

# ANNUAL REPORT 2022



Český telekomunikační úřad



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# ANNUAL REPORT OF THE CZECH TELECOMMUNICATION OFFICE FOR 2022

Annual report on the Universal Service

Annual Report on the Provision of Information pursuant to Act No. 106/1999 Coll.

Information on handling complaints about the activities of CTU

Annual Report on the out-of-court settlement of consumer disputes

The Annual Report of the Czech Telecommunication Office for 2022 was approved by the CTU Council on 18 April 2023

# THE CZECH TELECOMMUNICATION OFFICE IN A NUTSHELL.....

## WE ARE

### **AN INDEPENDENT ADMINISTRATIVE BODY**

performing state administration in electronic communications and postal services, and we cooperate with other public administration bodies

### **ACCESSIBLE TO ALL STAKEHOLDERS AND CITIZENS**

not only at the headquarters in Prague, but also through 7 regional offices and their branches

### **AN ACTIVE MEMBER**

of the Association of European Regulators for Electronic Communications and Postal Services BEREK, ERGP and IRG

### **INVOLVED IN SEVERAL WORKING GROUPS AND PART OF DELEGATIONS**

of Czech Republic at key meetings of ITU and UPU, and other international organisations (such as OECD, NATO and EU institutions) (např. OECD, NATO a institucí EU).

## IN 2022

## WE ARE:

### **IN ELECTRONIC COMMUNICATIONS:**

- » we were creating conditions for the development of competition, technological innovation and wide availability of quality services,
- » we were issuing implementing measures according to transposing amendment to the Electronic Communications Act (hereinafter "the Act"),
- » we were managing the radio spectrum and numbers and efficient and effective use thereof in accordance with international harmonisation,
- » we decided on the provider of the universal service of special price/price plans in order to ensure the affordability of selected services also for persons with special social needs,
- » we were inspecting the quality of services provided and established regulatory measures,
- » we issued 24 975 in first instance decisions

### **IN THE AREA OF POSTAL SERVICES**

- » we were creating conditions for the development of competition in the postal market,
- » we worked on ensuring the availability, necessary quality and affordability of universal postal services, and we verified the costs of funding thereof,
- » we designated the postal licence holder for 2023–24,
- » we were inspecting the quality of universal and other postal services provided and established regulatory measures

### **FOR CONSUMERS AND SERVICE USERS**

- » we worked on ensuring protection of their rights,
- » we were handling their complaints and submissions regarding the terms and conditions, quality and price of services,
- » we decided their disputes with service providers,
- » we paid attention to the legal requisites and comprehensibility of the contract terms and conditions,
- » we provided advice, recommendations and other forms of support.

## A WORD OF INTRODUCTION BY THE COUNCIL CHAIRMAN



Dear entrepreneurs and users of electronic communications and postal services, let me begin by briefly reviewing the year 2022 from the perspective of the activities of the Czech Telecommunication Office.

I am glad that last year, we managed to put into practice some innovations resulting from the transposition amendment to the Electronic Communications Act which improve consumer rights protection. In particular, I would like to mention the new conditions for porting a telephone number and the new option to simply port your Internet access service.

The new information obligations in the course of concluding a contract are already enshrined in the amendment to the Electronic Communications Act directly, and our task last year was therefore primarily to check the compliance with these obligations. I am pleased to report that the inspections carried out so far have shown that these obligations are being complied with. The identified minor deficiencies of a substantive nature are being addressed. We have assisted businesses in complying with their new obligations, for example by preparing and publishing a template for a contract summary.

Even when taking into account the current economic situation, which is having a negative impact on the financial situation of many of our fellow citizens, I consider it very important that we have succeeded in putting into practice, with effect from 2023, a price discount for selected electronic communications services not only for people with severe disabilities, but also for people with low incomes. In addition, they can now choose from more than one designated service provider when claiming the price discount.

We also dealt intensively with complaints about

the quality of TV signal reception after the transition to the new DVB-T2 broadcasting standard. We examined the individual submissions by performing measurement in each single case.

To simplify reporting, we have also published a new interactive form on our website to make it easier for consumers to submit complaints. Addressing the TV signal reception situation is one of the Office's priorities also for the year 2023.

Our major task last year was to conduct a tender procedure for a new postal licence holder for the years 2023 and 2024, with Česká pošta s.p. becoming the postal licence holder. At the same time, in cooperation with colleagues from the Office for the Protection of Competition, we managed to successfully complete the notification of reimbursement of payments for universal (postal) services. Therefore, in the second half of the year we were able to pay compensation to Česká pošta s.p. for the previous years in the total amount of CZK 7.5 billion.

In the area of unsolicited marketing calls, we have successfully set up processes for investigating complaints, including sanctions in justified cases. I was pleased to learn that we are currently working together with colleagues from Slovakia, to whom we are able to effectively assist in the case of entities that make these prohibited calls across the border. In addition to investigating complaints, we have been very intensively engaged in consumer education, both through the media and through our own communication channels (social media, regular monitoring reports, etc.). We have produced educational videos and published a guide to dealing with unsolicited calls on our website.

To support consumers and service users, last year we also made available a mobile version of NetTest tool for Android devices, ran a price and

quality comparison tool for electronic communications services and, at the same time, provided advice to users of postal services through our regular monthly reports.

I would like to take this opportunity to thank all my colleagues from the Office's expert and support departments, the former Chair, Hana Lempochner Továrková, and my colleagues from the CTU Council. I am convinced that together we have managed to carry the Office successfully through its first post-Covid year, and to justify our activities

to both the consumer and the professional public. I believe that this year, thanks to joint

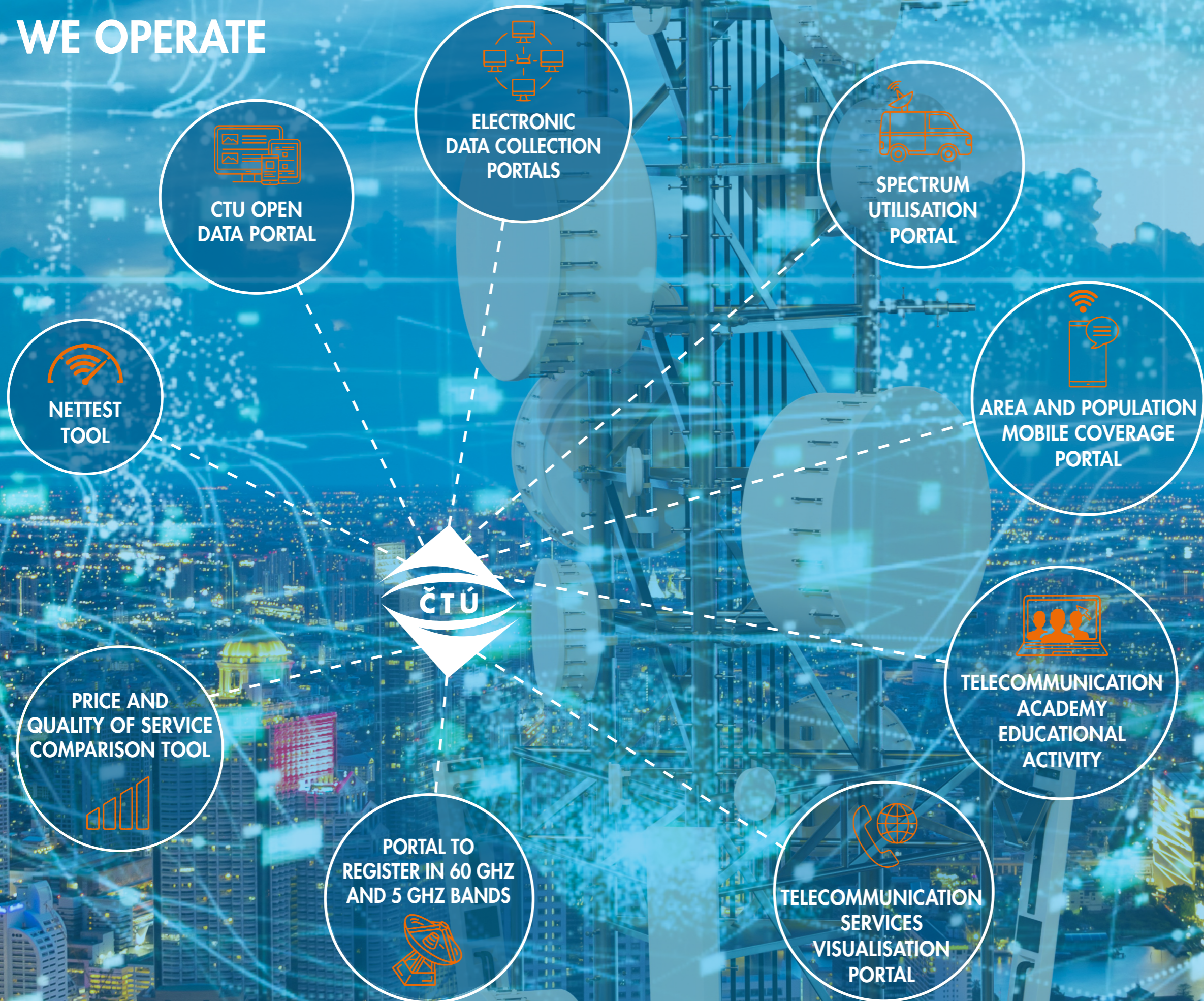
open and transparent communication, we will succeed not only in supporting the innovative development of networks and services, their accessibility and the necessary quality, but also in promoting the satisfaction of their users.

On behalf of all my colleagues at the Czech Telecommunication Office, thank you for your cooperation.

**Marek EBERT**

Chairman of the Council of the Czech Telecommunication Office

# WE OPERATE



# EXECUTIVE SUMMARY

**In 2022, the Czech Telecommunication Office (hereinafter referred to as "CTU" or the "Office"):**

- » focused primarily on the application of the transposition amendment to the Electronic Communications Act. In this context, it prepared and issued a number of implementing regulations (Decrees and Measures of a General Nature), which it was empowered to do by the amendment. In addition to the continuation of the fifth round of relevant market analyses, we also focused on monitoring compliance with the obligation to publish mandatory reference offers for mobile virtual network operators. These arise for spectrum holders in the 700 MHz frequency band from the terms and conditions of the 5G auction.
- » was also involved in the preparation of a basic draft of the principles of the tender for the granting of rights to use frequencies for DAB and their discussion with the relevant stakeholders. In accordance with our statutory mandate, we conducted a tender for the provider of a universal service of special prices and price plans and a tender for a postal licence holder for the period from 1 January 2023. For the financing of basic postal services, we have completed the notification of the reimbursement of the net costs to the postal licence holder for the period 2018-2022 to the European Commission (the "Commission"). Subsequently, we paid CZK 6.75 billion in aggregate to Česká pošta s.p. (hereinafter referred to as "Česká pošta").
- » worked intensively on the completion of the second situation report on the implementation of the Radio Spectrum Management Strategy. It completed the largest inspection in the Office's history checking compliance with the obligations under General Authorisation VO-S/1/08.202-9.
- » In the field of international cooperation, the Office has, among other things, been involved in the work of BEREC, including organisation of its plenary meeting in Prague, participated in the Czech Republic's delegations to the ITU World Conference and, as part of the Czech Presidency of the Council of the EU, provided an expert role, contributed to the drafting of the EU Council's call for revision of the Postal Directive, the guidelines for the ITU Plenipotentiary Conference and Digital.

## ELECTRONIC COMMUNICATIONS

- » As part of the ex-ante regulation, the Office completed a supplementary analysis of relevant market No. 1 (call termination on public networks provided at a fixed location). Following a successful notification to the Commission, it initiated the relevant procedures leading to the amendment of the list of undertakings with significant market power and the imposition of remedies. The Office has also completed its analysis of relevant market No. 2 (wholesale dedicated capacity), which has also been successfully notified to the Commission. The national consultations have been closed

for the draft market analysis of Market No. 1 - Wholesale services with local access provided at a fixed location and Market No. 3b - Wholesale services with central access provided at a fixed location for mass-market products. In view of the reservations expressed by the Commission within the notification process, we eventually decided to withdraw the proposal during Phase II of the investigation. We have subsequently started working on a new updated version, which we submitted for national consultation in early 2023.

- » The Office followed a similar approach in the process of preparing the draft market analysis of Market No. 3 - Wholesale access to mobile services. After the Commission did not approve the first draft at the end of 2021, the Office prepared a revised version in 2022. Following a national consultation and consultation with the Office for the Protection of Competition ("ÚOHS"), CTU resubmitted this revised draft market analysis of Market No. 3 for notification to the Commission at the end of 2022. The Commission again disagreed with the conclusions of the CTU's assessment of the situation in this wholesale market and its intention to regulate it. By decision of 27 March, the Commission finally rejected the draft analysis.
- » As part of the implementation of changes to process of notification of business activities in the field of electronic communications resulting from the transposition amendment to the Electronic Communications Act, the Office has prepared and made available a new notification form together with the publication of an instructional video.
- » On the basis of the tender, the Office imposed by decision the obligation to provide special prices/price plans as part of the universal service. This obligation was imposed, starting from 1 January 2023, on Vodafone Czech Republic a.s., O2 Czech Republic a.s., PODA a.s. and T-Mobile Czech Republic a.s. In addition, an obligation to provide the offer of sale or rental of special terminal equipment for disabled persons as part of the universal service was imposed on O2 Czech Republic a.s.

## POSTAL SERVICES

- » In the area of postal services, among other things, a tender was announced for the holder of a postal licence for the period from 1 January 2023 to 31 December 2024. On the basis of the fulfilment of the conditions for participation in the tender procedure, the appointed committee submitted its final report to the CTU Council, which assessed the application and by its decision granted the postal licence for the period in question to Česká pošta.
- » We consider the completion of the process of notification of the reimbursement of net costs from the provision of universal services for the period 2018-2022 to be essential. The

Commission issued its long-awaited decision in July 2022, and this allowed CTU to make a maximum payment of CZK 7.5 billion to Česká pošta. In connection with the decision to grant a new postal licence, we sent a request to the Commission through the Office for the Protection of Competition to initiate a prenotification procedure in relation to the net cost financing mechanism for the period from 2023.

## INSPECTION ACTIVITIES

- » As part of its inspection activities in the field of electronic communications, the Office completed the third round of inspections of the implementation of VO-S/1/08/2020-9, targeting 85 entities that did not comply with the conditions set out in the general authorisation even after the previous two rounds of inspections. During this phase, 62 penalties in total amount of CZK 1.5 million were imposed. All three rounds of inspections lasted two years in total and were the largest in the history of the Office. A total of 419 penalties amounting to CZK 5,279,000 were imposed.
- » Among other things, the Office has been newly active in checking the implementation of number portability and Internet access conditions in the contracts of selected providers of electronic communications services, and the identified deficiencies have been addressed within the framework of these inspections.
- » In 2022, the Office carried out measurements of DVB-T2 signal coverage in 28 municipalities on the basis of complaints received from local government representatives. Stationary measurements were taken at all the locations in question. If limit values of signal parameters were found, the causes were investigated. The primary cause of poor signal reception in these locations was low signal levels in combination, as the case may be, with terrain obstacles. The Office informed the TV network operators about the specific status and results of the measurements and also offered its readiness to respond to requests for possible coordination and allocation of frequencies, should the TV operators so request.
- » As part of its inspection activities, the Office announced the "Milostivé jaro" (Spring of Grace) campaign, which was intended to give RLAN operators the opportunity to inspect their equipment and bring it into compliance with the conditions of the relevant general authorisation without the threat of sanctions from the Office. A total of 167 inspections of compliance with radio frequency conditions and the operation of broadband data transmission equipment in the 2.4

GHz to 71 GHz frequency bands were carried out, with 81% found breaches of conditions.

## CONSUMER PROTECTION

- » This year also, the Office continued its activities under the umbrella of the Telecommunication Academy. After the years associated with the pandemic, CTU was able to get involved more intensively in its presentation activities again, with the number of presentations held standing at 74 and more than 1650 participants were trained. They were most interested in the presentation on how to use their mobile phone, tablet PC or computer safely. Attention was paid to phishing, scams via SMS or phone calls, and especially to defending against them. There was continued demand for presentations that had been held for a longer period of time, such as Telecommunications in a Nutshell, Postal Services and Colour Lines. A special topic that was of great interest to participants last year was the issue of unsolicited marketing calls. The Office also continued to produce short educational videos to introduce consumers to specific issues and to explain how to deal with specific situations or how to contact the Office.
- » During the year, the Office focused on cooperation with consumer organisations active in providing advice, ensuring awareness and educating consumers in the field of electronic and postal services. And it organized two information workshops for them.
- » One year after the launch of NetTest, CTU's own measuring tool, the NetTest mobile application has been made available for Android devices. The application allows users to obtain information about the current quality of mobile internet access service. In 2022, approximately 0.5 million users used the certified NetTest measuring tool and 680,297 measurement tests were performed, mainly via the web interface.
- » On the website of the Office, in the "For Consumers" section, we have published instructions on how to deal with an unsolicited marketing call, or what is necessary to do and document to obtain a price discount for electronic communications services. We have also published a new online form that makes it much easier for consumers to contact us about poor quality DVB-T2 reception.

