



Czech Telecommunication Office

May 2023

Telegraphically

Claims and objections

[How to properly submit a claim concerning electronic communications services](#) and how to defend yourself with the help of CTU in case that the submitted claim was not handled to your satisfaction will be discussed in detail in the next in a [series of videos](#) produced by the [Telecommunication Academy](#) project. This project helps not only the elderly to better navigate their options and consumer rights in the field of telecommunications and postal services.

The price of data is gradually decreasing

The Czech Telecommunication Office published its [2022 Annual Report](#). We report, for example, that the average monthly data usage per data SIM card is estimated at 7 GB - up from 4.6 GB in the previous year. The number of active SIM cards at the end of 2022 exceeded 15.2 million, about 75% of which use flat rate tariffs. The price per minute actually called and per 1 MB of data transferred continued to [fall](#).

CTU at ISSS

As usual, CTU participated in the conference called Internet in State Administration and Local Government, which took place on 15 and 16 May in Hradec Králové. Marek Ebert, CTU Council Chairman, gave an introductory speech and presented the news on the VPortal and updates to the Comparison Tool. At the CTU stand, the general public could get acquainted with educational spots or leaflets on various issues and services.

CTU issued a guide for providers of online platforms and online search engines

[Amendment to the Act on Certain Information Society Services](#) implements [the EU Regulation on promoting fairness and transparency for business users of online intermediation services](#). CTU was newly entrusted with a supervisory role over online platforms and online search engines. [The guide](#) will help providers understand the new obligations and provide them with the opportunity to familiarize themselves with CTU's interpretation. CTU is also planning other activities, such as the translation of the guide into English and a roundtable discussion with representatives of providers to be held on 19 June 2023.

Overview of the main obligations of providers under EU Regulation 2019/1150: Obligations 1 to 6 apply to all providers, while obligations 7 and 8 apply only to medium-sized and large undertakings:

1. Rules for contractual terms and conditions, 2. Enable visibility of business users, 3. Procedure for restriction, suspension and termination of the provision of services, 4. Rules for ranking of displaying offers or search results, 5. Obligation of transparency in differentiated treatment, 6. Transparency of restrictions on sales outside the online platform, 7. Obligation to establish an internal complaint-handling system, 8. Mediation.

On 23 March 2023, an amendment to [Act No. 480/2004 Coll.](#), on Certain Information Society Services, came into effect, implementing [EU Regulation 2019/1150](#) on promoting fairness and transparency for business users of online intermediation services – abbreviated as the P2B Regulation - into the Czech legal order. CTU was newly entrusted with the role of a supervisory authority over compliance by online platforms and online search engines with their obligations.

The Regulation aims to strengthen the rights of business users who offer their products and services to consumers through online intermediation services.

The legislation affects, for example, online marketplaces, price comparison tools, online search engines and sales and booking platforms. In contrast, the Regulation does not apply to business-to-business (B2B) intermediation services, online payment services, advertising tools and platforms for the direct sale of goods and services. Micro and small undertakings are exempted from some of the obligations. According to a CTU survey, the obligations affect about 130 Czech entities.

CTU shares the opinion of the sector and the professional public that before starting active enforcement of the new obligations, it is important to focus on educating the entities concerned in the first phase. Therefore, following the example of some other European regulators, the Office has developed a practical guide to the P2B Regulation to help providers understand the new obligations and to provide them with an opportunity to familiarize themselves with the Office's non-binding interpretation.

The guide is available online on the [CTU website](#). It contains an overview of the main obligations of providers under the P2B Regulation, an explanation of the basic terms and the definition of the affected entities, as well as a commentary on selected provisions of the Regulation, including illustrative examples and references to related regulations and recommendations of the European Commission.

CTU intends to continue its preventive activities in relation to the P2B Regulation also in the future. The plan is to translate the guide into English and organize a roundtable discussion with representatives of providers in order to receive feedback from practical application. In the second half of the year, on the other hand, the Office intends to address business users of online platforms by means of a survey to find out what their awareness of the new rules is and what experience they have with the compliance therewith by providers.

Travelling to non-EU countries: How does roaming work?

