



Czech Telecommunication Office

September 2018

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## Telegraphically on communications

### Public administration hackathon

The success of last year's first annual public administration hackathon is to be followed this year by another opportunity to create some innovative applications. Teams of programmers will have 24 hours from 14 to 15 September to show everything that can be created using the open data of public administration. Those interested will find all information about the hackathon on the website [hackujstat.cz](http://hackujstat.cz).

### Government approves transition to DVB-T2 plan

Broadcasting within the DVB-T system will come to an end not later than on 1 February 2021. On most transmitters, however, broadcasting will come to an end several months beforehand, according to the Technical Transition Plan. The legitimate costs of transition are to be covered from funds in the radio communications account.

### EU not giving up on a universal charger

The EU is planning to compile a study into whether it will be necessary to take steps leading to the introduction of a common standard. In doing so the EU wants to reduce the quantity of electronics that end up as waste and the need to replace chargers every few years. Some 51 thousand tons of chargers are decommissioned each year.

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## Decision-making practice: Operator should check database of invalid documents

**If a stolen ID card is abused when entering into a contract, the legitimate holder of that ID card is not thereafter a subscriber to the contractual relationship. This is the result of a final and conclusive decision in the case in which operator T-Mobile is demanding the payment of CZK 37,203.**

The subscriber against whom the claim was made defended himself during procedure by stating that he did not have the ID card at the time when the contract was to have been concluded, did not enter into the contract and never used the specified services. He reported the loss of his ID card, which he proved by way of confirmation.

CTU verified in the Record of ID Cards (Evidence občanských průkazů) information system that the concerned ID card was reported as lost five days before the contract was concluded, a fact that could also have been ascertained from the publicly-accessible database of invalid documents (in the form of a website and mobile application). This proved that the ID card of the defendant had been abused and that he was not the actual subscriber to the contract in relation to whom a claim could be successfully brought. At the same time, the operator did not produce sufficient evidence to prove its contention

regarding entering into a contractual relationship with the defendant, and therefore did not bear the burden of evidence. CTU therefore rejected its claim.

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## Czech Post applies for payment of net costs for 2017

On 31 August Česká pošta, s.p. (Czech Post) applied for the payment of net costs which represent unfair financial burden for the year 2017 in the maximum possible amount of CZK 500,000,000. Czech Post enumerated total net costs for 2017 at CZK 2,142,600,138. Net costs for the branch network were enumerated at CZK 1,427,887 531, for the delivery network at CZK 727,913,095 and for auxiliary processes related to the obligation to provide universal services at CZK 25,775,421. Intangible and market advantages were determined at CZK 38,975,909. Administrative procedure was initiated on the date of the application submission, in which CTU will verify the accuracy and completeness of all submitted documents and whether the calculation complies with the Act on Postal Services [1](#) and with Decree No. 466/2012 Coll. [2](#) According to the Act on Postal Services, payment of the verified level of net costs for 2017 shall be made from the state budget, to a maximum of CZK 500 million.

Czech Post also applied for the payment of provisional net costs for the year 2018 on 31 August. According to Section 34c(2) of the Act on Postal Services, Czech Post applied for the payment of provisional net costs amounting to one-half of the net costs which represent unfair financial burden for the most recent prior billing period for which the level of net costs has already been verified, i.e. for the year 2016. Net costs for the year 2016 were set at CZK 600 million in accordance with Section 34d(2)(b) of the Act on Postal Services. Administrative procedure was initiated on the date on which the application was submitted.

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## In August CTU checked ...

... compliance with the terms and conditions of General Authorisation No. VO-R/12/09.2010-12 for the use of radio frequencies and for the operation of devices for broadband data transmission in the 2.4 GHz – 66 GHz bands.

CTU conducted a total of 35 inspections. It identified defects in 25 cases, in particular the use of indoor frequencies outside a building and the use of frequencies for short-range devices by RLAN devices. CTU called for the rectification of the shortcomings ascertained in these cases and subsequently initiated administrative procedure.

... the use of radio frequencies without authorisation

CTU conducted 22 inspections focusing on the use of frequencies without authorisation. In 15 cases CTU ascertained operation on frequencies without individual authorisation; CTU is dealing with the cases in administrative procedure.