## CTU COUNCIL IN 2022

**The members of the Council of the Office have gradually changed during 2022. The Council Chair Mgr. Ing. Hana Továrková and Council members Mgr. Lukáš Zelený, RNDr. Ing. Jiří Peterka and Ing. Marek Ebert served their office terms throughout the year.**

**The office term of Council member Mgr. Josef Chomyn ended at the end of May 2022. Subsequently, in September, the Government appointed the fifth member of the Council, Ing. Jiří Šuchman with a term of office of 5 years. At the same time, the Government appointed a member of the Council, Ing. Mark Ebert, as the Chairman of the Council with effect from 1 February 2023.**

# ECONOMIC MANAGEMENT OF THE OFFICE

## BUDGET 2022

### TOTAL INCOME

Fees for numbers	<b>CZK 1 07 321 558,00</b>
Fees for frequencies	<b>CZK 1 020 655 665,94</b>
Administrative fees collected	<b>CZK 2 8 801 235,24</b>
Penalties collected	<b>CZK 1 2 991 199,02</b>
Extraordinary incomes for granting radio frequency block allocations to ensure the electronic communications networks in 2100 MHz band	<b>CZK 1 742 318 480,00</b>
Other incomes	<b>CZK 1 480 693,39</b>
<b>CZK 2 913 568 831,59</b>	



### TOTAL EXPENSES

Reimbursement of net costs resulting from the provision of universal service and from the loss resulting from the provision of special prices	<b>CZK 57 352 873,67</b>
Reimbursement of net costs representing the unfair financial burden of Czech Post CZK	<b>CZK 6 750 000 000,00</b>
Expenses to ensure the operation of the Office	<b>CZK 6 45 703 290,28</b>

**CZK 7 453 056 163,95**

# CTU'S MAIN PLANS FOR 2023

AMONG OTHER THINGS, THE OFFICE WILL FOCUS ON:

- » finishing new proposals for relevant markets analyses
- » postal market revision and organising selection procedure for the new postal license holder for the period from 2025
- » tender realisation to grant radio frequency block allocations for terrestrial digital broadcasting (T-DAB)
- » complains on interference or low quality of DVBT-2 reception
- » implementing the new EU digital legislation into CTU activities, including the collaboration on preparation of the legal provisions amending new mandates
- » innovating the important information systems (VIS) for Radio spectrum management and monitoring (ASMKS and SPECTRA)
- » inspecting the phone numbers portability and change of internet service provider at selected electronic communications services providers
- » continuing the development of NetTest application for iOS devices
- » experience with ZADUS (system for preventing duplicated discounts) application assessment
- » continuing consumer protection activities, among others with the focus on contractual terms and conditions of electronic communications and postal services
- » collaboration with other competent authorities, associations, consumer organisations and with international organisation

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## LIST OF ABBREVIATIONS

<b>CTU/Office</b>	Czech Telecommunication Office	<b>UPU</b>	Universal Postal Union
<b>EU</b>	European Union	<b>ÚOHS</b>	Office for the Protection of Competition
<b>IRG</b>	Independent Regulators Group	<b>O2</b>	O2 Czech Republic a.s.
<b>ERGP</b>	European Regulators Group for Postal Services	<b>CETIN</b>	Česká telekomunikační infrastruktura a.s.
<b>BEREC</b>	Body of European Regulators for Electronic Communications	<b>T-Mobile</b>	T-Mobile Czech Republic a.s.
		<b>Vodafone</b>	Vodafone Czech Republic a.s.

# THE STATE OF THE ELECTRONIC COMMUNICATIONS AND POSTAL SERVICES MARKET IN 2022

## 1 ELEKTRONIC COMMUNICATIONS MARKET

In 2022, as in previous years, the consolidation of the market for high-speed Internet access services continued (albeit with less intensity), and other events of significance for the functioning of the market also took place.

Following the prior approval of the Office for the Protection of Competition, at the beginning of the year, Nej.cz s.r.o., a member of KAPRAIN, became the sole shareholder of SMART Comp. a.s., the operator of the Netbox network and IPTV1 service called Kuki, and subsequently merged with three other providers on 1 October 2022. Telco Pro Services a.s., a member of ČEZ Group, gradually acquired a majority stake in INTERNEXT 2000, s.r.o. and KABELOVÁ TELEVIZE CZ s.r.o. during the first half of the year. Also, on 1 June 2022, Nordic Telecom s.r.o. ceased to exist by merging with the successor company Nordic Telecom Regional s.r.o., thus merging the providers of wireless and fixed internet services into one company.

Dial Telecom a.s. has announced the change of its name (business name) to Quantcom a.s. and, at the same time, spun off its retail operations into its subsidiary Pe3ny Net s.r.o. Thus, a new operator was created, specialising exclusively in services for corporate customers and wholesale partners. Vodafone Czech Republic a.s. (hereinafter referred to as "Vodafone") has completed the migration of fixed service customers acquired as part of the merger with UPC in 2020 to its IT systems.

In the field of mobile networks and services, network operator T-Mobile Czech Republic a.s. (hereinafter referred to as "T-Mobile") followed Vodafone (who did so already in 2020) and spun off its passive infrastructure into a separate subsidiary, T-Mobile Infra CZ s.r.o. On the other hand, network operator O2 Czech Republic a.s. (hereinafter referred to as "O2") announced, as at the same date, the merger of its subsidiary O2 Family, s.r.o. with its parent company, thus ending one of the major virtual operators.

On the international capital front, a 30% stake in CETIN Group B.V., which includes the domestic wholesale market service provider CETIN a.s. (hereinafter referred to as "CETIN"), was acquired by the global investment company GIC Private Limited. The closing of the transaction, which occurred in 2021, was announced by PPF Group following regulatory approval in March 2022.

### 1.1 Mobile services market

In addition to the three mobile network operators (hereinafter also referred to as "MNOs"<sup>2</sup>) T-Mobile, O2 and Vodafone, approximately 110 mobile virtual network operators (hereinafter also referred to as "MVNOs"<sup>3</sup>) also provided mobile services in the retail market in 2022. The three virtual operators were affiliated with the MNO.<sup>4</sup> In addition to their own primary brands, some mobile service providers also operated in the retail market through other brands (as branded resellers).<sup>5</sup> In this case, it is only the alternative sales channels of the core operators, in most cases the MNOs. The following table provides a basic overview by type of service provider in the mobile market.

Table 1 – Service providers on the Mobile market

Provider type	Number of providers*
MNO	3
MVNE <sup>6</sup>	10
MVNO (total nominal number)	110
Of which MVNO >100 000 SIM cards	4
Branded reseller	7

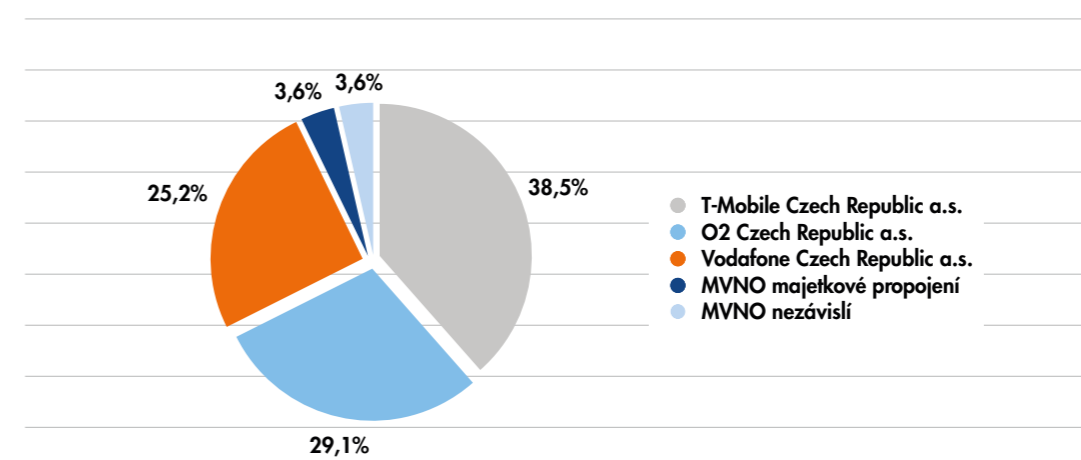
\*Dates are as of June 30, 2022

Looking at the total number of active SIM cards,<sup>7</sup> it is clear that the three mobile network operators retained the vast majority of the market (92.8%). Similarly, the aggregate share of all MVNOs has been more or less stable over the long term, amounting to 7.2% in mid-2022 (down 0.4 p.p. year on year). Of this, a half (3.6%) was the market share of independent MVNOs. In terms of aggregate retail sales of mobile services, independent MVNOs achieved a market share of 2.0%, MVNOs with equity links achieved 3.6%, and the remaining 94.4% was shared by MNOs. O2 Family, s.r.o. remained the largest MVNO in 2022 with a market share of 2.4%, followed by SAZKA a.s., the largest entity in the group of independent virtual network operators, with a market share of 1.4%. Tesco Mobile ČR s.r.o. with 1.2% and ČEZ Prodej, a.s. with 0.8% were next. Only these four MVNOs reported

more than 100 thousand active SIM cards. Households accounted for the majority of the MVNOs' customer base, where MVNOs achieved a market share of 11.3%. In contrast, in the corporate segment, MVNOs had a market share of only 0.7%.

Aggregate indicators of the mobile market in the Czech Republic show, among other things, that the total number of active SIM cards, according to the Office's estimates, exceeded 15.2 million at the end of 2022, of which the share of SIM cards using post-paid tariffs was approximately 75%. This high representation reflects the increased attractiveness of flat-rate tariffs, which in recent years typically include not only unlimited calls and SMS messages, but also sufficiently high or unlimited mobile data volumes. In 2022, the number of M2M8 SIM cards continued to grow slightly, exceeding 1.4 million.

Chart 1 – Market shares based on the total number of active mobile SIM cards on the retail market in mid-2022



<sup>6</sup> MVNE – Mobile Virtual Network Enabler – subjekt nabízející velkoobchodní služby dalším operátorům (ve formě MVNO či značkových prodejců), tzn. bez vlastních účastnických smluv.

<sup>7</sup> Aktivní SIM karty představují SIM karty, na které je uzavřena platná smlouva na poskytování služeb (post-paid) nebo byly minimálně jednou, za poslední tři měsíce sledovaného období použity pro volání, odeslání SMS, MMS nebo pro datové služby (pre-paid), nebo pro služby M2M.

<sup>8</sup> Machine to machine – označení používané pro přímou vzájemnou komunikaci mezi zařízeními/systémy.

<sup>1</sup> A method of distributing TV broadcasts via the IP protocol.

<sup>2</sup> Mobile Network Operator - an entity providing mobile services to end subscribers on its own behalf, with its own radio access network.

<sup>3</sup> Mobile Virtual Network Operator – an entity providing mobile services to end subscribers on its own behalf who does not have its own radio access network or, more precisely, does not have its own block allocation of frequencies for deploying a radio access network.

<sup>4</sup> COOP Mobil s.r.o. (1/3 ownership interest owned by Vodafone), Tesco Mobile ČR s.r.o. (50% ownership interest owned by O2) and until 1 January 2023 O2 Family, s.r.o. (100% ownership interest owned by O2).

<sup>5</sup> For example, BLESKmobil, MOBILCZ, OpenCall and innogy Mobil.

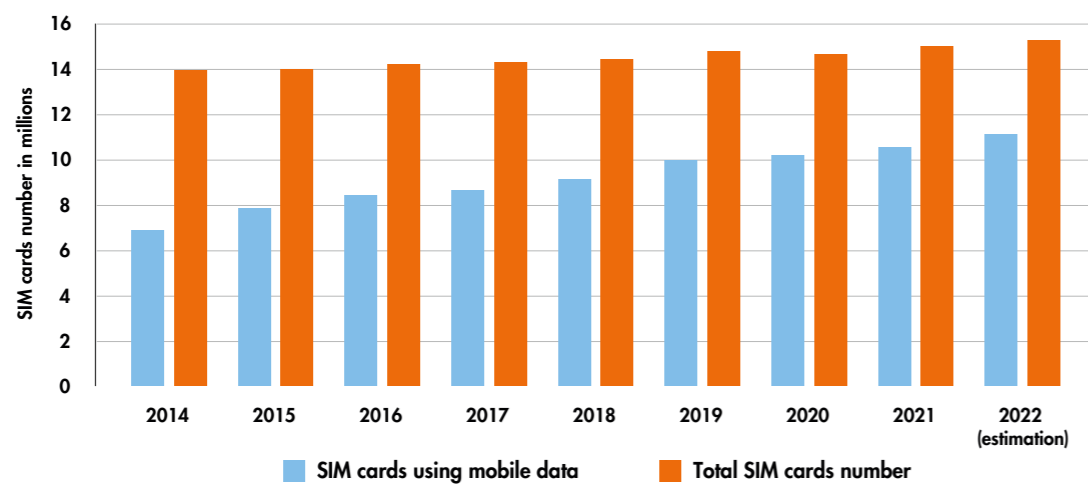
## Mobile data services

In 2022, as in previous years, mobile data service providers offered two basic types of mobile Internet access services – Internet in a Mobile Phone (“Internet v mobilu”), used mainly in mobile phones and smartphones, and the so-called Mobile Internet (“Mobilní internet”), which is designed for portable devices such as tablet PCs and laptops. The total number of mobile SIM cards using Internet access in both categories, i.e. using mobile data services (hereinafter also referred to as “mobile data SIM cards”), is estimated by the Office to exceed 11 million. The development of the number of data SIM cards compared to the total number of SIM cards over the period 2014-2022 is shown in Chart 2 below.

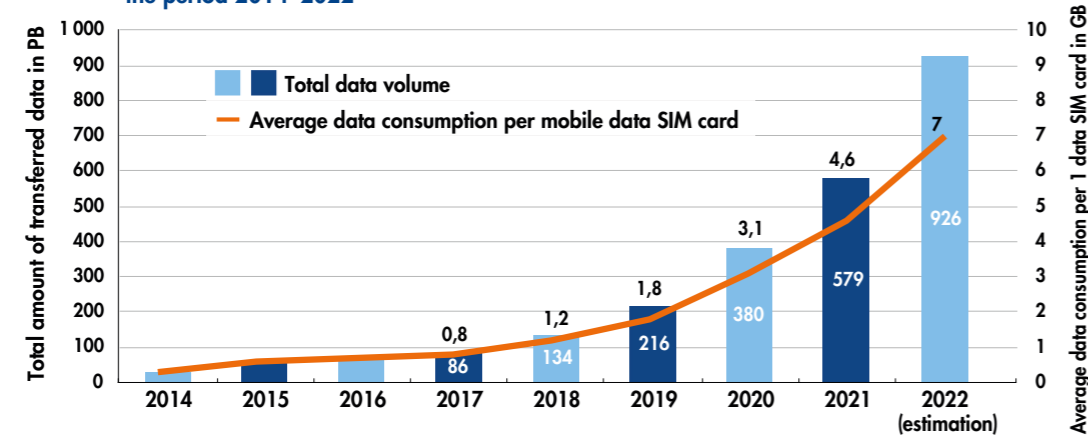
## Volume of mobile data transferred

The total volume of mobile data<sup>9</sup> transferred in 2022 is estimated by the Office to reach 926 PB and its annual growth can be estimated at 60%. This continuous growth reflects the fact that the data components (volumes) of the mobile tariffs offered have been increased several times since 2017, and since 2019 customers can also use tariffs with unlimited data usage. Correlated with this is the growth in average monthly data usage per mobile data SIM, which the Office estimates will already reach 7 GB in 2022, representing a 51% year-on-year increase. The development of the two indicators over the period 2014-2022 is shown in Chart 3 below.