The provision of roaming services is based on individual wholesale roaming agreements between operators active in each Member State. Therefore, providers are not obliged to provide voice and data services in any country and CTU does not have the power to authoritatively order the provision of roaming services anywhere in the world.

In addition, countries that are not member states of the European Union do not have a European roaming policy and therefore do not charge regulated (discounted) roaming prices for the services used. In this case, providers are not bound by European rules guaranteeing more favourable pricing conditions, so prices for roaming services in these countries can be very high.

In this context, CTU recommends checking the terms and conditions of a particular operator before travelling to the selected non-member country whether it includes the area in question in the provision of its roaming services, what rules it applies in the case of use of services in this territory, or what roaming tariff can be negotiated for the most advantageous price of services during the stay there. This prudence will help customers avoid unpleasant surprises in the form of subsequent disproportionately high bills for services.

In the territory of the Member States of the European Union, regulation of mobile voice and data services is applied on the basis of the applicable European regulations, following the principle of “roam like at home”, details of which can be found, for example, in [Monitoring Report No. 8/2022](#). According to this principle, simply put, these services can be used in the territory of the Member States at the same prices as in the home country, i.e. at national retail prices. In some cases, regulated roaming services are also provided in European countries that are not members of the European Union, such as the United Kingdom. In this case too, CTU recommends checking with the relevant operator which countries it includes in the European Union zone before travelling, as regulated prices cannot be claimed in the rest of the European territory; here it depends solely on the business decision of each provider.

In case of any uncertainties, please do not hesitate to contact CTU with any questions.

UPDATE OF REGULATED ROAMING PRICES AND INTERNATIONAL CALL PRICES

Lower prices for calls and SMS to EEA countries

From 15 May 2023 there was a decrease in the maximum prices of international calls and SMS to the countries of the European Economic Area, which are regulated by the amended [Regulation \(EU\) 2015/2120 of the European Parliament and of the Council](#). The price decrease reflects a 3.19% year-on-year appreciation of the Czech crown (CZK) against the euro in the first quarter of 2023. From that date, the operators concerned must therefore not charge a unit price higher than CZK 4.531 excluding VAT (EUR 0.19), i.e. CZK 5.483 including VAT per minute for calls from the Czech Republic to the countries of the European Union, Liechtenstein, Norway and Iceland), , and a price higher than CZK 1.431 excluding VAT (EUR 0.06), i.e. CZK 1.731 including VAT, for sending one SMS. These maximum prices are converted each year from the price caps set in euro according to the average of the reference exchange rates published on 15 January, 15 February and 15 March of the relevant year by the European Central Bank in Official Journal of the European Union.

Regulated roaming price update from 15 May 2023

In line with EU Roaming Regulation [No. 2022/612](#), the maximum wholesale roaming rates that domestic mobile operators can charge for regulated roaming traffic were updated from 15 May 2023. After conversion at the average of the reference exchange rates published by the European Central Bank (ECB) on 15 January, 15 February and 15 March 2023 (at CZK 23.850 per EUR), these price caps are CZK 0.5247 per call minute, CZK 0.0954 per SMS and CZK 42.9306 per 1 GB of data from 15 May 2023 (all prices are exclusive of VAT).

Where the change affects customers

The changes described above will primarily affect wholesale payments. However, the change in the wholesale price for data roaming services also affects the adjustment of roaming data limits for the so-called open data bundles where the price per GB of data is less than the wholesale unit price, i.e. currently CZK 42,9306 per GB. These automatically include, for example, unlimited data tariffs (regardless of whether or not the tariff also includes other mobile services - voice, SMS).

Market analyses

Market No. 1 - wholesale local access provided at a fixed location, and Market No. 3b - wholesale central access provided at a fixed location for mass-market products

On 26 April 2023, the Office received the opinion of the Office for the Protection of Competition (“ÚOHS”) on the revised draft analyses of the relevant markets No 1 - Wholesale local access provided at a fixed location and No 3b - Wholesale central access provided at a fixed location for mass-market products. The comments of the Office for the Protection of Competition have been settled and this settlement has been discussed with the Office for the Protection of Competition. On 23 May 2023, the Council discussed and approved drafts of the two analyses in question for notification to the European Commission.

