving the way for digital transition, noting that Europe has become a global pioneer in online rights. She said that Digital Services Act and Digital Markets Act are creating a safer digital space where fundamental rights are protected.

In her address, she also stated that the speed of progress in AI is exceeding expectations and those developing it, and that Europe, together with its partners, should lead the way on a new global framework for AI built on three pillars: guardrails, governance and guiding innovation.

On 27 September, the [2023 Report on the state of the Digital Decade](#) was published. The first State of the Digital Decade report takes stock of the EU's progress towards a successful digital transformation as set out in the Digital Decade Policy Programme 2030. In addition to a general assessment of the state of the digital economy in the EU, the report also contains chapters for individual EU countries, including [one on the Czech Republic](#). This report highlights the need to accelerate and deepen the collective efforts, including through policy measures and investment in digital technologies, skills and infrastructures. On this basis, the report includes concrete recommendations to Member States ahead of the adoption of their national strategic roadmaps and for their future adjustments. It is the strategic plans, the so-called roadmaps, that the EC will discuss with individual Member States during the autumn.

BEREC

On 21 September, BEREC held an online workshop on international submarine connectivity in the EU. Stakeholders shared their views on the current state of play of the international submarine connectivity business in the European Union, with a focus on its dynamics following the entry of new actors; the challenges faced in the installation and operation of submarine cables; and, last but not least, their expectations regarding the evolution of the European and national regulatory framework in relation to this issue.

On 4 October, the [Four-lateral BEREC, EaPeReg, REGULATEL and EMERG Summit](#) took place in Funchal to strengthen the Cooperation among the regions. The meeting was divided into two main panels, which focused on the experience of providing robust and secure connectivity using submarine cables and satellites.

On 5 – 6 October, the 56th BEREC Plenary meeting took place. The following documents were adopted for publication:

- [BoR \(23\) 162](#) Report on the implementation of the Open Internet Regulation
- [BoR \(23\) 164](#) Guidelines on Very High Capacity Networks and the Report on the outcome of the public consultation
- [BoR \(23\) 166](#) Report on Sustainability Indicators for Electronic Communications Networks and Services and the Report on the outcome of the public consultation
- [BoR \(23\) 167](#) 4th Intra-EU communications BEREC Benchmark Report (April 2022 – March 2023)
- [BoR \(23\) 177](#) External Workshop Report on the evolution of the competition dynamics of tower and access infrastructure companies not directly providing retail services
- [BoR \(23\) 180](#) Report Secure 5G networks

Other documents adopted for [public consultation](#):

- [BoR \(23\) 176](#) Draft Work Programme 2024
- [BoR \(23\) 178](#) Draft BEREC Report on Member States' best practices to support the defining of adequate broadband internet access service (IAS)
- [BoR \(23\) 179](#) Draft BEREC Guidelines detailing Quality of Service Parameters

ERGP

On 27 September, the [4th ERGP Stakeholder Forum](#) took place in Brussels. The aim of the forum was to gather the views of the sector on topics such as the future of letter mail or the need for future regulation of the postal sector. There was also a discussion on the ERGP work programme for 2024, which was subject to public consultation until 6 October.