**Chart 2 – Mobile data SIM cards number evolution compared to the total number of SIM cards in the period 2014–2022**



**Chart 3 – Transferred mobile data and average consumption per 1 SIM card using mobile data evolution in the period 2014–2022**



<sup>9</sup> Represents the total data traffic generated by subscribers (download and upload). It does not include data traffic from M2M services and the so-called fixed LTE or fixed 5G services, which fall under Internet access services provided at a fixed location

## Prices of mobile services

### Price development according to average minute price for mobile calls and SMS

The long-term trend of decrease of the average price per actual called minute continued in 2022, although the rate of decrease slowed down in 2022. In the first half of the year, there was a decrease of approximately 0,6% to CZK 0.73 per minute compared to the average for the whole of 2021. This trend was driven by both the average price for business customers and the average price for non-business (residential) customers.

The downward trend in the average price per SMS sent stopped in 2019 and the average price has been rising since then. The reason for this is the declining use of this service, which is gradually being displaced by the use of communication applications.

Please note that the resulting price also takes into account the price which the operators charge legal entities and natural persons carrying out business activities. However, even these pricing conditions reach ordinary users in many cases through corporate tariff programmes.

### Prices of the Internet in a Mobile Phone service (mobile data prices)

Compared to the end of 2019, when unlimited data tariffs were introduced by all three network operators, no major changes took place in 2022 in the offers of data services of mobile operators. T-Mobile was the first network

operator to raise its tariff prices in October 2022, citing cost increases and inflationary developments in the country. For example, the price of its tariff with unlimited calls, SMS and 5 GB has increased from CZK 600 to CZK 620 per month. The cheapest tariff without data limit is offered by Vodafone for CZK 599 per month (with a 24-month commitment). O2 offered the cheapest tariff without data limit for CZK 899 per month in 2022 and T-Mobile from October 2022 for CZK 930 per month (for CZK 875 per month until September 2022).

Tariffs with an unlimited data limit most often differ (apart from the price) in the maximum download speed.

With the long-term trend of increasing data limits in mobile operators' offers, which is reflected in the growing data usage by users, the average unit price for 1 MB of data actually transferred is decreasing over time. The decrease in the average unit price is also due to the increasing use of existing (unchanged) data limits in tariffs by customers. The unit price decreases even in a situation where there have been no decreases in nominal tariff prices or increases in data limits on the market. This trend is supported by the following chart. For the period in question, from 2011 to mid-2022, the average unit price for 1 MB of data (not including fixed LTE) decreased by CZK 0.40, i.e., by more than 93%, whereas for the last 5 1/2 years (between 2016 and mid 2022) it decreased by CZK 0.13, i.e., by more than 81%, to CZK 0.03 per MB.

**Chart 4 – Average retail price for actual called minute and SMS**

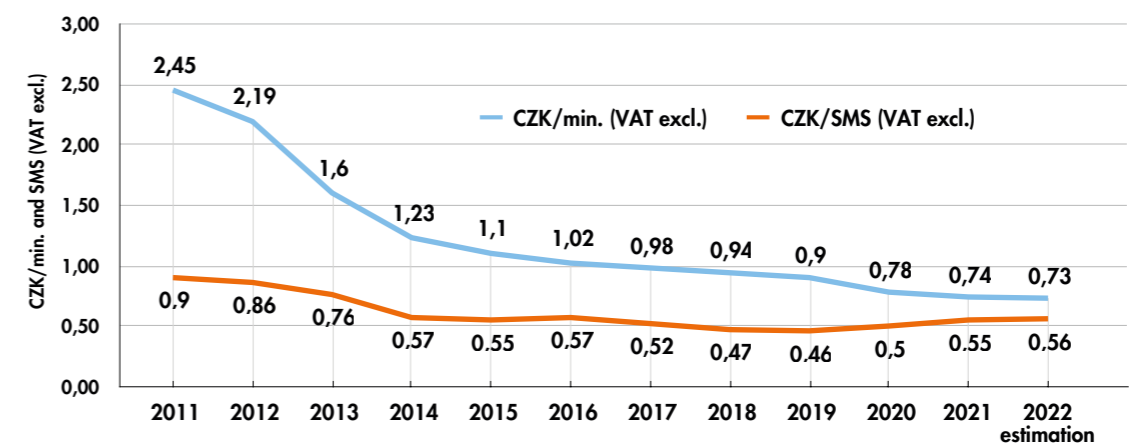
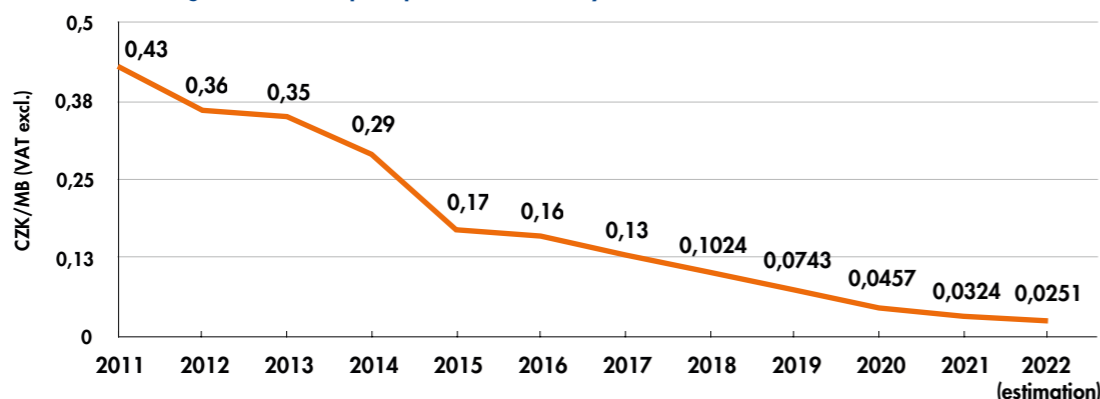


Chart 5 – Average retail market price per 1 MB of actually transferred data

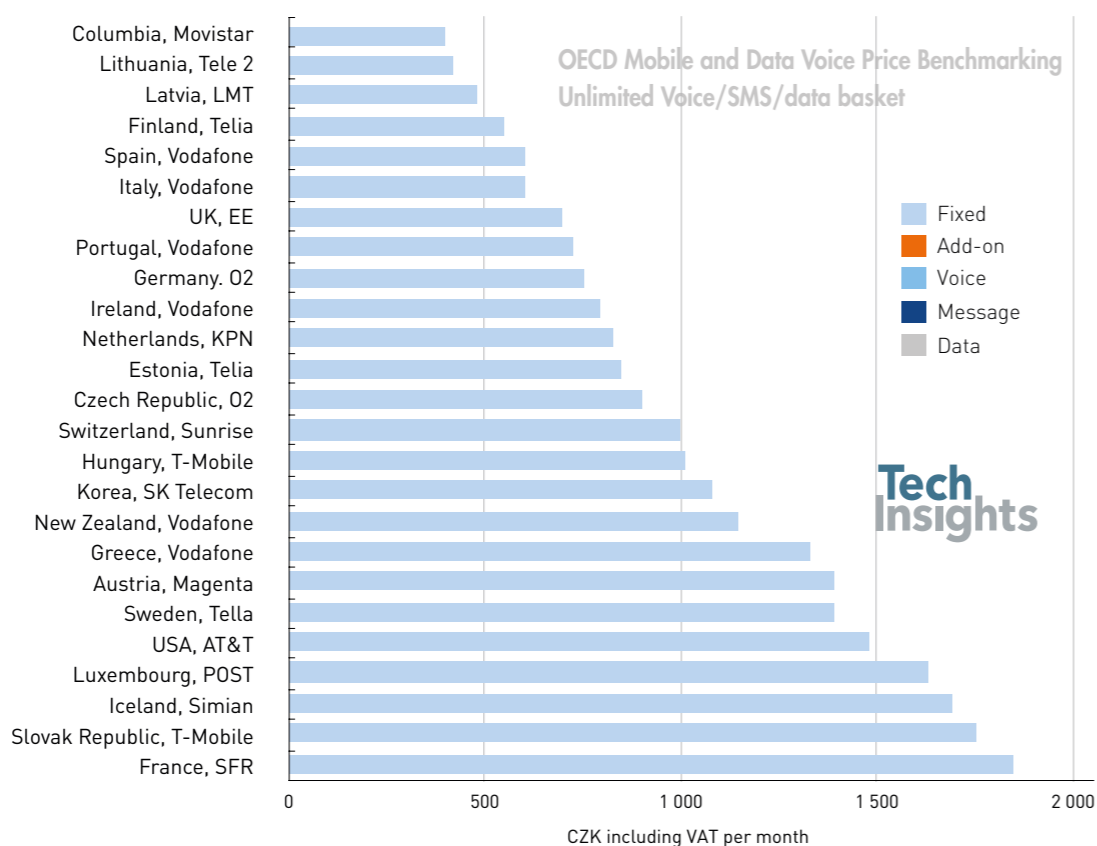


International comparison for unlimited voice/SMS/data bundles

The Office uses the method of calculating prices according to retail consumption baskets as a

supplementary calculation method to monitor the development of prices of mobile services. This price calculation is based on data from TechInsights (Strategy Analytics).<sup>10</sup>

Chart 6 – International comparison of unlimited bundles as of November 2022



<sup>10</sup> This comparison does not include the above-mentioned cheapest tariff without data limit from Vodafone, priced at CZK 599 per month (with a 24-month commitment).

Table 2 – Currently valid maximal regulated prices in EUR and converted to CZK

Maximal regulated prices	From 15. 5. 2022	
	Outgoing calls	SMS
EUR/min., 1 SMS	0,19	0,06
CZK/min., 1 SMS	4,681	1,478

Rate 24,637 CZK/€ as an average of rates set by the ECB as of 15. 1., 15. 2. and 15. 3. 2021. Prices are VAT excl.

Given the further significant year-on-year growth in mobile data traffic, an international price comparison of unlimited bundled offers (voice/SMS/data) is presented below to illustrate the price level in the Czech Republic in 2022. The position of the Czech Republic is at the level of the average of the countries surveyed.

Prices for international mobile services

Mobile roaming

Dne 1. července 2022 vstoupilo v platnost nařízení EU č. 2022/612 o roamingu, které nahradilo do té doby platné nařízení EU č. 531/2012, které bylo několikrát v průběhu své platnosti upraveno a doplněno, a tak došlo k celkovému přepracování i za účelem zohlednění vývojových trendů na roamingovém trhu. Mobilní operátoři jsou od 15. června 2017 povinni poskytovat služby mezinárodního roamingu výhradně v tzv. režimu RLAH (Roam Like At Home), kdy jsou povinni (až na vymezené výjimky) účtovat za uskutečněné hovory, odeslané SMS a spotřebovaná data stejné ceny jako doma již bez příplatku. Přepracované nařízení na tom nic nezměnilo a byly doplněny nové povinnosti týkající se transparentnosti a kvality

poskytovaných služeb. Také byl sjednocen počet maximálních velkoobchodních cen na Kč s regulací mezinárodních komunikací.

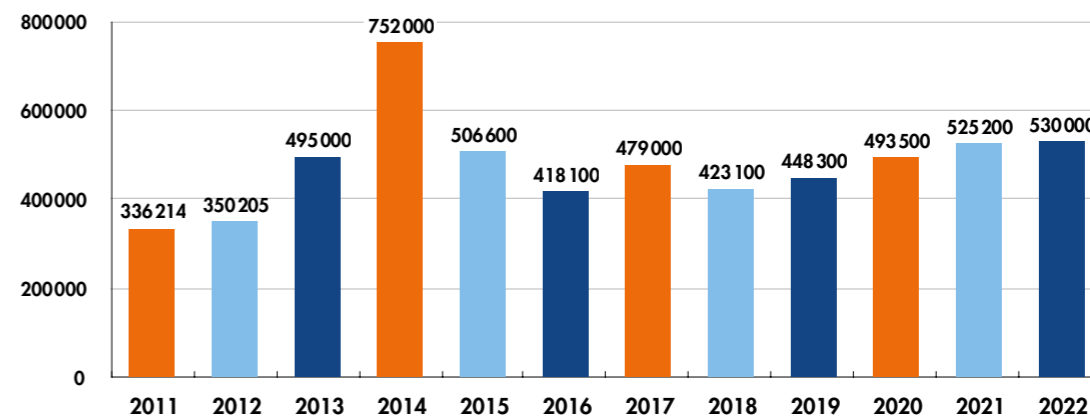
International calls and SMS

On 15 May 2019, the regulation of international communications (fixed and mobile calls and SMS) within the EU came into force on the basis of Article 5a of the amended EU Regulation 2015/2120. Regulated prices denominated in EUR are converted into the other national currencies of the EU Member States always on 15 May using the average of exchange rates published by the European Central Bank on 15 January, 15 February and 15 March of the same year.

Number portability within mobile networks

Compared to the previous year, the year 2022 saw a year-on-year increase in the number of ported telephone numbers in mobile networks, by about 1% to approximately 530,000. The trend between 2011 and 2022 is documented in Chart 7 below.

Chart 7 – Number of ported phone numbers – mobile networks



## 1.2 High-speed Internet access services at a fixed location

In 2022, the Office estimates that the total number of Internet access services provided at a fixed location will reach 4.025 million, an increase of 2.2% from 2021. The number of subscriptions per 100 inhabitants increased to 38.2 (compared to 37.4 in 2021).

In terms of the different methods of technical implementation, access via wireless networks in unlicensed bands (referred to as WiFi) maintained the most significant share of the retail market in 2022. The Office estimates an annual increase of these types of access from 1.12 million in 2021 to approximately 1.13 million in 2022.

In the case of xDSL11 access, the Office expects the threshold of 1 million accesses to be exceeded for the first time in 2022 (approximately 1.01 million accesses compared to 990 thousand in 2021). Since 2018, there has been a continuous year-on-year growth, which is related, among other things, to the modernisation of CETIN's xDSL network in the previous

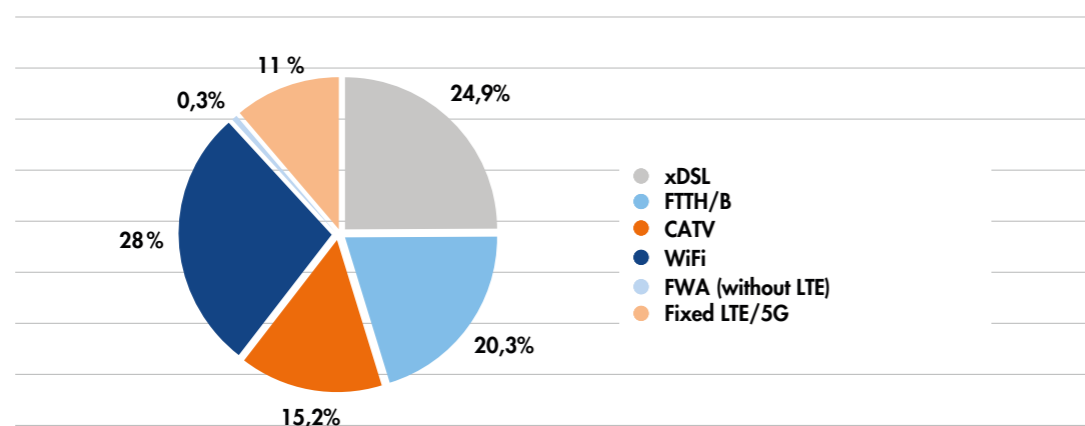
years (deployment of the so-called remote

DSLAMs12), which made it possible to offer higher transmission speeds (up to 250 Mbit/s download) via the xDSL network.

The long-term increase in the number of subscriptions via optic fibre networks (FTTH/ B13) continued also in 2022. Access via FTTH/B thus recorded the highest year-on-year growth of all monitored access methods and the Office expects to reach a value of up to 820 thousand accesses (compared to 740 thousand in 2021). For CATV14 accesses, the Office expects a decrease (also due to the migration of accesses to the FTTH/B platform) from 625 thousand to approximately 613 thousand accesses.

High-speed wireless access using licensed bands (FWA15 – not including the services of the so-called fixed LTE/5G16) remains the least represented in terms of numbers, reaching approximately 12 thousand accesses according to the Office's estimates (similar to the previous year). Fixed LTE/5G services have not seen the same growth as in previous years, and the

**Chart 8 – Share of high-speed access by individual methods of technical implementation (including fixed LTE/5G services) in 2022 \***



\* Qualified estimations used

11 Digital Subscriber Line – refers to technologies that allow existing metallic local loops to be used for high-speed access. Individual DSL types differ in the frequency band used, maximum speed and range. The indicator includes accesses via ADSL and VDSL technology, both within a purely metallic access network and by implementing FTTC networks, i.e. combining metallic networks with distributed fibre networks into the so-called rDSLAMs (remote DSLAMs).

12 Digital Subscriber Line Access Multiplexer – a device that combines data streams from individual DSL connection lines into one.

