



Czech Telecommunication Office

September 2023

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## Telegraphically

### Postal service claims

What should I do if the mail arrives damaged, is not delivered in accordance with the postal contract or not delivered at all? How to submit a claim and, where applicable, an objection to a claim settlement thereof in case of dissatisfaction with the services of one of the postal service providers? - This can be found in a [new instructional video](#) produced as part of the CTU's [Telecommunication Academy](#) project.

### 5G in trains

On 19 September, a workshop was held at the premises of the Czech Telecommunication Office aimed at introducing the upcoming subsidy call from the National Recovery and Resilience Plan, "Technical Resources for 5G in Railway Carriages". The purpose of the meeting was to get acquainted with the basic background information and principles of the upcoming call. Both rail carriers and representatives of the sector and other concerned state institutions were invited.

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## CTU to become coordinator of digital services

**On 16 August 2023, the Government determined that the Czech Telecommunication Office will take on the role of digital services coordinator under Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act). What new powers and tasks does this entail for CTU and what does it mean for digital platforms and users?**

The role of the coordinator will be to exercise national supervision over online intermediary service providers based in the Czech Republic. The supervised entities will include, among others, online marketplaces, online search engines, social media, cloud storage, providers of internet access services, web hosting, caching or other online platforms.

The activities of the coordinator will vary. In addition to carrying out inspections and imposing sanctions for breaches of obligations, the coordinator will also be responsible for certifying out-of-court dispute resolution entities or granting trusted flagger and vetted researcher status. The coordinator will also work closely with coordinators from other Member States and with the European Commission. Given the cross-border nature of the Internet, the need for this coordination is one of the crucial tasks that the coordinator will have to undertake. CTU will also represent the Czech Republic in the European Board for Digital Services. It should be stressed that the coordinator will not be the arbiter of illegal content on the Internet. This power will remain with the courts or law enforcement authorities.

<p>“THE NATIONAL DIGITAL SERVICE COORDINATOR WILL NOT JUDGE WHETHER OR NOT CONTENT ON THE INTERNET IS LEGAL.”</p>
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## What is DSA?

The DSA is a general regulation that aims to ensure a safer digital environment where users' rights are protected, where a fairer playing field for companies will be created and where rules for tech giants will be set. The basic purpose of the Act is to make conduct that is illegal offline also illegal online. Providers will therefore have to respect the decision of a court or other authority to remove content that is inconsistent with the law. However, the DSA itself does not define illegal content, this must be determined by specific laws and regulations.

For example, online intermediary service providers will have to publish contract terms and conditions, provide users with their contact details, information on content moderation, recommendation systems or advertisement targeting, and allow reporting of illegal content. They will also need to inform the user of the reasons for the moderation (typically explaining why a particular post was deleted). Providers will also not be allowed to design their online interfaces in a misleading or manipulative way or to present advertising based on profiling aimed at children. They will also be required to take reasonable measures to protect minors. Online marketplaces will now have to know the identity of traders and inform consumers if they have bought an illegal product or service. The new obligations will be fully effective from 17 February 2024.

## Large entities will be directly supervised by the European Commission

Obligations are distributed asymmetrically among providers based on their size and the type of services they provide, so small and micro businesses are exempted from some of the obligations. Conversely, for those entities that are large enough to determine the market rules themselves in the absence of regulation, the DSA introduces a special category of "very large online platform/very large online search engine" (hereinafter referred to as "VLOP/VLOSE"). These are entities with more than 45 million monthly active users in the EU. These providers will be supervised directly by the Commission. In addition to the above-mentioned obligations, VLOP/VLOSEs will be required to perform a regular analysis of systemic risks associated with the operation of their service, including the dissemination of illegal content, disinformation and other socially harmful phenomena. Based on the risk analysis, the platform will then have to take appropriate and effective measures to mitigate these risks. Further measures will have to be taken by the VLOP/VLOSEs following crisis situations.