Market No. 3 - Wholesale access to mobile services will now not be regulated

On 16 May 2023, the Office launched a [public consultation](#) on the amendment to Measure of General Nature No. OOP/1/05.2021-5, which excludes the wholesale market for access to mobile services from the list of relevant markets. The consultation will last until 16 June 2023.

Checked by CTU in April...

...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 17 inspections in April. Defects were identified in 12 cases, consisting mainly in harmful interference with radiocommunication service stations on a primary basis 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.

... 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 April, CTU closed 15 cases of interference to 5G, LTE and GSM public mobile communication networks, 3 cases of interference to radio and satellite reception and 4 cases of interference to meteorological radar. The other five interference investigations involved SRD and broadband data transmission devices (RLAN). 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.

... sources of interference with TV signal reception

In April, CTU closed a total of 101 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 14 cases the interference stopped or occurred sporadically, in 13 cases the complainant cancelled the interference complaint during the investigation. In 3 cases, the reception problem was caused by poor signal quality at the reception location. In 22 cases, a source of interference was detected, and in all these cases the source of interference was identified as a 5G base station of a mobile operator.

... the use of radio frequencies without authorisation

Based on radio monitoring, CTU carried out a total of 5 inspections focused on the use of frequencies without authorisation (including frequencies for the use of which an individual authorisation cannot be issued). In 4 cases, the use of frequencies without authorisation was detected, mainly by the operation of broadband data transmission devices (RLAN). The cases were referred to administrative proceedings.

... [compliance with the conditions of an individual authorisation for the use of radio frequencies](#)

Five inspections were carried out and in all cases violations of the terms and 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 administrative proceedings.

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

As of 30 April 2023, 322 base stations were in pilot operation, and 17,075 stations were in permanent operation. In April, an LTE base station was not identified as a source of TV signal reception interference.

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

As of 30 April 2023, 1,221 base stations were in pilot operation and 4,369 stations were in permanent operation. In April, a 5G/LTE base station was identified as a source of TV signal reception interference in 22 cases. In all cases, the mobile network operators eliminated the interference at their own cost based on a CTU's decision. In April, CTU sent a letter via data mailbox to 41 municipalities in whose region the pilot operation of 5G base stations was launched, with [information on how to proceed in the event of TV signal reception interference](#).

1,684 - the number of decisions issued in April on the matter, of which 1,677 decisions concerned a dispute over payment (payment of the price for services).

1,191 – the number of administrative proceedings initiated in April 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 about the billing of the price or the provided publicly available electronic communications service.

VPortal shows the range of transmitters or the result of the process of handling complaints about TV

The complete visualization tool, VPortal, which has been operated by CTU since 2019, gained several new features in May. It is now possible, for example, to view the coverage of individual TV transmitters or find out where complaints about the signal come from and how CTU has resolved them. A 'development criteria' category has also been added, where it is possible to filter in an intuitive way how individual operators are fulfilling their auction commitments and covering previously uncovered or less covered areas with mobile services. The selected available data can be easily downloaded in the selected format, coordinate system and based on the selected parameters.

A number of improvements have been made to the TV signal coverage display. The terrain is now better displayed, so you can easily identify places on the map where the signal is worse due to the location in a valley. VPortal now offers a list of all active TV transmitters and it is possible to view the range of each of them. The results of the Office's coverage measurements have also become part of

the VPortal, and information on viewer complaints can be viewed - both where the complaints came from and how they were resolved.

The new “Development Criteria” module offers the possibility to see how individual operators (holders of radio frequencies block allocations) are fulfilling their commitments from the 2017 and 2020 auctions regarding signal coverage for mobile services. These criteria are also briefly and clearly described in the module. This includes both coverage of municipalities that fall within the so-called “white areas” and improved coverage in cities or on rail or road corridors.

The development of VPortal will continue. Preparations are underway for the creation of a new “Fixed Services” module, which will offer selected data on Internet access at a fixed location (available connection lines). The module should be operational by the end of the year. Simultaneously with the development of VPortal, the digi.ctu.cz website, which also provides information on digital signal coverage in the Czech Republic, will be gradually phased out. The information displayed on this website will now be displayed on VPortal.