13 Fibre to the Home/Building – a method of connection via optical fibres that are brought to the termination point of the network at the subscriber's premises or to the footing of the building.

14 A term used for the technology of transmitting video and data via cable television coaxial distribution lines, where data transmission is implemented via a cable modem and the DOCSIS standard.

15 Wireless Access – a method of providing Internet access service via a wireless network access point using licensed frequency bands.

16 Designation for Internet access services provided at a fixed location over LTE or new 5G networks. Mobility is suppressed for these services.

Office expects them to stagnate or decline very slightly from 452,000 in 2021 to approximately 451,000 in 2022.

The distribution of the retail market for services of high-speed internet access provided at a fixed location by technical implementation method and their market share at the end of 2022 is shown in Chart 8 above. This shows that end users continue to use all the different technology platforms to access the Internet at a fixed location, without any one of them being significantly dominant in the market.

The table above, which shows the average monthly volume of Volume of transmitted data in fixed networks per access, shows its continuous growth. The Office estimates this volume for 2022 to be at 3,230 GB.

### European comparison of high-speed network coverage

According to the methodology of a study conducted by the Commission, Broadband Coverage in Europe in 2021,17 the aggregate coverage of optic fibre networks (FTTH/B) and CATV networks using the DOCSIS 3.1 standard, i.e. high-capacity networks (VHCN) capable of providing gigabit services (download), reached an average of 70.2% in the EU27. Thus, the Czech Republic lagged behind the European average in the coverage of FTTH/B and DOCSIS 3.1 networks in terms of the indicator in question, with coverage of 52.5%. According to the study, FTTH/B network coverage in the Czech Republic in 2021 was 2.5 percentage points higher than in the previous year, reaching 35.8%. However, the average for the whole EU27 was 50.0%, which is 14.2 percentage points higher than in the Czech Republic.

In terms of availability of NGA networks18 in international comparison, the Czech Republic was above

the EU27 average according to the aforementioned study, specifically the coverage of these networks in the Czech Republic was 92.6% in 2021 and 90.1% in the EU. In terms of FTTH/B optic fibre network coverage in rural areas, according to the study, the coverage of households in the Czech Republic was 26.9 p.p. lower than the EU average in 2021 – namely 6.9% in the Czech Republic compared to 33.8% in the EU27. In terms of overall coverage of households with NGA networks

in rural areas, however, the Czech Republic was still above the EU27 average with 68.5% coverage (despite the study's exclusion of NGA wireless connections), namely 1 percentage point higher. Including NGA wireless connections (i.e. those allowing an effective download speed of at least 30 Mbit/s) in the relevant NGA coverage indicator would, according to the Office's data for the Czech Republic, increase this coverage to 98.1% for total NGA coverage and to 92.9% for NGA coverage in rural areas.

### Prices of high-speed access services

In terms of prices, 2022 did not bring about any significant price changes and the price level of services was essentially stagnant.

The speed parameters of the services offered on the market range from approximately 20 Mbit/s up to 1 Gbit/s or in some cases 2 Gbit/s. Most providers of Internet connection services at a fixed location offered in 2022 an option to choose out of standard tariffs, but they usually also offered cheaper versions of the services, usually connected with a contractual commitment to use the relevant service, mostly for 12 months, or with the purchase of additional electronic communications services. On the market, it is quite common to encounter providers that offer multiple

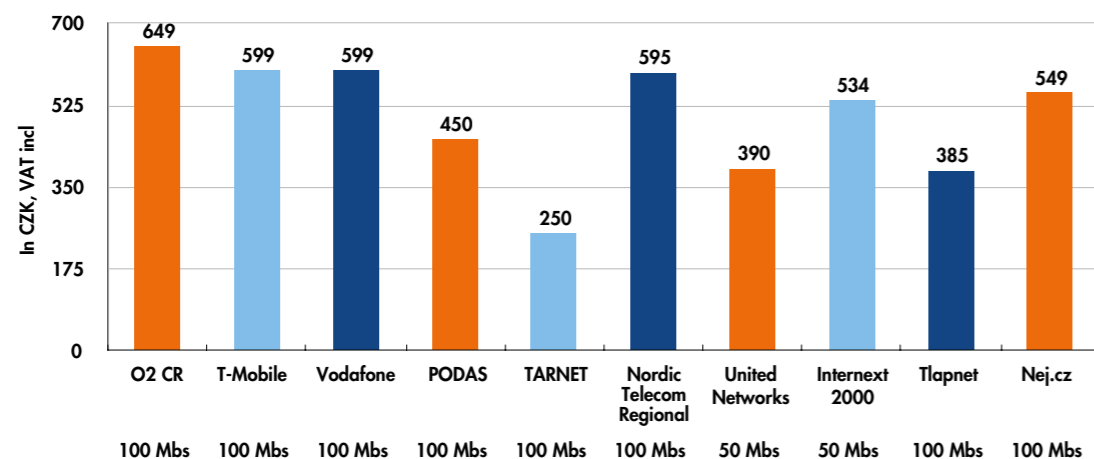
**Table 3 – Average monthly amount of transferred data in fixed networks per one access**

Year	2019	2020	2021	2022 (estimation)
Amount in GB	157,9	233,5	280,5	330,0

17 Dostupné online: <https://digital-strategy.ec.europa.eu/en/policies/desi-connectivity>.

18 Daná studie zahrnuje do NGA sítí přípojky realizované prostřednictvím VDSL, FTTH/B a CATV sítí s DOCSIS 3.0 a 3.1. V pokrytí NGA pro ČR se již nově neodrží pokrytí FWA (vč. WiFi) sítí s efektivními rychlostmi stahování (download) alespoň 30 Mbit/s, a to na rozdíl od předchozích zpráv, kde byla tato technologie ve výpočtu pokrytí NGA pro ČR zohledněna. Vzhledem k tomu, že technologie FWA (vč. WiFi) poskytovaná v pevném místě představuje v ČR přibližně 1/3 trhu, tak vedla oprava ke znatelnému poklesu hodnoty ukazatele oproti předchozímu období, a to zejména v ukazateli pro rurální oblasti (v dotčené studii byly údaje o NGA pokrytí za ČR za předchozí roky přehodnoceny).

**Chart 9 – Internet access service prices comparison per selected operators**



tariff groups provided on different technologies (WiFi, xDSL, optic fibre networks), while the parameters of these services (in particular the price and speed) may differ relatively significantly.

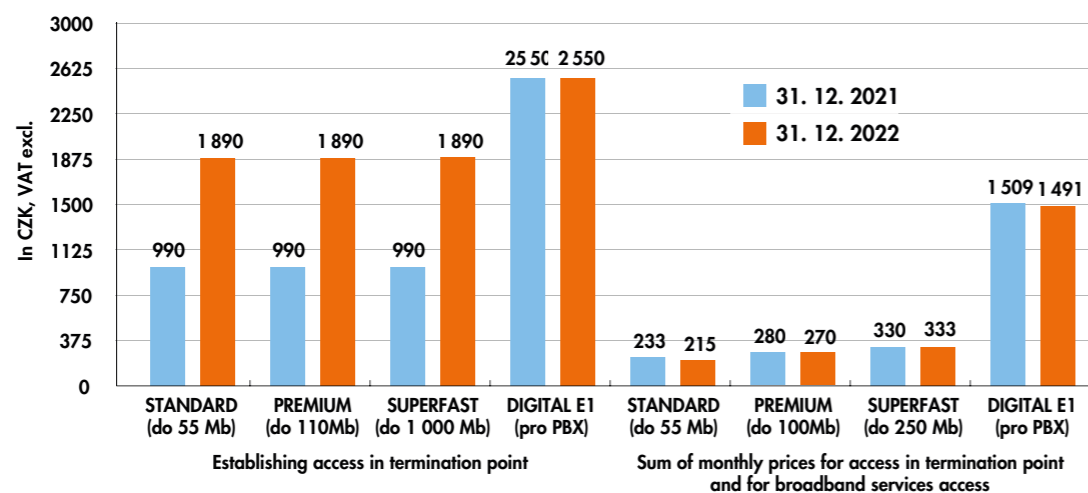
The offers of the selected providers of fixed Internet access services are shown in Chart 9 below. Given the existence of multiple tariff groups of some of the providers listed in Chart 9, it should be noted that the prices of the services with the highest coverage have been selected. In the offers of the relevant operators, it is thus typically possible to find services with other parameters (for example, higher speed for about the same price or lower price for about the same speed), but which are only available on a smaller part of the networks they operate (typically the fibre part of the network). Despite the influence of the difference

in parameters due to different technologies, the overview shows that most of the alternative operators are responding to the market developments and, as in the previous year, offer 100 Mbit/s as a standard connection for subscribers.

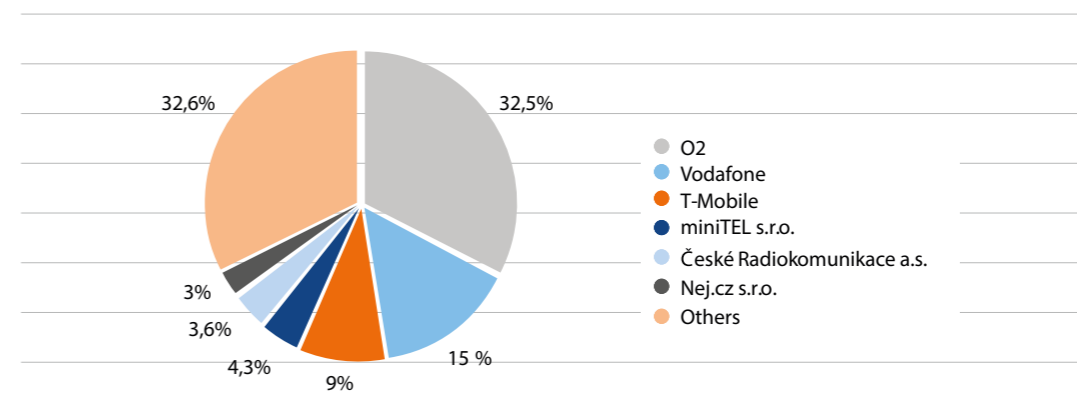
### Wholesale high-speed Internet access

In 2022, CETIN has continued to gradually refine and adapt its reference MMO (Mass Market Offer), which today represents the basic product offer in the wholesale high-speed Internet access market. The wholesale MMO offer includes providing access to a range of services provided on the IP network, e.g. in addition to basic internet connectivity, also TV signal and video distribution. In addition to these subelements, the wholesale MMO also includes the possibility of ensuring access to the control systems and technical support for troubleshooting including online monitoring system.

**Chart 10 – Wholesale prices of CETIN for high-speed access (reference offer MMO)**



**Chart 11 – Market shares by total number of subscriber line of voice services provided at a fixed location in 2022**



In 2022, CETIN adjusted the prices in the reference offer for both types of prices, i.e. one-off set-up prices and monthly prices. For the termination point network connection service, it has increased the one-off price by CZK 900. If the wholesale partner also subscribed to broadband access services (e.g. DSL CA, Optical CA), the setup price was charged at CZK 1. CETIN has reduced the monthly price for most types of connections (e.g. DSL CA, Optical CA) from CZK 53 to CZK 35.

The development of prices of the two universal services out of the wholesale MMO in 2022 is illustrated by Chart 10.

### 1.3 Voice services provided at a fixed location

The total number of subscriber lines with voice service provided at a fixed location has been declining for a long time, and by the end of 2022, the Office forecasts 1.22 million, with a year-on-year decline of almost 7%. Approximately 30% of the subscriber lines are households, the remaining share is occupied by subscriber lines of legal entities and natural persons carrying out business activities. Services are largely provided via VoIP,<sup>19</sup> this technology accounts for about 65% of all subscriber lines.

The largest providers of voice services are O2, Vodafone and T-Mobile, with a combined market share of almost 57%. The share of other providers is significantly higher, with the most important ones being miniTEL s.r.o., České Radiokomunikace a.s. and Nej.cz s.r.o. By the end of 2022, the Office

recorded approximately 200 operators that reported provision of voice service at a fixed location for at least 100 subscriber lines.

### Prices of voice services in fixed networks

The prices for calls at a fixed location can be documented in the price offers of major providers intended for households. In 2022, Nordic Telecom Regional s.r.o. increased the price of the basic tariff with unlimited calls by CZK 50 compared to the previous period. Prices for voice services provided on the fixed networks of the other major operators are unchanged in 2022 compared to the previous period.

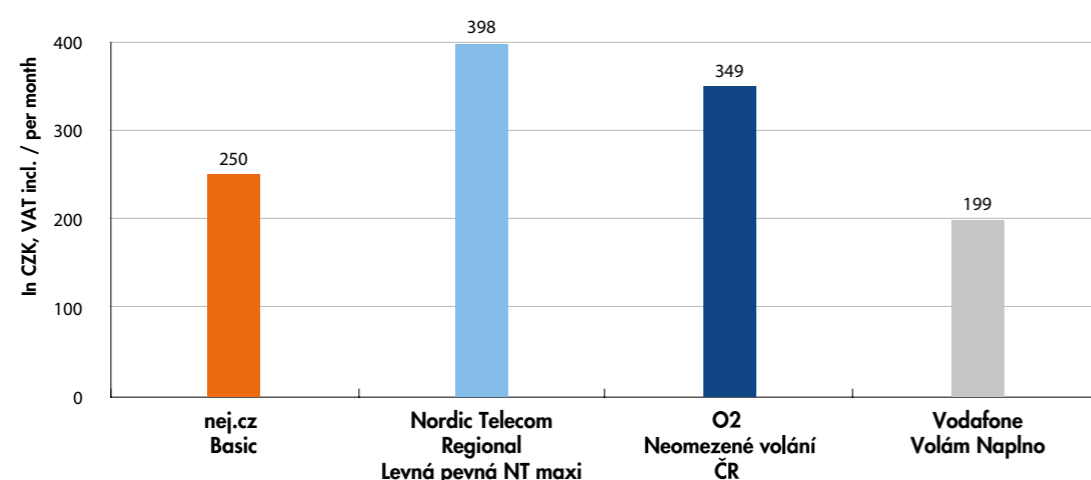
For illustration, the following Chart 12 shows the comparison of monthly prices for the use of the voice service through fixed networks in the major operators providing this service.

### Number portability in fixed networks

In 2022 a total of 447,471 individual subscriber telephone numbers were ported, which represents a year-on-year increase approximately by 48%. There has also been a decrease in the number of portings on fixed networks compared to 2021, by approximately 12% to 9,855 portings. The trend of using telephone number portability in fixed networks in the period from 2014 to 2022 is documented by the following Chart 13.

<sup>19</sup> VoIP – přenos digitalizovaného hlasu prostřednictvím internetového protokolu (Voice over Internet Protocol).

**Chart 12 – Comparison of monthly prices for the use of fixed line by 31 December 2022**



## 1.4 Regulation of the electronic communications market in 2022

### Relevant market analyses

In 2022, the Office continued to perform analyses of the relevant markets in their 5th round.

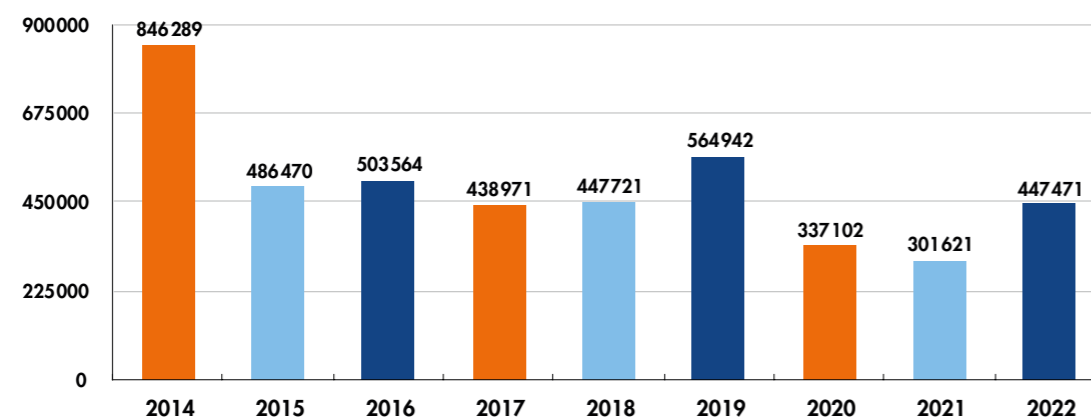
On 3 February 2022, the Office published a draft analysis of relevant market No. 2 – Wholesale Dedicated Capacity. Following its public consultation, the settlement of comments, consultation with the Office and notification to the Commission, the Office issued this analysis on 28 July 2022 in volume 7/2022 of the Telecommunications Bulletin as Measure of General Nature No. A/2/07.2022-13. Since, according to the conclusions of the analysis, the relevant market in question was found to be an effectively competitive

market, the

Office subsequently initiated administrative proceedings with CETIN in the second half of the year regarding the revocation of the designation of an undertaking with significant market power and the revocation of the obligations imposed, whereas both decisions became final by the end of the same year.