CTU is already actively preparing for the coordinator role. We are gradually putting together a team of experts and dealing with the setup of related processes. We are also in contact with other future coordinators. Our first step will be to map the Czech market of online intermediary service providers, which will tell us how much capacity we need to allocate. Initially, we will give priority to educating users and providers. That is why we are planning to organise a meeting soon with stakeholders, where we will provide an opportunity for a mutual debate on the optimal set-up of the supervision. As with the P2B agenda, we envisage creating a guide to explain the new obligations to the public in more detail.

### ONLINE INTERMEDIARY SERVICES ACCORDING TO DSA

**Mere conduit** - For example, Internet access service providers, DNS, IXPs, public Wi-Fi network operators, carrier services.

**Caching** - For example, operators of CDNs and reverse proxies.

**Hosting** - For example, cloud services and web hosting including:

**Online platforms** - For example, online marketplaces, social media, internet search engines and other online platforms including:

**Very large platforms and search engines** - more than 45 million monthly active users in the EU

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## Postal item protection: What you should know before sending it

**When sending items in the postal item, it is a good idea to know at least the basic settings for your chosen service. Operators of postal services, a list of which is available [here](#), are legally obliged to regulate certain parameters in their postal terms and conditions. This includes, for example, the scope of liability for damages and the limitation of the amount of compensation for damages - all operators should have this issue incorporated into their postal terms and conditions.**

Before sending the postal item, the Office recommends you to consult the postal terms and conditions of the selected postal service provider and find out the maximum amount agreed in the postal contract in case of damage. It is advisable to check whether there is a possibility to choose a service setting or a service with such a range of liability of the operator for damage that the compensation, if any, from the operator covers the actual value of the lost postal item or damaged content or its loss.

The maximum amount agreed in the postal contract in case of damage is defined differently by each operator and also depends on the particular service chosen. The sender may also specify the value of the postal item for some services through the "stated price" or "stated value" of the postal item (sometimes incorrectly referred to by operators as "postal item insurance"). In these cases, however, it is in no way insurance according to the insurance laws and regulations. The sender does not act in the position of the policyholder, does not pay the insurance premiums and damage, loss of part of the contents of the postal item or its loss is not an insured event (claim) for which an insurance benefit is due. If the contents of a postal item are damaged, reduced or lost in the course of postal transport, the value of the contents of the postal item is assessed as part of the claim (e.g. by submitting a receipt, invoice, e-mail communication or other appropriate means). The "stated price" therefore does not represent the amount that is automatically paid to the claimant on the basis of the claim made; it represents the maximum amount of the compensation for damage payable.

The Office therefore recommends that you always check before posting a item whether the contemplated service meets the sender's requirements and whether, if the postal contract is not fulfilled, the claimant will be compensated for the value of the postal item.

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## Checked by CTU in August...

...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 15 inspections in August. Defects were identified in 14 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.

### ... the use of radio frequencies without authorisation

Based on radio monitoring, CTU carried out a total of 19 inspections focused on the use of frequencies without authorisation (including frequencies for the use of which an individual authorisation cannot be issued). In 16 cases, the use of frequencies without authorisation was detected, mainly by the operation of mobile service stations and 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

6 inspections were carried out and in three 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.

### ... 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 August, CTU closed 10 cases of interference to GSM, LTE and 5G public mobile communication networks, 6 cases of interference to radio and satellite signal reception, 4 cases of interference to meteorological radar, one case of interference to the PMR radio station and one case of interference to a camera surveillance system. 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 August, CTU closed a total of 79 cases of TV signal reception interference. The investigation of complaints about poor TV reception revealed that in 38 cases the defect was in the viewer's equipment (most often a technical fault of the receiving antenna or lead-in), in 10 cases the interference stopped or did not manifest itself during the investigation, in 8 cases the complainant cancelled the interference complaint during the investigation. In 8 cases, the reception problem was caused by poor signal quality at the reception location. In 15 cases, a source of interference was detected, and in all 15 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 31 August, 334 base stations were in pilot operation, and 17,191 stations were in permanent operation. In August, 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 31 August, 1,879 base stations were in pilot operation, and 5,294 stations were in permanent operation. In August, a 5G/LTE base station was identified as a source of TV signal interference in 15 cases. In all cases, the mobile network operators eliminated the interference at their own cost based on a CTU's decision. In August, CTU sent a letter via data mailbox to 127 municipalities in whose region the pilot operation of 5G base stations was launched, with [information](#) on how to proceed in the case of detection of TV signal reception interference.