SELECTED ITEMS FROM THE AGENDA OF THE CTU COUNCIL MEETING

A SELECTION OF PLANNED ITEMS ON THE AGENDA OF THE CTU COUNCIL MEETING

Summary report on the fulfilment of obligations imposed on postal licence holders for the year 2022

A report on the fulfilment of the obligations of Česká pošta, s.p., as the holder of the postal licence, which summarizes the results of its activities and the findings of the Office related to the fulfilment of the postal obligation for the year 2022, will be submitted to the Council for approval.

New methodology for assessing prices of postal services

CTU Council will discuss a proposal for a new methodology for assessing the cost orientation of prices and affordability of universal (postal) services.

Report on the results of monitoring of the implementation of Regulation (EU) 2015/2120 for the period from 1 May 2022 to 30 April 2023

CTU Council will be informed of the Office’s activities resulting from the obligations in compliance with the rules for equal and non-discriminatory treatment of traffic when providing Internet access services and ensuring the related rights of the end users.

Findings from inspections of selected postal services operators and information from the inspection of the postal licence holder's compliance with official delivery obligations

The Council will be informed of the progress and interim results of the inspection activities based on the 2023 plan of inspection activities of Section 30 in the field of consumer protection in postal services.

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

Legislative changes

AMENDMENT TO THE CIVIL PROCEDURE CODE

[Act No. 105/2023 Coll.](#) amending [Act No. 99/1963 Coll.](#), the Civil Procedure Code, as amended, was published in [Volume 57 of the Collection of Laws](#) on 19 April 2023.

This Act strengthens the procedural status of specialized bodies that decide on private law matters (including CTU) in subsequent court proceedings under Part Five of the Civil Procedure Code (Sections 250c and 250j), including the possibility to actively participate in court proceedings. However, according to the transitional provision, the change in procedural status should only apply to court proceedings initiated after the effective date of the amendment.

This Act shall come into effect on 1 July 2023.

DETERMINATION OF THE MINIMUM NUMBER OF POST-OFFICES

[Government Decree No. 108/2023 Coll.](#) amending [Government Decree No. 178/2015 Coll.](#), on determining the minimum number of establishments (post offices) for the provision of universal services, was published in [Volume 59 of the Collection of Laws](#) on 21 April 2023.

This Government Decree newly establishes the minimum number of establishments for the provision of universal services pursuant to [Act No. 29/2000 Coll.](#), on postal services and on amendments to certain related acts (Postal Services Act), as amended. From the original 3,200 post offices, the minimum number is reduced to 2,900 post offices due to changes and the current situation in the postal services market and behaviour of customers, while maintaining the need to ensure the provision of universal services through a network of establishments to the extent that corresponds to the actual needs of the public while allowing a sustainable concept for the postal licence holder.

This Government Decree shall come into effect on 1 July 2023.

DETAILS OF THE PROVISION OF ADDITIONAL SERVICES TO THE UNIVERSAL SERVICE

On 21 April 2023, [Decree No. 109/2023 Coll.](#), on the technical details, scope and method of providing additional services, was published in Volume 59 of the Collection of Laws.

This Decree is an implementing regulation to [Section 44\(9\)](#) of Electronic Communications Act, as amended by the so-called transposition amendment made by [Act No. 374/2021 Coll.](#) The Decree sets out the technical details, scope and method of provision of individual additional services (the list of these services is contained in [Section 38\(2\)\(d\) of the Act](#)) to two partial universal services, namely the service of reasonable access to the Internet at a fixed location, including the connection necessary for the use of the service, and access to voice communication service at a fixed location, including the connection necessary for the use of the service.

The adoption of this implementing regulation will result in the repeal and replacement of the existing [Decree No. 134/2012 Coll.](#), on the definition of the scope of itemized price bill.

This Decree shall come into effect on 1 July 2023.

Radio spectrum management

DIGITAL RADIO BROADCASTING

On 27 April, CTU published for the [repeated public consultation](#) the draft conditions of the tender for the commercial digital radio network DAB+. The aim is to allocate frequencies to bidders to provide two national and 27 regional broadcasting networks. Comments on the new proposal can be submitted until 29 May 2023.