On 1 July 2022, following CETIN's announcement of the replacement of the original PSTN network with newly deployed Multi Service Access Nodes (MSAN) and IP Multimedia Subsystem (IMS) platforms on the part of CETIN's partners and the discontinuation of the provision of wholesale voice termination services in the fixed network, the Office also published a draft Measure of General Nature amending the analysis of the former relevant market No 1 – Wholesale call termination on individual public telephone networks provided at a fixed

**Chart 13 – Number of ported individual subscriber numbers – fixed networks**



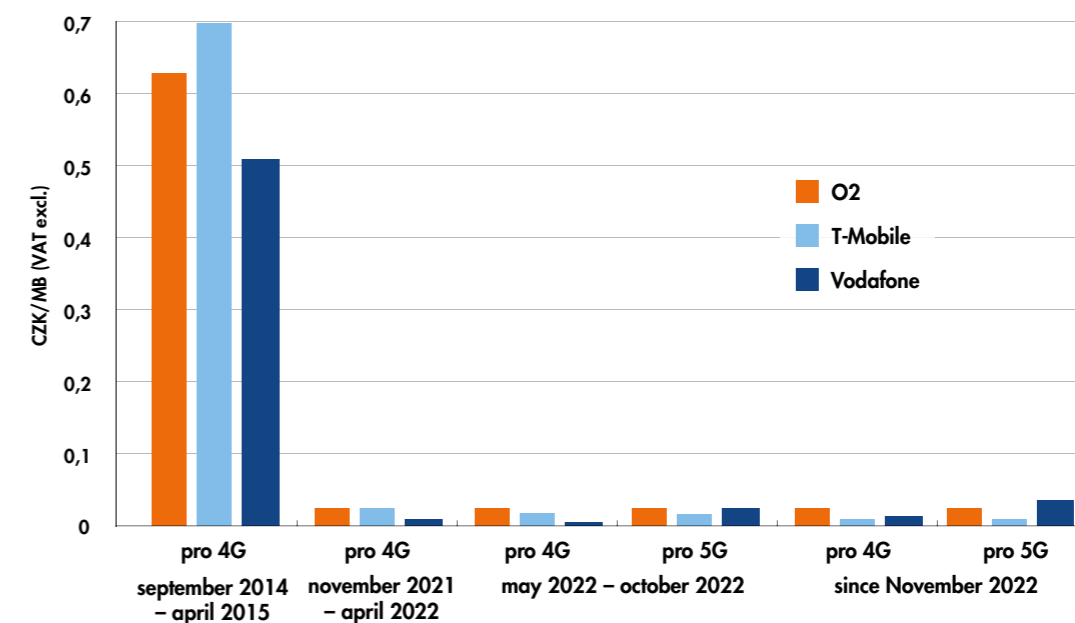
location. Following its public consultation, consultation with the Office for the Protection of Economic Competition and notification to the European Commission, the amendment to the analysis was subsequently issued as a Measure of General Nature No. A/S1/12.2022-22 on 21 December 2022 in volume 12/2022 of the Telecommunication Bulletin. At the beginning of 2023, the Office initiated administrative proceedings with CETIN regarding the revocation of the designation of an undertakings with significant market power and, in parallel, with O2, the new provider of the services in question, regarding the designation of an undertakings with significant market power.

In the first half of 2022, the Office also continued the procedural steps of the analyses of relevant markets No 1 – Wholesale services with local access provided at a fixed location and No 3b – Wholesale services with central access provided at a fixed location for mass-market products, the drafts of which it had already published for public consultation in the last quarter of the previous year. Both draft analyses were then forwarded to the Commission on 10 May 2022, and the Commission launched Phase II of the investigation on 8 June 2022. The Office subsequently withdrew the draft analyses from the notification process on 22 July 2022

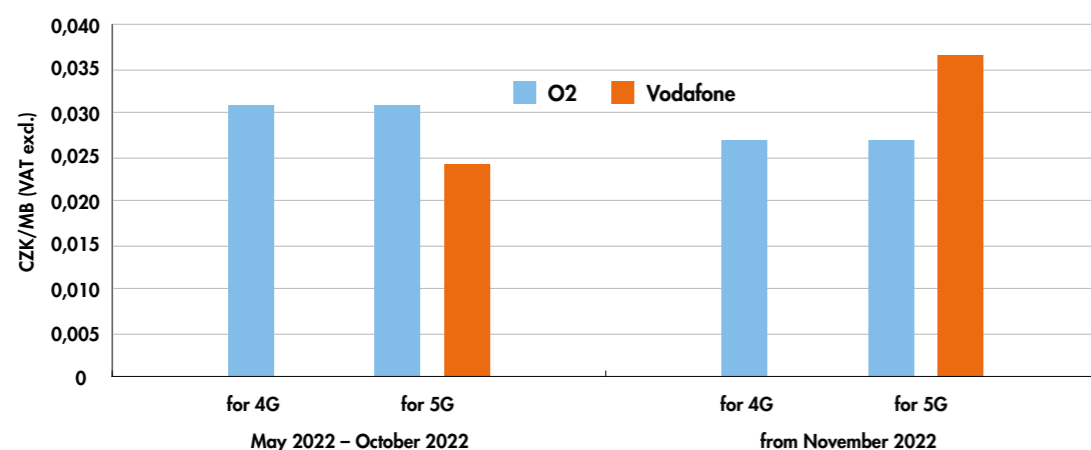
and proceeded to modify them by incorporating the comments of the Commission and BEREC from Phase II of the investigation, while the national consultation process takes place in 2023.

After the Commission raised serious doubts about the draft analysis of the relevant market No.3 – Wholesale access to mobile services in its decision of 21 February 2022, the Office prepared and consulted successively new modified versions of the analysis responding to the Commission's comments. Following the end of the public consultation, and after consultation with the Office for the Protection of Competition, the revised proposal was forwarded to the Commission on 29 December 2022. The Commission subsequently re-launched the so-called Phase II of the review at the beginning of 2023, driven by the same concerns as the previous notification process about the compatibility of the proposal with EU law. The Commission closed the notification process on 27 March 2023 when it announced the issuance of a decision vetoing the draft analysis. According to the Commission, taking into account BEREC's opinion and all the evidence gathered, the Office's attempt to apply ex-ante regulation on the basis of the combined significant market power of the three mobile network operators is not in line with competition law principles.

**Chart 14 – Development of wholesale prices according to the above commitment of 4G and 5G offer for Full MVNO**



**Chart 15 – Development of wholesale prices according to the above commitment of 4G and 5G offer for Light MVNO**



### Updating the value of the Weighted Average Cost of Capital (WACC)

For the purposes of the applied price regulation and for the determination of the net costs of providing universal service, the Office has performed the periodical update of the value of the pre-tax WACC for a specified undertaking providing electronic communications networks or providing a publicly available electronic communications service. Following a public consultation and in consultation with the Commission, the Office has set new WACC values applicable from 1 January 2023 of 5.01% and 5.98% respectively for service of access to the next generation networks. The relevant Measure of General Nature No. OOP/4/10.2022-20 was issued by the Office on 17 October 2022 and published on its website [<https://www.ctu.cz/sites/default/files/obsah/predpisy-opatreni/38841/soubory/opatreniobecnepravahycoop4102022-20.pdf>].

### Prices in the mandatorily published reference offers of 4G and 5G services

As part of its ongoing monitoring of the fulfilment of the wholesale offer commitment from the auction of frequencies in the 800 MHz, 1 800 MHz and 2 600 MHz bands (4G auction) and newly also in the 700 MHz band (5G auction), the Office has repeatedly checked the fulfilment of this commitment.

The evolution of wholesale prices under the above wholesale 4G and 5G offer commitment is shown in the following table showing the comparison of the prices from the first commitment period for 4G offers (September 2014–April 2015) and the values these wholesale prices reached in 2022. The comparison documents the decrease in wholesale prices per unit of data (1 MB) for this regulated wholesale offers based on the 4G auction. In the first quarter of 2022, network operators started to publish their reference offers separately for Full MVNO and Light MVNO and, as appropriate, also differentiated separately for 4G and 5G services. The Office subsequently launched an inspection of the newly issued reference offers. After repeated negotiations with the Office, mobile operators published revised versions of the tariffs in early 2023, which substantially reduced unit prices per MB of data. The Office's intention is to achieve such conditions for these offers (including the possibility to purchase additional voice and SMS services) and thus enable the use of these offers by mobile virtual operators (MVNOs) to create standard tariffs on the retail market containing voice and SMS services in addition to data services.

T-Mobile has set wholesale prices in the Light MVNO reference offer for data bundles, not for individual MBs. The prices of these bundles are shown in Table 4 below.

**Table 4 – T-Mobile Wholesale prices for data bundles reference offer for light MVNO**

FROM NOVEMBER 2022						
50 GB	21 GB	10 GB	6 GB	3 GB	2 GB	1 GB
325	206	142	120	77	62	37
MAY–OCTOBER 2022						
50 GB	21 GB	10 GB	6 GB	3 GB	2 GB	1 GB
454	287	198	169	108	87	53

\* (in CZK without VAT)

## 1.5 Terrestrial digital television and digital radio broadcasting

### Television broadcasting

In 2022, the situation regarding terrestrial digital television broadcasting has stabilised. The process of releasing the 700 MHz frequency band was successfully completed in the Czech Republic in 2020, and during 2021, broadcasting networks were being added in areas where the signal reception situation deteriorated as part of the transition. In 2022, only broadcasting network 24 saw an increase in coverage. However, as in previous years, investigations into complaints about interference or poor-quality reception continued throughout the year. Where frequency possibilities allowed, the development of regional broadcasting networks continued in 2022. The current overview of national and regional broadcasting networks and other details of the status of terrestrial TV broadcasting can be found on the Office's website at <https://digi.ctu.cz/dtv/>.

### Radio broadcasting and preparation for future digital broadcasting

In 2022, the Office continued to coordinate internationally the frequency requirements of applicants for new UHF-FM radio transmitters in the 87.5-108 MHz frequency band. These were requests submitted not only by foreign administrations, but also by private operators of radio broadcasting in the Czech Republic through the Council for Radio and Television Broadcasting ("RRTV") or Czech Radio (Český rozhlas). In accordance with the applicable laws, cooperation with the Council for Radio and Television Broadcasting was carried out, i.e. the Office, at the request of the Council for Radio and Television Broadcasting, designated diagrams of the use of individual radio frequencies and

the number of inhabitants covered by the radio signal transmitted on these radio frequencies.

In 2022, the digital radio broadcasting of Czech Radio (Český rozhlas), which was launched on the basis of the block allocation granted to Czech Radio (Český rozhlas) on 6 December 2021, continued. Czech Radio is expanding and densifying its broadcasting network in order to improve the availability of a quality signal even indoors, thus 11 new transmitters was put into operation in 2022. In addition to Czech Radio's public digital radio broadcasting, RTI cz, s.r.o., TELEKO digital, a.s., Joe Media s.r.o. and České Radiokomunikace a.s. provide broadcasting in Band III. However, the use of their current broadcasting frequencies is time-limited by international coordination and serves only as a temporary measure until frequency block allocations are made from the new frequency plan, which has been finalised and internationally coordinated approximately mid-2022. An up-to-date overview of the digital radio signal coverage of these operators can be found on the website of the Office at <https://digi.ctu.cz/dtv/>.

The completion of the international coordination of the group allocations listed in the Annex to the Radio Spectrum Utilisation Plan No. PV-P/21/08.2022-17 for the 174 - 380 MHz frequency band has enabled the intensive preparation of the tender procedure for the granting of rights to use radio frequencies for digital radio broadcasting of commercial stations. In preparation for the tender, the Office prepared a draft set of principles based on the findings of the roundtable discussion and published it for comments on its website on 27 September 2022. Although this was not a standard public consultation process pursuant to Section 130 of the Electronic Communications Act, the Office analysed the comments received and accepted the relevant



comments on the draft set of principles and used them in preparing the draft conditions of the tender. These draft tender conditions were published for consultation on 30 January 2023 but were subsequently withdrawn on 2 February 2023 by decision of the new Chairman of the Council. The draft document was discussed at the next roundtable on 15 February 2023, and comments raised by participants can be found on the Electronic Bulletin Board section of the Office's website under the tender in question. Following the comments made, a decision was taken to implement the auction part of the tender procedure in the form of an electronic auction for greater transparency. For this reason, it is necessary to prepare new tender conditions that take into account the electronic auction format. After having prepared the new conditions, the Office will publish the draft document for consultation pursuant to Section 130 of the Electronic Communications Act and subsequently announce the tender.

## 2 POSTAL SERVICES MARKET

### 2.1 Situation of the postal market

In 2022, three operators announced the closure of their postal services business and, on the contrary, 5 undertakings newly announced the provision of postal services. Thus, as of 31 December 2022, 28 undertakings were

During 2022, 30 operators were authorised to offer postal services in the Czech Republic at least for a certain period of time. As can be seen from the results of the collection of statistical data ensured by the Office in accordance with Act No. 29/2000 Coll., on Postal Services (hereinafter referred to as the "Postal Services Act"), only 22 operators actually provided postal services.

Operators may offer postal services either on the entire territory of the Czech Republic or only on part of it. Operators may limit the geographical scope of their business to both the ability to post mail and the ability to deliver it. A total of 22 operators offered the option to post mail throughout the Czech Republic in 2022, and 25 operators offered delivery service.

More detailed information about the operators and their services can be found on the Office's website (<https://www.ctu.cz/vyhledavaci-databaze/evidence-provozovatelu-poskytujících-nebo-zajistujících-postovní-sluzby>).

#### Volume of postal services

The primary indicator describing the development of the postal services market is the number of postal items transported within each postal service. The development of this indicator since 2019 is shown in Table 5 below.

**Table 5 – Development of the number of transported postal items**

Name of the postal service	2019	2020	2021	2022
delivery of a postal item up to 2 kg	296 717	238 776	207 324	181 466
	017	904	577	134
delivery of a postal parcel	16 009	36 494	48 538	127 786
	086	068	822	290
- of which: delivery of a postal parcel up to 10 kg	13 085	35 439	46 977	118 962
	486	689	858	534
delivery of a registered item	69 712	64 149	60 501	49 111
	767	749	262	454
- of which: delivery of a registered item up to 2 kg	69 395	63 679	59 880	48 498
	767	749	032	454
delivery of a valuable postal item	2 161 144	2 026 214	1 914 320	1 634 492
- of which: delivery of a valuable postal item up to 10 kg	2 144 732	2 011 234	1 900 216	1 621 947
delivery of a postal item up to 7 kg for the blind	78 077	68 427	70 585	58 920
- of which: delivery of a registered letter up to 7 kg for the blind	14 883	14 336	12 675	11 063
delivery of a printed matter bag	5 871	5 895	3 573	2 947
- of which: delivery of a registered printed matter bag	1 690	1 332	1 480	1 080
other	184 160	181 135	200 138	214 885
	577	541	565	273

The overview of postal services shows a long-term decline in the number of postal items containing documents, which are postal items up to 2 kg or registered letters. The decline is mainly due to changes in the way of communication and the transition to electronic form of delivery. Written communications are now primarily sent by electronic means, e-mails, SMS, data mailboxes or other communication applications. This trend will continue, also in connection with the amendment to Act No. 300/2008 Coll., on Electronic Acts and Authorised Conversion of Documents, as amended, when from 1 January 2023, the range of persons for whom a data mailbox is mandatorily set up was further expanded.

The postal service for the delivery of a valuable postal item and the service for the delivery of a valuable postal item up to 10 kg show a slight decrease. Valuable items (money, valuables, precious metals, etc.) are also transported as part of this service and it is therefore still used. Valuable postal items have been used in the past, among other things, because of the possibility of claiming compensation in the event of loss or damage to the postal item, up to the value of the contents stated at the time of posting. However, this parameter is also offered for other commercially used services.

On the contrary, there is an increase in postal services used for the transport of common items, e.g. goods sent from online shops. Due to the increasing volume of orders of goods via the Internet, the number of postal parcels up to and over 10 kg is growing. This trend is also supported by the development of postal networks of individual operators, which offer not only delivery of postal parcels to the place specified in the postal address, but also to parcel pick-up points (contractual partners' establishments) or self-service parcel pick-up

boxes, where the collection time is not limited by the opening hours of the brick-and-mortar establishment.