1,560 - the number of decisions issued in August on the matter, of which 1,548 decisions concerned a dispute over payment (payment of the price for services).

1,448 - the number of administrative proceedings initiated in August 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.

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## Malfunctioning equipment is not an excuse for not complying with the terms of the general authorisation

The Municipal Court in Prague ruled on a lawsuit against the decision of the former CTU Council chair regarding an administrative offence concerning broadcasting outside a building on frequencies intended for broadcasting only inside the building, where the plaintiff's main argument was that the equipment was malfunctioning. The lawsuit was dismissed and the decision of the Council chair was upheld. This is a crucial judgment for CTU, as the court ruled, among other things, that a malfunction of equipment cannot be a reason for exemption from liability for an administrative offence.

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

Review of the level of quality and method of provision and delivery of universal services and conclusions drawn from the findings

The Office performs a regular review of the level of quality and the method of provision and delivery of universal services, which must be completed no later than 6 calendar months before the expiry of the postal licence, which is granted to Česká pošta, s.p. until the end of 2024.

Information on the preparation of common positions of ECP on the WRC-23 programme

The Council will be briefed on the final common European positions for the World Radiocommunication Conference 2023, WRC-23, which will take place in November. See also the article on page 8 for more details.

Amended methodology for assessing the cost orientation of prices and affordability of universal postal services

Following the public consultations, the Council will discuss the final proposals for new methodologies for assessing the prices of universal postal services.

The pricing methodology for access to optic fibre infrastructure (a tool for operators)

The Council will discuss the settlement of comments received within the public consultation on the methodology for setting prices for access to the optic fibre network and the modification of this methodology for publication.

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

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## Legislative changes

INTEROPERABILITY BETWEEN RADIO EQUIPMENT AND ITS ACCESSORIES

On 8 August 2023, [Government Order No. 245/2023 Coll.](#) amending [Government Order No. 426/2016 Coll.](#), on the Assessment of the Conformity of Radio Equipment when Made Available on the Market, as

amended by [Government Order No. 499/2021 Coll.](#), was promulgated in [Volume 113 of the Collection of Laws](#).

The Government Order implements [Directive \(EC\) 2022/2380 of the European Parliament and of the Council](#) of 23 November 2022 amending [Directive 2014/53/EU](#) on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment.

The Government Order shall come into effect on 28 December 2024, with the exception of Article I(15) (addition of laptops to Annex 8 to the Government Order), which shall come into effect on 28 April 2026.

## CREATION OF CALL SIGNS FOR A NEW CATEGORY OF STATIONS FOR DRONE PILOT COMMUNICATION AND SPECIAL COMPETENCE CERTIFICATES

On 8 August 2023, [Decree No. 246/2023 Coll.](#) amending [Decree No. 155/2005 Coll.](#), on the method of creating call signals, identification numbers and codes, on the use thereof, and on the types of radio communication services for which they are required, as amended by [Decree No. 103/2018 Coll.](#), was published in [Volume 113 of the Collection of Laws](#).

This Decree shall come into effect on the fifteenth day after its publication, i.e. on 23 August 2023.

On 8 August 2023, [Decree No. 247/2023 Coll.](#) amending [Decree No. 157/2005 No.](#), on the details of enrolment for the examination of special competence for the operation of radio transmission equipment, on the extent of knowledge needed for the different special competence types, on the manner of performing the examination, on the types of special competence certificates and on the duration of their validity, as amended by [Decree No. 120/2019 Coll.](#), was promulgated in [Volume 113 of the Collection of Laws](#).