“116” for harmonised services of social value

NEW NUMBER FOR HARMONISED SERVICES OF SOCIAL VALUE

CTU announces that since 30 April 2023, the [list of numbers reserved for harmonised services of social value](#) has been extended to include 116 016, a number intended for the service of “Helpline for Victims of Violence Against Women” pursuant to [Commission Decision \(EU\) 2023/468](#). As this is a number of special economic value (i.e. symmetrical or easily memorable numbers), authorisation for its use is granted pursuant to [Section 31 of Act No.127/2005 Coll.](#) and Measure of General Nature [No. OOP/20/11.2021-13](#) laying down the conditions for granting authorisations for the use of numbers with special economic value.

Telecommunications regulation in the EU

Official Journal of the EU

On 12 April, [Council Decision \(EU\) 2023/747](#) of 31 March 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 Ukraine, of the other part as regards the modification of Appendix XVII-3 (Rules applicable to telecommunication services) of Annex XVII to that Agreement, was published. This Regulation entered into force on the date of its adoption and consists of the incorporation of European legislation on roaming (Regulation (EU) 2022/612, Commission Implementing Regulation (EU) 2016/20286 and Commission Delegated Regulation (EU) 2021/654 into the Association Agreements between the EU and Ukraine. It is therefore the first step towards enabling Ukraine to access the EU roaming area.

European Commission

On 18 April, the [European Centre for Algorithmic Transparency \(ECAT\)](#) was inaugurated in Seville, Spain. ECAT will provide the European Commission with in-house technical and scientific expertise to ensure that algorithmic systems used by very large online platforms and very large online search engines meet requirements for risk management, mitigation and transparency as set out in [the Digital Services Act](#). As part of this, designated platforms will need to identify, analyse and mitigate a wide range of systemic risks on their platforms - from how their services may increase the level of illegal content and misinformation to the impact on freedom of expression or freedom of the media.

On 18 April, the European Commission adopted [proposed Regulation on the Cyber Solidarity Act](#), which shall strengthen cybersecurity capacities in the EU. This act is intended to strengthen solidarity at Union level and thereby improve the detection, preparedness and subsequent response to significant or large-scale cyber security incidents. The Commission also proposes to establish a European Cyber Shield, a European infrastructure of national and cross-border Security Operations Centres (SOCs) across the EU. The proposed Regulation on the EU Cyber Solidarity Act as well as the targeted amendment to the Cybersecurity Act will now be examined by the European Parliament and the Council.

On 9 May, the European Union celebrated [Europe Day 2023](#) and commemorated the signing of the Schuman Declaration on 9 May 1950. On 9 May, the EU also organised the [European Year of Skills](#) festival.

BEREC

In April, BEREC held 2 online workshops. The first workshop, focused on [secure and reliable connectivity from LEO satellite fleets in Europe](#), took place on 13 April. The outcome of the workshop will be a summary report and a list of potential next steps for NRAs to better engage with this topic. The

second workshop took place on 28 April and was dedicated to [switching and interoperability of data processing services](#).

On 9 May, BEREC held an extraordinary plenary meeting convened to finalise BEREC's input to the European Commission's exploratory consultation on the future of the connectivity sector. The [input](#) will be submitted to the EC and published in due time, i.e. by 19 May 2023.

On 16 May BEREC published its analysis of the EC legislative proposal for a [Gigabit Infrastructure Act \(GIA\)](#).

Eastern Partnership

On 20-21 April, CTU hosted an expert workshop for the Armenian regulator [PSRC \(Public Service Regulatory Commission\)](#) in the framework of the implementation of the Memorandum of Cooperation concluded between the two regulators on 13 October 2016. The workshop focused primarily on the implementation of the Broadband Cost Reduction Directive (BCRD) and on issues related to the regulation of the mobile market and MVNOs.

On 2-4 May, CTU co-organised a meeting of the Expert Working Group on Radio Spectrum Management ([SEWG](#)) of the Eastern Partnership Regulators for Electronic Communication (EaPeReg) in Prague. Several important topics were discussed during the meeting, such as CEPT's preliminary position on the upcoming WRC-23 meeting, band allocation for 5G, DAB+ deployment and 5G Security Toolbox. The meeting also featured a presentation by a representative of the CTU on DAB+ digital broadcasting in the Czech Republic.