A fluctuating trend has been observed in the past when comparing the number of postal items carried under the "other" service category, which includes the delivery of addressed advertising postal item or the delivery of express postal item. The development of the number of postal items transported in this category was mainly influenced by the delivery of addressed advertising postal items, the number of which is decreasing. In the case of express postal items, on the contrary, there is a significant increase, which is caused by a higher number of postal items containing goods, especially from online shops, where the online shop customer has chosen a service with a guaranteed delivery time. Due to the increase in the number of express postal items, there will be an overall increase in the "other" category of postal items from 2020.

#### Other postal market indicators

The development of the postal market in the area of transport of postal parcels is associated with an increase in the number of establishments of alternative operators. In addition to the possibility of delivering mail, these establishments are now beginning to offer posting of postal items. Postal service operators use contractors' outlets for the delivery of postal items (primarily postal parcels), and the networks of these parcel pick-up points are expanding to smaller municipalities. In the case of Česká pošta, the significant increase in the number of contractual partner parcel pick-up points is due to the development of the network of so-called Parcel Shops ("Balíkovna").

Another way in which postal items are currently delivered (and, in the case of purchases in online shops, returned, i.e. posted) are self-service parcel pick-up boxes. Their advantage is that collection of the postal item is not dependent on the opening hours of the brick-and-mortar establishment and they also allow payment for

**Table 6 – Development of the number of establishments of postal service provider**

Number of establishments	2019	2020	2021	2022
owned	2 661	2 721	2 586	2 608
- of which: Česká pošta	2 600	2 543	2 481	2 418
of contract partners	4 581	7 120	8 240	11 745
- of which: Česká pošta	702	2 334	2 749	3 205
<b>Total</b>	<b>7 242</b>	<b>9 841</b>	<b>10 826</b>	<b>14 353</b>
- of which: Česká pošta	3 302	4 877	5 230	5 623

**Table 7 – Development of the number of self-service machines**

	2019	2020	2021	2022
Number of self-service machines	20	185	2 025	3 934

the delivered goods using various modes of payment. The popularity of this delivery method with recipients is evident from the rapid increase in the number of these machines installed.

Monitoring the development of the number of claims submitted and justified is one of the important indicators of the quality of postal services, which makes it possible to assess the satisfaction of users with postal services. In the long term, an increase in the number of claims submitted can be observed. In order to evaluate this indicator, it is also necessary to take into account the evolution of the number of postal items. The Office therefore also monitors the ratio of the number of claims in relation to the volume of postal items transported. The evaluation of this indicator shows that the quality of postal services is balanced in the long term.

**Table 8 – Number of claims about postal services**

	2019	2020	2021	2022
Number of received complaints	198 470	202 385	206 416	293 258
- of which: justified	42 567	36 138	50 898	82 144
Ratio of complaints to the number of transported postal items	0,035 %	0,039 %	0,033 %*	0,041 %

**Table 9 – Universal services provided by Česká pošta in the period 2019-2022 (in CZK thousands)**

Indicator	2019	2020	2021	2022
Number of carried postal items up to 2 kg (standard postal items)	173 842	164 991	147 675	134 065
Number of carried postal parcels up to 10 kg (standard postal items)	287	257	195	153
Number of carried postal items up to 7 kg for the blind (standard postal items)	38	37	47	42
Number of carried registered letters up to 2kg	62 597	56 196	52 373	45 618
Number of carried registered postal items up to 7 kg for the blind	12	11	11	9
Number of carried valuable postal items up to 10 kg	1 912	1 936	1 827	1 569
Number of carried printed matter bags	4 181	4 545	2 045	1 794
Number of carried registered printed matter bags	1 690	1 330	1 468	1 051
Number of money orders carried	27 624	23 970	20 295	16 792

Zdroj: Česká pošta

## 2.2 Development of universal services in 2022

According to the Postal Services Act, the holder of the postal licence, which in 2022 was Česká pošta, is obliged to ensure the availability of universal services. Their scope is set out in Section 3 of the Postal Services Act. For better clarity, the Office has published the specific commercial names of the services through which Česká pošta provides universal services on its website (<https://www.ctu.cz/zakladni-sluzby>).

Over the long term, the Office has been recording a decline in the number of postal items and postal money orders posted as part of the universal services, partly due to the development of competition. This trend applies to all universal services over the long term, as can be seen in Table 9 below.

As already mentioned in the previous chapter, in the case of postal items primarily used for the carriage of documents, the decline is due to the transition to electronic modes of communication. In the case of registered mail, the downward trend is not so pronounced. However, it can be assumed that from 2023 onwards, the number of registered letters will decrease in connection with the mandatory use of data mailboxes by natural persons carrying out business activities.

The decline in the number of postal parcels and valuable postal items transported as part of the universal services is mainly due to a change in the preferences of customers who prefer postal services of other operators as well as commercially offered products of Česká pošta provided on top of the universal services.

The decline in the number of postal money orders transported is mainly due to the use of non-cash payments and electronic banking. Postal money orders are used more by public authorities, e.g. for sending financial contributions to persons who do not have a bank account or for collecting certain taxes (e.g. property tax). Payment transactions between citizens are moving towards various forms of electronic banking.

### Regulation in the area of universal services

Universal services must be provided throughout the Czech Republic in the specified quality, under comparable conditions for all users, at affordable prices and every working day. The Office informs the public about the manner in which the postal licence holder fulfils this obligation through an annual report published in the Postal Bulletin and on the Office's website <https://www.ctu.cz/zprava-o-plneni-povinnosti-ceske-posty-sp-v-oblasti-zakladnich-sluzeb>.

The only clearly measurable parameter of quality of the universal service provided is the speed of delivery of postal items. Pursuant to

Section 22 of Decree No 464/2012 Coll., Česká pošta is obliged to measure the delivery times of postal items weighing up to 50 g in

accordance with ČSN EN 13850 (hereinafter referred to as "measurement") and to achieve a measurement result of at least 92% of postal items delivered on the first working day following the day on which the item was posted.

In 2022, Česká pošta met this indicator, achieving a result of 93.03%.

A tender for a new postal licence holder for the period 2023-2024 was held in 2022; Česká pošta again became the postal licence holder. Compared to the previous postal licence, the Office did not impose the obligation to ensure the availability of the universal service of delivery of postal parcels up to 10 kg nationally and delivery of postal items up to 2 kg nationally for postal items whose dimensions exceed 35.3 x 25 x 2 cm or weight of 1 kg. These services are provided at a comparable quality at an affordable price by commercially offered postal services.

### Prices of universal services in 2022

Česká pošta has increased the basic prices of its universal services in 2022 compared to the basic prices valid as of 31 December 2021, by increasing, from 1 November 2022:

- » the basic prices of the national universal services of "Ordinary economy letter" and "Ordinary priority letter" by CZK 2,
- » the basic prices of the national universal services of Money order A including COD order A (cash-account), Money order B (account-cash), Money order C including COD order C (cash-cash), Money order D (cash-cash, D+1) by CZK 5,
- » the basic prices for the universal services to foreign countries – Ordinary Stationery Bag and Registered Stationery Bag – by changing the structure of their price lists in such a way as to fundamentally reduce the number of weight categories (tiers) of these universal services, which resulted in price changes – mostly price increases for the weight categories of these universal services most commonly used by senders.

For basic domestic Economy Registered Letter, Priority Registered Letter, Registered Parcel, Valued Letter, Regular Parcel, Valuable Parcel, and for universal international services Ordinary Postal Item, Registered Postal Item, Valuable Letter, Standard Economy Parcel, Standard Priority Parcel, Valuable Economy Parcel, Valuable Economy Parcel, Valuable Priority Parcel, prices have not changed in 2022.

In addition to the above-mentioned changes (increases) in the prices of universal services relating primarily to postings by ordinary consumers and other retail senders, in 2022 Česká pošta also made adjustments to the discounts it had previously provided on letters for its contract-based customers - as of 1 January 2022, Česká pošta cancelled the annual volume discounts for Registered Letters and reduced the annual volume discounts for Ordinary Letters.

In its assessment of the level of prices of universal services under the provisions of Section 34a(1) of the Postal Services Act (carried out according to the methodology for assessing the affordability of universal postal services published on the website of the Office), the Office has not found out that the prices of universal services became unaffordable for users in 2022.

The following table documents the development of the basic prices of selected national universal services in 2022 by comparing the level of these prices as of 31 December 2021 and as of 31 December 2022.

**Table 10 – National universal services for which the basic prices changed in 2022**

National universal services	Price as by 31 December 2021 (CZK per ps)	Price as by 31 December 2022 (CZK per ps)
Ordinary letter - Economy up to 50 g	19	21
Ordinary letter - Economy up to 100 g	23	25
Ordinary letter - Economy up to 500 g	27	29
Ordinary letter - Economy up to 1 kg	33	35
Ordinary priority letter up to 50 g	26	28
Ordinary priority letter up to 100 g	30	32
Ordinary priority letter up to 500 g	34	36
Ordinary priority letter up to 1kg	40	42

### Funding of the universal services

On 25 July 2022, the European Commission confirmed by a decision in proceedings under ref. No. SA.55208 that the expected compensation of net costs for Česká pošta in the cumulative amount of CZK 7,500,000,000 for the period from 2018 to 2022 constitutes state aid compatible with the internal market. Following this decision, the Office reopened the suspended administrative proceedings concerning the reimbursement of net costs to Česká pošta for the years 2018-2020.

Therefore, the Office gradually resumed the suspended administrative proceedings concerning the verification of the amount of net costs for the years 2018, 2019 and 2020 and on 8 August 2022, 19 August and subsequently on 5 September issued decisions in which, after verifying the specific amount of net costs for each year (see table below) and in accordance with the statutory limit, it determined the entitlement to compensation for net costs in each year in the amount of CZK 1,500,000,000.

The Office also issued a decision on preliminary net costs for the years 2021 and 2022 in the amount of one half of the net costs representing the unfair financial burden for the nearest preceding settlement period, which represents an aggregate amount of CZK 750,000,000 for each year.

During the months of August and September 2022, on the basis of these decisions, compensation from the state budget was paid to Česká pošta through the Office following the entry into force of the decisions in the total amount of CZK 6,000,000,000.

**Table 11 – Summary overview of reimbursement of net costs incurred in the period 2013–2021 made as of 31 December 2022 (in CZK)**

Year	Česká pošta request	Approved amount of net costs	Compensation of net costs	Compensation of preliminary net costs
2013	1 774 645 468 Kč	947 797 553 Kč	800 000 000 Kč	–
2014	1 754 764 485 Kč	851 780 872 Kč	700 000 000 Kč	–
2015	1 755 213 456 Kč	914 807 746 Kč	600 000 000 Kč	–
2016	2 093 847 271 Kč	1 267 674 931 Kč	500 000 000 Kč	–
2017	2 142 600 138 Kč	1 253 322 382 Kč	1 500 000 000 Kč	–
2018	2 711 845 862 Kč	2 699 370 809 Kč	1 500 000 000 Kč	–
2019	2 834 387 630 Kč	2 816 017 750 Kč	1 500 000 000 Kč	–
2020	1 869 691 252 Kč	1 833 352 237 Kč	750 000 000 Kč	–
2021	1 850 625 159 Kč	1 835 085 826 Kč	750 000 000 Kč	750 000 000 Kč
2022	–	–	–	750 000 000 Kč

On 29 August 2022 Česká pošta submitted a request for the reimbursement of the net costs representing unfair financial burden for the year 2021 in the maximum possible amount of CZK 1,500,000,000. Total net costs for the year 2021 were quantified by Česká pošta in the amount of CZK 1,850,625,159.

The Office issued a decision on the verification of net costs on 30 November 2022 in the amount of CZK 1,835,085,826. In accordance with the statutory cap limiting the amount of reimbursement, compensation in the amount of CZK 750,000,000 was paid to Česká pošta in December, when the Office took into account the preliminary net costs for the period paid to Česká pošta in August 2022 in the amount of CZK 750,000,000.

» Act No. 194/2017 Coll. on Measures to Reduce the Costs of Implementation of High-Speed Networks of Electronic Communications and on Amendments to Certain Related Acts (hereinafter referred to as "Act No. 194/2017 Coll.").

The following laws and regulations were enacted in 2022 which had or will have in the future impact on the sector of electronic communication services or the sector of postal services.

### 3.1 Amendments to the Electronic Communications Act

On 1 January 2022, Act No. 374/2021 Coll., amending Act No. 127/2005 Coll., on Electronic Communications and Amending Certain Related Acts (Electronic Communications Act), as amended, and certain other Acts came into force, which transposed Directive (EU) 2018/1972 of the European Parliament and of the Council of December 11. 12. 2018 establishing a European Electronic Communications Code into the law of the Czech Republic.

In connection with this amendment, it was necessary to update the implementing legislation (government decrees, ordinances) to the Electronic Communications Act, details of which are provided in the section entitled 3.4 Other Legislation.

## 3 LEGAL FRAMEWORK

The legal framework for the market for electronic communications networks and services and the market for postal services, and for the exercise of the regulatory and supervisory powers of CTU consists in particular of:

- » Act No. 127/2005 Coll., on Electronic Communications and on Amendments to Certain Related Acts (Electronic Communications Act),
- » Act No. 29/2000 Coll., on Postal Services and on Amendments to Certain Acts (Postal Services Act),

During 2022 alone, no amendments to the Electronic Communications Act were enacted that would have a significant impact on that segment of the electronic communications sector.

### 3.2 Amendment to the Postal Services Act

No amendment to the Postal Services Act having significant impact on the sector of postal services was adopted in 2022. However, the implementing legislation has been updated as part of Decree No. 465/2012 Coll., on the Method of Keeping Separate Records of Costs and Revenues of the Postal Licence Holder, as amended by Decree No. 404/2017 Coll. Details are provided in section 3.4 Other laws and regulations.

### 3.3 Amendments to Act No. 194/2017 Coll.

In 2022, no amendment to the Electronic Communications Act was enacted that would have a significant impact on that segment of the electronic communications sector.

### 3.4 Other laws and regulations

**Act No. 242/2022 Coll., on Video Sharing Platform Services and on Amendments to Certain Related Acts (the Video Sharing Platform Services Act),** which entered into force on 15 August 2022.

The Act is a transposition of European law and its impact on electronic communications is only indirect. Access to the video sharing platform services and the content served by them, as well as the transmission of radio and television broadcasts, are provided through electronic communications networks and services. It is therefore not exceptional that some providers of electronic communications services are or may also be providers of video sharing platforms. The Council for Radio and Television Broadcasting (RRTV) is the supervisory authority for the fulfilment of the obligations under the Act.

**Act No. 247/2022 Coll. amending Act No. 242/2000 Coll., on Organic Farming and on Amendment to Act No. 368/1992 Coll., on Admini-**

**strative Fees, as amended, and Act No. 146/2002 Coll., on the Czech Agriculture and Food Inspection Authority and on Amendment to Certain Related Acts, as amended,** which entered into force on 1 October 2022.

This amendment, among other things, gives the Czech Agriculture and Food Inspection Authority the powers and responsibilities to maintain and publish a list of websites offering unsafe food or whose content seriously violates the requirements set out in the applicable laws and regulations, which the Inspection Authority is competent to check. Providers of Internet access services in the territory of the Czech Republic are newly obliged to prevent access to the websites included in this list within 15 days of the date of publication. This is similar to blocking access as in the case of Act No. 378/2007 Coll., on Pharmaceuticals and on Amendments to Certain Related Acts, or, as the case may be, Act No. 186/2016 Coll., on Gambling.

**Act No. 374/2022 Coll. amending Act No. 634/1992 Coll., on Consumer Protection, as amended, and Act No. 89/2012 Coll., the Civil Code, as amended,** which entered into force on 6 January 2023.

This Act ensures the proper transposition of directives in the field of protection of consumer rights. The subject of the regulation is in particular the protection of consumers against abusive arrangements and unfair commercial practices or issues related to price labelling of products, purchase of goods, digital content and digital services, as well as general issues concerning the conclusion of consumer contracts and the content of such contracts; the rules on consumer purchase and package travel are transposed under the relevant contract types.

Last but not least, the supervisory powers of the individual supervisory authorities are being unified, insofar as this was possible with regard to the market segment subject to inspection. The competence of the individual supervisory authorities is also being extended to include checking compliance with the obligations laid down in the Civil Code. The basic principles of the division of competences remain unchanged, where the

Czech Trade Inspection Authority continues to check, with certain defined exceptions, compliance with the obligations set out in the Act comprehensively, while specialised supervisory authorities (such as CTU) proceed in exercising supervisory powers and responsibilities in accordance with their relevant legislation and, where special legislation exists, it takes precedence over the provisions of the Consumer Protection Act.