This Decree shall come into effect on the fifteenth day after its publication, i.e. on 23 August 2023.

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## Radio spectrum management

### Two months until the start of the World Radiocommunication Conference

**Europe is preparing for the World Radiocommunication Conference WRC-23. Discussions are held on aircraft pilot communications over the oceans, on frequencies for unmanned aerial vehicles, and on innovations in suborbital aircraft. The PT-A team is preparing proposals for the future period of WRC-27. The final position will be confirmed at the September CEPT plenary meeting in Dublin.**

Within CEPT, Europe is finalising its proposals for the upcoming World Radiocommunication Conference, WRC-23, which discusses global conditions for the use of radio frequencies and orbits. On 22-25 August, the PT-C project team met in Brest to discuss air and maritime communications and developed a series of proposals intended for adoption by the CEPT plenary in Dublin (18-22 September). Among the issues discussed by the PT-C are, for example, a proposal for radio communications for aircraft pilots when flying over oceans and remote areas beyond the range of terrestrial transmitters, where the proposed solution is to communicate via satellites in the 117.975-137 MHz band, or a proposal for a new allocation of frequencies for unmanned aerial vehicles intended, for example, for monitoring terrain, crops, for use in topography, etc. Technologically innovative proposals include, for example, the development of communications suborbital aerial vehicles developed to operate at altitudes above current air traffic, where part of their flight may take place in near space.

The station on board will be part of the satellite network during the flight and will operate as a standard airborne station during take-off and landing. The expert teams also touched upon, for example, the issue of communication and flight control in a situation where a high-speed movement of the aircraft creates an ionised gas envelope around the aircraft affecting radio communication capabilities.

In addition, a meeting of the PT-A team took place in Copenhagen from 29 August to 1 September, which, among other things, is preparing proposals for topics for the next four-year study period of the WRC until 2027. Proposals under consideration include, for example, enabling mobile communications for drones or aircraft in the 694-960 MHz bands, frequencies for narrowband low-capacity applications in the mobile satellite service, discussion of new allocations for the fixed satellite service, support for the protection of scientific services (radio astronomy and remote sensing of the Earth using satellites) from interference, and frequencies for space weather sensors related to solar activity. The PT-A team meeting also discussed future frequency needs for IMT mobile networks, where the 7 to 15 GHz bands were the subject of a complex discussion. Although several administrations and spectrum user representatives submitted proposals for certain segments for possible study, the PT-A team ultimately did not agree on such proposals and Europe will therefore not be proposing additional IMT bands in the 7 to 24 GHz band for study for the WRC-27 period. However, Europe's final position will not be confirmed until the September CEPT plenary meeting in Dublin.

## DIGITAL RADIO BROADCASTING

The CTU received applications for the [tender](#) for the commercial digital radio network DAB+ from nine entities as of 31 August. On 4 September, the envelopes were officially opened and the applications evaluated for completeness. Several entities were found to have deficiencies, which were corrected by these applicants after a request. On 11 September, CTU [publicly announced](#) that all nine applicants could participate in the auction. The auction itself is scheduled for October 2023.

The following companies may participate in the auction: Broadcast Services s.r.o., Czech Digital Group, a.s., Fiera touch s.r.o., GG OMIKRON s.r.o., Infinity Telecom, s.r.o., JOE Media s.r.o., PLAY.CZ a.s., RTI cz s.r.o. and TELEKO digital, a.s.

## GENERAL AUTHORISATIONS

On 22 August, the CTU Council approved [General Authorisation No. VO-R/24/08.2023-6](#) for the operation of equipment of infrastructure for transmitting radio signals inside tunnels, buildings and trains. The reason for this update is the changes in the technical parameters of the stations for train carriage coverage in order to improve coverage inside the carriages and to better prevent interference. The general authorisation will enter into force on 1 October 2023.