... compliance with the terms and conditions of individual authorisation to use frequencies

CTU carried out eight inspections of compliance with the terms and conditions of individual authorisation to use frequencies, detecting an error in one of these cases.

... sources of interference to the operation of electronic communication equipment and networks, the provision of electronic communication services or operating radio communication services

In total CTU carried out 116 investigations and detected 74 cases of interference to television reception (including STA), 32 cases of interference to GSM and LTE public mobile communication networks, three cases of interference to short-range devices, two cases of interference to radio and satellite reception

and interference of a PPS station and air navigation. In eight cases, the source of interference to DVB-T was found to be a base station in the 800 MHz band (see following bullet point) and interference to public mobile networks was caused in seven cases by an active TV antenna, in two cases by a GSM repeater and a short-range device, Wi-Fi equipment and once by a device for mining cryptocurrency.

... the trial operation of LTE base stations in the 800 MHz band

429 base stations were in trial operation and 16,053 stations were in permanent operation as at 31 August 2018. CTU received 84 reports of interference and completed the investigation of 74 cases of DVB-T interference in August; base stations in the 800 MHz band were identified as the source of DVB-T interference in eight cases. In 43 cases there were faults to the television viewers' receiving equipment, in 17 cases no interference was found and in 6 cases the DVB-T signal was too weak.

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## Legislative changes

### Faster network building

Act No. 169/2018 Coll. amending Act No. 416/2009 Coll., on accelerating the building of transport, water and energy infrastructure and electronic communication infrastructure, as amended by later regulations, and other related acts was promulgated in Chapter 86 of the Collection of Laws on 16 August.

The original draft Act No. 169/2018 Coll., only focused on changes related to making permit procedure more effective for the most significant structures of the transport infrastructure. However, following amendment proposals submitted by the Chamber of Deputies of the Parliament of the Czech Republic, the draft act was supplemented with legal regulation related to the building of electronic communication infrastructure, in particular in the form of broadening the scope of Section 2d (Planning permission for selected structures of the energy infrastructure) to include structures of the electronic communication infrastructure.

A new Section 2i was added to Act No. 416/2009 Coll., which focuses on the terms and conditions of building electronic communication infrastructure. First of all, the terms and conditions for building electronic communication connections are changed (see definition according to Section 2(i) of Act No. 194/2017 Coll.). This provision declares that electronic communication connections of up to a length of 100 metres do not require a decision on the location of a structure or planning approval according to the Building Act, with the exception of cases in which a binding opinion is required to assess the impacts of executing the plan on the environment according to the Act on Environmental Impact Assessment. The second substantive change which Section 2i brings is the specification of an exception for the use of a structure of the electronic communication infrastructure, when neither approval of the building for use nor permit for the use of the building is required any longer under the Building Act. The builder, however, is obliged to present to the competent building authority, within 60 days of commencing the use of the structure, data which determine the position of the defining point of the structure, documentation of the actual execution of building work, if there were minor deviations to the verified documentation or verified project documentation during its execution, and a plot plan of the location of the structure.

Finally, , the adoption of Act No. 169/2018 Coll., led to an amendment to the Building Act, concretely in the section regulating exceptions for the mandatory issuance of binding opinions of the planning body; however, the existing exception in the field of electronic communication infrastructure building remains.

This Act entered into effect on the fifteenth day following its promulgation, i.e. on 31 August, save the provisions of paragraph I(6), as far as Section 2e is concerned (relevant to transport infrastructure), which shall enter into effect on the first day of the twelfth month following its promulgation, and save Part Five (amendment to the Building Act), which entered into effect on the first day of the calendar month following its promulgation, i.e. 1 September.

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## Management of the radio spectrum

### Radio and television broadcasting

Two new channels were launched on the terrestrial platform on 1 August: POWER TV (SID 0x2103), which began broadcasting in regional network 8 on all transmitters, and LIPNO Infokanál (SID 0x1A02), which began broadcasting in regional network 20 on the Lipno – Vítkův kámen transmitter.

Two new transmitters of Český rozhlas (Czech Radio) were also activated on 15 August 2018 in the Litoměřice area (0.1 kW). You can now tune into ČRo Plus at 92.8 MHz and to ČRo Dvojka at 100.0 MHz.