### Implementing regulations issued or drafted by CTU in 2022

- » **Decree No. 259/2022 Coll. amending Decree No. 465/2012 Coll., on the Method of Keeping Separate Records of Costs and Revenues of the Postal Licence Holder, as amended by Decree No. 404/2017 Coll.,** which entered into force on 1 January 2023.
- » **Decree No. 22/2022 Coll., amending Decree No. 267/2017 Coll., on Caller Location and Identification when Calling Emergency Numbers, and Decree No. 117/2007 Coll., on Numbering Plans for Electronic Communications Networks and Services, as amended,** which entered into force on 4 February 2022.
- » **Decree No. 23/2022 Coll., amending Decree No. 388/2006 Coll., on the Net Costs of Universal Service in Electronic Communications,** which entered into force on 1 March 2022.
- » **Decree No. 37/2022 Coll. amending Decree No. 161/2005 Coll., on the Determination of the Characteristics of the Functions of Specially Modified Telecommunication Terminal Equipment for Different Types of Handicap,** which entered into force on 1 March 2022.
- » **Decree No. 41/2022 Coll. amending Decree No. 462/2013 Coll., on the Determination of the Amount and the Method of Reimbursement of Effectively Spent Costs for Wiretapping and Recording of Messages, for Storage and Provision of Operating and Localisation Data and for Provision of Information from the Subscriber Database of a Publicly Available Telephone Service,** which entered into force on 1 April 2022.
- » **Decree No. 51/2022 Coll., on the Scope, Form**

**and Manner of Publication of Information on Access or Interconnection and on the Requirements, Scope and Form of the Reference Offer for Access or Interconnection,** which entered into force on 1 April 2022.

- » **Decree No. 52/2022 Coll., on the Technical and Organisational Conditions for the Use of the Software Application and the Electronic Form for Data Collection in the Field of Electronic Communications, which entered into force on 1 April 2022, with the exception of the provisions of Section 2(5),** which entered into force on 1 January 2023.
- » **Decree No. 58/2022 Coll., on the Conditions for Number Portability and the Change of Internet Access Service Provider,** which entered into force on 1 April 2022.
- » **Decree No. 182/2022 Coll. Laying Down the Characteristics of Reasonable Requirements for the Provision of Internet Access Service and Access to Voice Communication Service at a Fixed Location and their Quality Parameters in the Universal Service,** which entered into force on 1 July 2022.
- » **Decree No. 380/2022 Coll., on the Criteria for Determining a Serious Breach of Network and Service Security and Loss of Network Integrity and the Extent and Form of Transmission of Breach Information,** which entered into force on 1 January 2023.
- » **Decree No. 381/2022 Coll., amending Decree No. 241/2012 Coll., on the Determination of Requirements Contained in the Technical and Organisational Rules to Ensure the Security and Integrity of Public Communications Network and the Interoperability of Publicly Accessible Electronic Communications Services in Crisis Situations,** which entered into force on 1 January 2023.
- » **Government Decree No. 408/2022 Coll., amending Government Decree No. 154/2005 Coll., on the Determination of the Amount and Method of Calculation of Fees for the Use of Radio Frequencies and Numbers, as amen-**

ded, and Government Decree No. 42/2017 Coll., amending Government Decree No. 153/2005 Coll., on the Determination of the Method and Amount of the Creation of Funds of the Radiocommunication Account and the Method of their Disbursement, which entered into force on 1 January 2023.

- » **Measure of General Nature No. OOP/7/06.2022-9, repealing the Measure of General Nature No. OOP/7/07.2005-12 laying down the scope, form and method of publication of information relating to access to the network or interconnection of electronic communications networks and essentials, scope and form of the reference offer for access or interconnection, as amended.**
- » **Measure of General Nature No. OOP/8/06.2022-10 repealing the Measure of General Nature No. OOP/8/07.2005-11, laying down the essentials and conditions of the reference offer of unbundled access to the metallic local loop, as amended by the Measure of General Nature No. OOP/8/07.2011-11.**

CTU proceeded to repeal both measures of general nature in view of the issuance of Decree No. 51/2022 Coll.

- » **Measure of General Nature No. OOP/10/06.2022-11 repealing the Measure of General Nature No. OOP/10/10.2012-12, laying down the technical and organisational**

conditions for implementing telephone number portability and the principles for number portability billing between undertakings, as amended by Measure of General Nature No. OOP/10/02.2020-1.

CTU proceeded to repeal the measure of general nature in view of the issuance of Decree No. 58/2022 Coll.

- » **Measure of General Nature No. SP/2/01.2022-1 amending Measure of General Nature No. SP/2/05.2011-7 issuing the network plan of transmission parameters of public telephone networks.**
- » **Measure of General Nature No. SP/3/02.2022-2 issuing the network plan for signalling of public communication networks.**
- » **Measure of General Nature No. SP/4/07.2022-15 repealing Measure of General Nature No. SP/4/07.2011-13 laying down the identification of networks, data flows and services of terrestrial digital television broadcasting networks.**

CTU proceeded to repeal the measure of general nature, as its content was replaced by Decree No. 103/2018 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.



# EXPERT AND ADMINISTRATIVE ACTIVITIES OF THE OFFICE

## 1 CONSUMER PROTECTION

### 1.1 Independent comparison tool

The Office operated a free independent comparison tool in 2022, which it had launched the previous year. The comparison tool makes it possible to compare and assess publicly available electronic communication services provided to consumers in terms of price and quality for the following services: mobile calls, SMS and data services, mobile internet, calls at a fixed location, internet at a fixed location and pay-TV services. Information on the parameters of individual services must be entered into the comparison tool by their providers, who are responsible for the accuracy of the information provided.

The comparison tool is available on the Office's website at <https://srovnac.ctu.cz>. For price comparisons, the comparison tool makes it possible to use parameters

with pre-set usage sizes or one can enter their own data on usage of individual services, type of commitment, etc. In the case of services provided at a fixed location, users of the comparison tool must also enter the address where the service is to be available. Providers of the services being compared can use the comparison tool to check how competitive their services are. The comparison tool also offers users the possibility to report incorrectly filled in data for specific providers and services to the Office via a form. The Office deals with the complaints received and ensures remedy with the providers concerned.

### 1.2 Price barometer

In 2022, the Office also operated the so-called price barometer on its website (available at <https://www.ctu.cz/vyhledavaci-databaze/srovnacvi-prehled-cen-a-podminek/cenovy-barometr>).

**Srovnávací nástroj cen a kvality**  
Srovnáváme ceny a kvalitativní parametry veřejně dostupných služeb elektronických komunikací a jejich kombinací

Vyberte typické množství Vaší spotřeby za kalendářní měsíc pro každý druh služby a získejte přehled nejvýhodnějších nabídek.

Pokud si z předdefinovaných hodnot nevyberete, vyberte Vlastní a zadejte množství přesně podle Vaší spotřeby.

Služba	Vůbec	Málo	Středně	Hodně	Vlastní
Mobilní volání, SMS a data		100 min	300 min	600 min	
Mobilní internet		2 GB	5 GB	10 GB	
Volání v pevném místě		100 min	300 min	600 min	
Internet v pevném místě		20 Mbps	100 Mbps	500 Mbps	
Televize		30 stanic	80 stanic	130 stanic	

Typ smlouvy: nezáleží  
Určeno pro: kohokoliv  
Operátoři: všichni

Zobrazit nejvýhodnější nabídky

It shows the development of prices divided into individual intervals by the size of the data limit, for four mobile operators. Its purpose is not to compare the offers of individual providers of electronic communication services, but rather to indicate the development of the retail price level for the most important electronic communication services.

### 1.3 Subscriber contracts

In 2022, subscription agreements were mainly affected by the amendment to Act No. 374/2021 Coll. which amended the Electronic Communications Act.

By 1 July 2022, providers were obliged to align their contractual documentation with the aforementioned amendment, which significantly affected, in particular, providers' pre-contractual and contractual information obligations. The requirements for pre-contractual information are set out in Annex 1 to the Electronic Communications Act. Providers are also now required to provide the consumer with a intelligible summary of the contract in the format set out in Commission Implementing Regulation (EU) 2019/2243 before the conclusion of the contract. The amendment also simplifies the process of switching Internet access providers with the aim of making the transition to a new provider as smooth as possible, ideally with the least possible impact on service users. Changes have also been made to the portability of telephone numbers and the conditions for the provision of so-called service bundles have been newly regulated.

The amendment also took into account the issue of unsolicited marketing calls made via electronic communications networks. With effect from 1 July 2022, the legislation thus restricts the ability of businesses to make commercial offers by telephone, when they may only contact potential customers who have consented to being contacted for marketing purposes (opt-in principle).

In this respect, CTU verified the readiness of providers for the transposition amendment to the Electronic Communications Act even before the transposition amendment came into effect, when it reached 60 of the largest providers of electronic communications services with educational material and an offer of professional consultations in the preparation and implementation of

the amended version of the Electronic Communications Act into their contract terms and conditions so that after 1 July 2022, customers would be able to take full advantage of the new legislation.

In the area of subscriber contracts, as in previous years, the Office generally monitored and evaluated complaints and queries from subscribers concerning this scope of activities. The most frequent complaints dealt with by CTU were related to the conclusion and termination of contracts, and as in previous periods, the Office also recorded a number of complaints about unilateral changes to contracts, mainly related to the fulfilment of providers' information obligations. The change in the rules for telephone marketing offers already led to an increase in inquiries before the Electronic Communications Act took effect and a significant increase in complaints from the general public after the Act took effect.

### 1.4 Net neutrality – Internet access (open Internet)

CTU is the competent supervisory body for issues related to Regulation (EU) 2015/2120 of the European Parliament and of the Council laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (hereinafter also referred to as "Regulation"), as amended.

In 2022, as part of its activities in BEREC, the Office actively participated in the preparation of the opinion on the application of the Regulation in the period since its adoption in 2015, prepared for the Commission, as well as in the preparation of the revision of the guidelines on the implementation of the Regulation.

The BEREC Guidelines have been amended twice since they were first published, namely in 2020 and 2022. The second amendment took place on the basis of the judgments of the Court of Justice of the EU (hereinafter referred to as "ECJ"). These are judgements C-34/20, C5/20 and C854/19 of 2021 concerning the commercial practice of zero rating. In its judgements, the ECJ found this practice incompatible with the provisions of the Regulation. The Office publishes an up-

dated version of the BEREC Guidelines on its [website](#).

In response to Russian aggression in Ukraine, the Council of the EU updated Council Regulation (EU) No. 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine several times in 2022. The Regulation, in its Article 2f, newly prohibits the dissemination of content by legal persons, entities or bodies listed in Annex XV to this Regulation. Obligated persons include, among others, undertakings in electronic communications. The Office publishes updated information on the issue of content blocking on its [website](#).

### 1.5 Telecommunication Academy

Also, CTU continued with its project of the Telecommunication Academy in 2022. Professionally trained lecturers from among the Office's employees give presentations to educate target groups, especially the elderly citizens, so that they can better navigate the world of electronic communications and postal services. Topics are selected and developed not only with regard to current trends and new developments in these areas, but also to the requests of the audience. Frequent topics include, for example, the so-called colour lines, premium SMS, m-payments (mobile payments) and, above all, the issue of submitting claims about services and billing for their price. In the area of provision of postal services, one of the most frequently discussed topics is the issue of international postal items as well as the issue

of claim procedures.

In 2022, CTU has newly prepared presentations focusing on cybersecurity, the Internet and online platforms and, in connection with the change in legislation, also a presentation on unsolicited marketing calls.

In the Telecommunication Academy, 70 presentations were held during the year and 1,447 participants were trained.

CTU also continues to produce educational videos lasting several minutes, explaining specific issues and how consumers can act in certain situations. The videos are no longer targeted only at the elderly citizens, but also the general public. In 2022, CTU published the videos entitled "Cesta balíku" ("The Journey of the Parcel"), "Barvé linky" ("Colour Lines"), "Zábava v pasti" ("Entertainment in the Trap"), "NetTest – Jak změřit rychlost internetu" ("NetTest – How to Measure Internet Speed") and, in response to the current situation, two videos focusing on the issue of unsolicited marketing calls and defending against them. A video dealing with the highly relevant and important topic of 'sharenting' was also published.

Cooperation with the Brno Metropolitan Police also continues as part of its preventive education programme Senior akademie (Academy for the Elderly), which is a special study programme in a lifelong learning format. The Office also continues to cooperate with universities for the purpose of offering training within the framework of the so-called Universities of the Third Age.



## 2 SETTLEMENT OF SUBSCRIBER DISPUTES AND USER COMPLAINTS

### 2.1 First-instance administrative proceedings

- 38 909 subscriber disputes in 2022
- 13 208 of which pending administrative proceedings carried over from 2021
- 25 701 of which newly initiated administrative proceedings

The Office was dealing with subscriber disputes concerning the payment of the price for services (pecuniary consideration).

- 24 890 decisions issued on the matter
- 82 of which were decision on objections to the handling of a claim about the service provided and to the billing of the price for the service
- 69 of which were decision on objections to the handling of a claim about the billing of the price for the service

The remaining decisions were related to a different dispute.

CTU received 178 more motions to initiate so-called subscriber disputes than in the previous year, with most of the motions received relating to disputes over payment. The lower volume of disputes solved is also linked to the lower number of decisions issued compared to 2021.

• 24 975 decisions issued by CTU in 2022 in first-instance proceedings

Overviews of subscriber disputes for the year 2022 are provided in Annex 1 to this Report.

### 2.2 Second-instance administrative proceedings

Administrative work on decisions on administrati-

ve appeals in disputes about the payment of a price for the services of electronic communications (Section 129(1) in conjunction with Section 64(1) of the Electronic Communications Act):

- 974 decisions on administrative appeals related to the activities in 2022
- 808 administrative appeals from the previous period
- 487 newly contested administrative appeals

The trend of a significant decline in the backlog of cases on this scope of administrative activities continued.

• 341 decisions pending as at 31 December 2022

In a significant part of the decisions on administrative appeals, the Office dealt with objections of service providers to operative parts not satisfying their claims for payment of contractual penalties (or similar claims arising from quasi-sanction contractual arrangements) in disputes with consumers.

The administrative work concerning decisions on administrative appeals lodged against decisions issued in the procedure for objecting to the handling of a claim (Section 129(3) of the Electronic Communications Act):

In the relevant period, a total of 31 administrative appeals were contested in this scope of administrative activities (6 administrative appeals were carried over from the previous period) and a total of 35 administrative appeals were decided. As in the previous period, the majority of the cases dealt with in the administrative appeal procedure consisted of objections by service subscribers (users) to the handling of a claim about the billing of the price of services (26), and the remaining cases concerned objections to the handling of a claim about a defect in the service provided.

The administrative work concerning decisions on administrative appeals lodged against decisions issued in the procedure for objecting to the handling of a claim about defects of postal services (Section 6a(1) of the Postal Services Act):



- 59 newly contested administrative appeals as at 31 December 2021
- 80 settled administrative appeals
- 34 administrative appeals pending from previous period

As in 2021, the overwhelming majority of cases resolved in the administrative appeal procedures consisted of objections raised by customers of Česká pošta to the handling of a claim related to a claim for compensation for damage to a postal item. The trend of an increasing number of objections continued in the case of claimed postal items to foreign countries, which were delivered with a significant delay. Compared to the period of 2021, fewer objections related to the loss of a postal item were dealt within the administrative appeal procedure related to this scope of activities.

### 2.3 Disputes in the area of postal services

Since 1 January 2013, CTU has been deciding on objections to the handling of claims about postal services pursuant to Section 6a of the Postal Services Act. This involves administrative proceedings which CTU commences upon request of the recipient or sender. The commencement of the proceedings is conditional upon the fact that the recipient or sender, before lodging a motion for the commencement of the proceedings, makes a warranty claim about defects to a provided postal service with the operator of postal services and the warranty claim is not accepted by the operator of postal services or settled at all.

- 236 new motions to initiate proceedings concerning an objection to the handling of a postal service defect claim in 2022
- 288 decisions issued by CTU in 2022

### 2.4 Complaints of the subscribers and users of electronic communications services

Within the scope of its powers and responsibilities, the Office also handles complaints of subscribers or users of electronic communications services. But such complaints are not complaints according to Section 175 of the Administrative Procedure Code (complaints about inappropriate conduct of officials or about the actions of an administrative body).