## PROPOSALS RECEIVED ON THE NATIONAL SPECTRUM STRATEGY

In response to the recently published [call](#) for public submissions of comments on the new Radio Spectrum Management Strategy, we received comments from 14 contributors. We will use the comments both for the forthcoming Spectrum Management Strategy and to start a discussion on some spectrum management issues.

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## 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 7 August 2023, following the issuance of a measure of general nature with analyses of relevant markets No. 1 and 3b, CTU launched administrative proceedings to designate CETIN a.s. as an undertaking with significant market power on relevant market No. 1 “Wholesale local access provided at a fixed location” and, at the same time, administrative proceedings for the withdrawal of the designation of CETIN a.s. as an undertaking with significant market power in relevant market No. 3b “Wholesale central access provided at a fixed location for mass-market products.” As part of the above-mentioned ongoing administrative proceedings, on 23 August 2023, CTU launched a public consultation on the draft decision on the designation and, as applicable, on the withdrawal of the designation of CETIN a.s. as an undertaking with significant market power in relevant markets [No. 1](#) and [No. 3b](#). Comments on these draft decisions may be submitted within 30 days, i.e. until 22 September 2023.

Furthermore, on 30 August 2023, following the issuance of the analysis of relevant market No. 1, CTU launched administrative proceedings with CETIN a.s. regarding the imposition of price regulation obligations on the part of the defined market where CETIN a.s. was found to be an undertaking with significant market power. As part of the administrative proceedings, CTU plans to impose on CETIN a.s. 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 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”), through the so-called economic replicability test.

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## Universal service

### Request for reimbursement of the net costs of providing universal services for the year 2022

On 29 August 2023 Česká pošta, s.p. filed a request for the reimbursement of the net costs representing unfair financial burden for the year 2022 in the maximum possible amount of CZK 1,500,000,000. Total net costs for the year 2022 were quantified by Česká pošta, s.p. in the amount of CZK 1,831,014,503. As at the date of submission of the request, an administrative procedure was initiated in which CTU will verify the correctness and completeness of all submitted supporting documents, compliance of the calculation with the [Postal Services Act](#) and with [Decree No. 466/2012 Coll.](#)

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## Telecommunications regulation in the EU

### Digital Services Act

On 25 August, four-month time period during which the very large online platforms and very large online search engines [designated by the Commission](#) had to comply with a set of new obligations under the [Digital services act](#) (DSA) [expired](#). From now on, 19 online platforms and search engines with at least 45 million users will have to comply with the DSA rules concerning data collection, privacy,

disinformation, online hate speech and more. The law aims to give users of those platforms, including minors, more rights and influence over their accounts and ensure a high level of privacy and security.

## European Commission

On 1 September, the European Commission adopted [proposal](#) to include roaming into the Association Agreement between EU and the Republic of Moldova. The inclusion of Moldova in the EU's "Roam Like at Home" area is one of the key actions of the EU-Moldova Priority Action Plan, which was approved in June 2023. This step follows a [joint declaration by EU and Moldovan telecommunication operators](#) of 31 May to voluntarily reduce roaming charges from 1 January 2024.

## BEREC

On 17 August, BEREC published a [call](#) to participate in the evaluation of BEREC and the Agency for Support for BEREC (BEREC Office). It aims to assess the implementation of BEREC's activities and their effectiveness, efficiency, coherence, relevance, and benefits for EU. The evaluation is carried out for the period 2019 – 2023.

## EU Calendar

21. 9.	<a href="#">BEREC Workshop</a> on international submarine connectivity in the EU, online, 9:00-16:45
27. 9.	<a href="#">ERGP Stakeholder Forum</a> , Brusel - Bedford Hotel, Rue du Midi 135, 9:00-17:00
12. 10.	Public debriefing on the outcomes of the 56th BEREC Plenary meeting, <a href="#">online</a> /Brussels - Rue de la Science 14, from 14:00