- 3 021 written complaints in 2022 = decrease by 8% compared to the previous period
- 812 of which complaints about offering marketing advertising = 25% of all submissions received
- 429 complaints about the billing of the price for the services = 14.2% of all complaints
- 450 complaints about subscriber contracts = 15% of all complaints

These complaints are processed by the Office by providing information to the complainant about possible further procedure, about related legislation, or by settling them in administrative proceedings pursuant to Section 129 of the Electronic Communications Act (subscriber disputes) as objections to the handling of a claim about the price for the services provided.

In 2022, CTU recorded 67 written submissions concerning the portability of telephone numbers, which is a minimal number considering the number of ported telephone numbers.

- 4 737 queries resolved in 2022

Most queries were related to the conditions of undertaking business in electronic communications and examinations of professional qualification, and outside the above-mentioned categories the majority of inquiries involved the issue of billing of services, subscriber contracts, and the quality of the service.

The overview of complaints of subscribers/users of electronic communication services is provided in Appendix No. 2 to this Report.

### 2.5 Complaints of users of postal services

Within its scope of powers and responsibilities, the Office also deals with complaints relating to postal services. CTU also puts on record complaints concerning non-postal services; these are not processed by the Office itself, instead they are referred to the competent body authorised to deal with them.

- 392 written complaints about postal services in 2022
- 204 of which complaints about universal postal services

- 224 telephone inquiries about postal services in 2022

In the period in question, most complaints concerned the handling of claims and the delivery of postal items, where, as in previous periods, customers encountered the most problems.

A table presenting an overview of customer complaints about postal services can be found in Appendix No. 5 to this Report.

## 3 FREQUENCY SPECTRUM MONITORING AND MEASURING SYSTEM OF ELECTRONIC COMMUNICATIONS

### 3.1 ASMKS

In accordance with Section 15(11) of the Electronic Communications Act, the Office checked on an ongoing basis the occupancy and efficient use of the radio spectrum using the Automated Radio Spectrum Monitoring System (hereinafter "ASMKS"). In 2022, 5,296 tasks were assigned and solved through the ASMKS system, of which:

- » 2 991 requirements for monitoring radio spectrum utilisation and measuring the parameters of the frequencies used,
- » 580 requirements for inspections of radio and electrical equipment, electronic equipment, networks and services,
- » 1 725 requirements for investigation of the interference with the radiocommunication services.

A total of 5160 cases were closed (including 481 cases carried over from the end of the previous year) of which:

- » 2 877 requirements for monitoring radio spectrum utilisation and measuring the parameters of the frequencies used,
- » 616 inspections of radio and electrical equipment, electronic equipment, networks and services,
- » 1 667 cases of investigations of interference with radiocommunication services – a more detailed breakdown of closed interference cases is provided in Appendix No. 3 to this Report.

### 3.2 MSEK

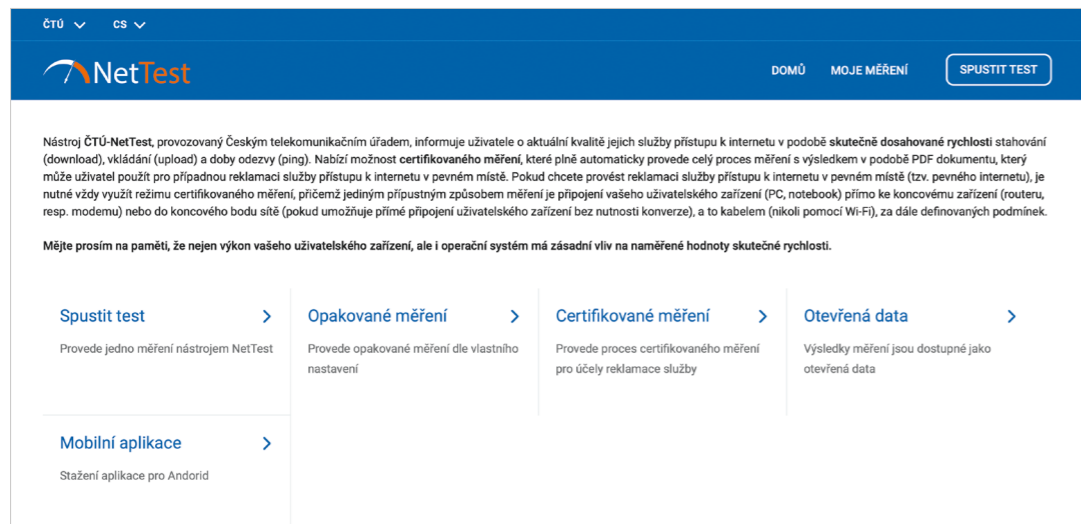
Measuring system of electronic communications

"MSEK" – the system was used to monitor the fulfilment of obligations in accordance with European and national legislation in the area of the quality of data services provided via fixed and mobile telecommunications networks to end users. The system consists of two parts – a calibrated system for measuring data parameters of telecommunication networks, which was used for the Office's inspection activities, and a certified tool for the general public called NetTest (<https://nettest.cz>).

To ensure greater transparency in the assessment of network capacity and its impact on the performance of Internet access services, the Office has developed a new methodological procedure entitled "Methodology for assessment of the impact of electronic communications networks capacity on the performance of internet access services", which can be used to objectively assess and evaluate the impact of the capacity of electronic communications networks, specifically in the segment of the electronic communications distribution or access network, on the performance of Internet access services, or the impact on the speed actually achieved. In this methodology, the Office transparently declares its assessment procedures, particularly in relation to service providers. From 1 January 2023, the new methodology is publicly available on the website of the Office (<https://www.ctu.cz/vyhodnocovani-kapacity-siti>).

#### NetTest

On 5 December 2022, the NetTest mobile application for Android was also made available to the public, allowing users to obtain information on the current quality of mobile internet access service. The application for OS iOS is expected to launch in 2023. In 2022, approximately 0.5 million subscribers used the certified NetTest measurement tool and a total of 680,297 measurement tests were performed, mainly via the web interface.



## VPortal

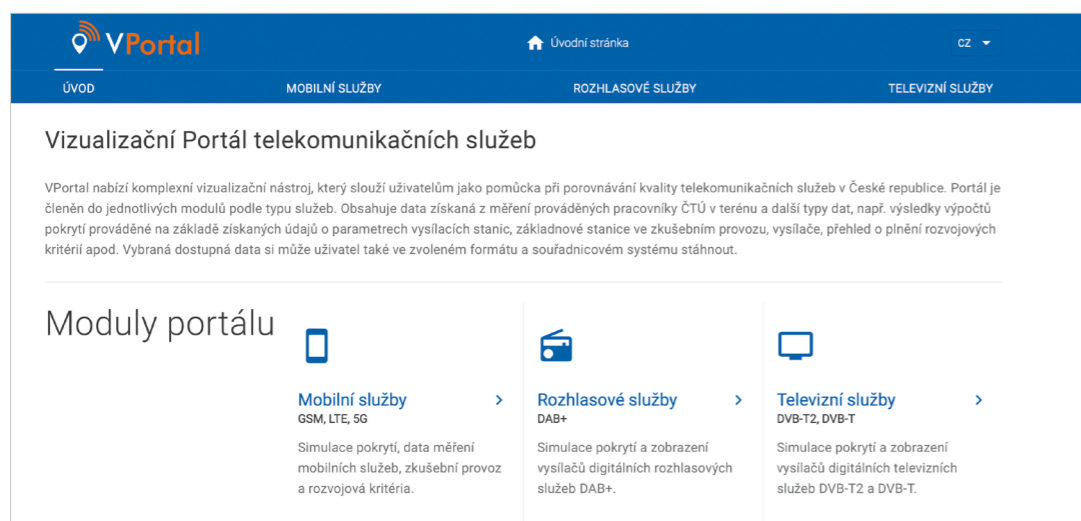
The measurement system of electronic communication also includes other functionalities, in particular the visualisation portal “VPortal”, which is now available at <https://vpor-tal.ctu.cz>. In 2022, the visualisation portal was launched in a new design as “VPortal”, new features were implemented and data was updated. It is a comprehensive tool that serves both the Office and the general public as a basic tool for comparing the quality and availability of telecommunications services based on measurement results.

## 4 INSPECTION ACTIVITIES

### 4.1 Keeping records and inspecting undertakings in electronic communications and postal services

Pursuant to Section 14 of the Electronic Communications Act, in 2022 the Office issued 72 certificates certifying that the entity intending to carry out business in the area of electronic communications has fulfilled the obligation pursuant to Section 13 of the same Act and reported this fact to CTU in writing.

In another 2,182 cases, entrepreneurs notified the Office of a change in the data provided in the notifica-



tion of their business activity, or notified the interruption or termination of their business activity in electronic communications.

The large increase in notifying a change from previous years (more than a fourfold increase from 2021) was driven primarily by Act No. 374/2021 Coll. amending the Electronic Communications Act. One of the transitional provisions of this amendment established an obligation of undertakings that notified their electronic communications business activities before 1 January 2022 to submit an updated notification to the Office on a new electronic form (<https://epeform.ctu.cz/>). This obligation should have been fulfilled by the undertakings by 1 July 2022 at the latest. The fact that not all undertakings did so by the deadline resulted in the need for further action by the Office. Since 1 July 2022, among other things, 15 inspections have been carried out to verify the activities actually carried out by providers of electronic communications services. Defects were found in 4 cases. The implementation of the inspections in question, together with other activities of the Office, had a positive impact on the refinement and updating of data in the register of undertakings in electronic communications.

In the matter of conducting business activities in electronic communications in violation of Section 8 of the Electronic Communications Act, i.e. conducting business activities without a notification fulfilling the requirements of Section 13 of the same Act, and in the matter of failing to notify a change in the information provided by a legal entity or natural person conducting business activities in a notification of a communication activity, i.e. in violation of Section 13 of the Electronic Communications Act, including fulfilling the obligation to notify a change in the information according to the new structure and content that complies with the requirements of the Electronic Communications Act effective from 1 January 2022, a total of 82 administrative offence proceedings were conducted in 2022. A total of 81 penalties in total amount of CZK 377,000 were imposed as a final act.

### 4.2 Inspecting the compliance with legal obligations of postal service operators

In the period under review, a total of 769 inspections and 180 local investigations were carried out to

supervise postal service operators or to investigate specific customer complaints and objections.

Based on suggestions from the general public or findings from the Office's own official activities, in 2022 the Office commenced 83 proceedings concerning administrative offences related to postal services. The result of the proceedings conducted by CTU in 2022 is 90 fines imposed in total amount of CZK 2,759,000. An overview of the inspection and decision-making activities of CTU in the field of postal services is provided in Appendix No. 4 to this Report.

## Inspection of pick-up points

In 2022, CTU inspected the pick-up points of postal service operators and whether the pick-up points handle deposited items in such a way as to prevent violations of postal secrecy. With the expansion of activities of other postal service operators, or the introduction of new services, the pick-up points are located in shops, newsagents and petrol stations instead of the traditional post offices of postal service operators. These places were not originally intended as places for issuing postal items, so CTU focused on whether and how postal service operators at these pick-up points fulfil their obligation to maintain confidentiality about the facts relating to the postal service provided or rendered, in particular whether it is ensured that an unauthorised person does not access information about the sender or recipient. A total of 259 inspections were carried out at 5 postal service operators, and misconduct was found in 30 cases. With regard to the identified deficiencies, the Office conducts administrative offence proceedings.

## Inspecting the claim handling process at Partner post offices

In response to the trend of the increasing number of Partner post offices and the CTU's previous findings, either from suggestions received from the public or from its own inspection activities, CTU focused on their inspection in 2022. The subject of the inspections was mainly to check whether it is possible to file a claim at the Partner post offices, e.g. for damaged postal item. In addition, however, CTU examined the scope of services provided and the fulfilment of information obligations (e.g. publica-

tion of information on changes to postal terms and conditions, opening hours, provision of information on request and some others). 59 establishments were inspected and in 13 cases it was found that the Partner post office did not accept the claim or did not issue a confirmation of receipt of the claim. In 9 cases there was no information about the change of postal terms and conditions at the Partner post offices. A minor part of the misconduct concerned the incorrect storage of postal items, i.e. in breach of the provision on postal confidentiality, or the posting of information on the opening hours of the Partner post office. Following the inspection findings, CTU is conducting administrative offence proceedings.

### 4.3 Inspecting the compliance with CTU decisions

#### Inspecting the compliance with the conditions of General Authorisation No. VO-R/12/11.2021-11

The use of radio frequencies in the so-called non-licensed bands, especially for the provision of Internet access services via RLAN devices, is widespread in the Czech Republic and the number of operated devices is in the hundreds of thousands. For these reasons, it was necessary to ensure that frequency users applied all the conditions laid down for the use of frequencies under the general authorisation, in particular in relation to the newly opened frequency bands for RLAN devices made available to the operators of the devices.

In view of the number of repeatedly detected breaches of the conditions of operation of RLAN, the Office announced the "Milostivé jaro" ("Spring of Grace") campaign, which was intended to create space for the operators of RLAN devices to set up their devices in accordance with the conditions of the current version of the VO-R/12 without the threat of sanctions from the Office; therefore, from March to the end of June, the Office's inspection and supervisory activities were focused only on resolving complaints received about interference to other services. For the above reasons, fewer inspections were carried out and completed than in previous years. A total of 167 inspections of operators of RLAN devices were carried out. Violations of VO-R/12 conditions in the operation of RLANs and the use of frequencies were found in 136 inspections,

representing 81.4% of all completed inspections of compliance with VO-R/12 in 2022. The most frequent consequence of violation of the conditions of VO-R/12 was interference to the radiocommunication service on a primary basis, in particular interference to meteorological radars, a number of operators failed to comply with the condition of registration of equipment operating in the newly opened bands (5.15-5.25 GHz; 5.725-5.850 GHz and 57-71 GHz) and a number of operators used frequencies intended only for indoor operation also for outdoor installations, which is not allowed.

In 2022, the Office received 59 complaints from Czech Hydrometeorological Institute about the interference with meteorological radars by RLAN devices. Investigation of the interference with meteorological radar was also carried out as a priority because interference with the operation of this equipment has a significant negative impact on other areas, such as air traffic control, warning against dangerous meteorological phenomena, etc. The source of interference with meteorological radar and its operator were traced and identified in 44 cases, i.e. in 66,7%. The most common cause of interference with meteorological radar was ineffective DFS mitigation technology in RLAN, which is classified as a violation of one of the conditions of VO-R/12 and subsequently dealt with in administrative offence proceedings.

#### Inspecting the use of frequencies in bands where frequencies may be used only on the basis of individual authorisations and compliance with the conditions of the decision granting individual authorisation to use radio frequencies

As part of its inspection and supervision activities, the Office inspected the use of radio frequencies in the so-called licensed bands. The inspections focused on compliance with the conditions set out in the individual authorisations for the use of frequencies and on the use of frequencies without authorisation. In 2022, 58 inspections were carried out on compliance with the parameters set out in the individual authorisations for the use of frequencies. In 26 cases (44.8%), the equipment was found to be operating in violation of these conditions. These were almost exclusively UHF-FM

radio transmitters.

In addition, 181 inspections were carried out focusing on illegal use of frequencies. The monitoring and subsequent checks revealed a total of 131 cases of use of frequencies without individual authorisation, which qualifies as a violation of Section 17 of the Electronic Communications Act. The most common reasons for this were the use of frequencies after the expiry of the individual authorisation and the operation of mobile and fixed service equipment (69 cases) and the use of RLAN equipment on frequencies that can only be used on the basis of an individual authorisation or in bands where RLAN equipment cannot be operated at all (45 cases).

In the matter of the use of radio frequencies, the use of which requires an authorisation for the use of radio frequencies pursuant to Section 17(1) of the Electronic Communications Act, without such authorisation, as well as in the matter of the use of radio frequencies in violation of such authorisation, or in the matter of the failure to ensure the termination of the operation of transmitting radio stations immediately after the expiry of the authorisation, a total of 99 administrative offence proceedings were conducted in 2022. A total of 92 penalties in total amount of CZK 1,318,500 were imposed as a final act.

#### Measurement of LTE/4G mobile radio network signal coverage in areas where the Office's predictive calculations indicate limit and sub-limit values, with the aim of realistic identification of insufficiently covered areas, so-called "white spots"

In 2022, the technical data provided by operators on the LTE/4G base stations in operation was validated and used to update the predictive coverage calculations with identification of areas with insufficient or no mobile radio network coverage. Areas that showed insufficient or no mobile signal coverage, as well as areas occurring at the limit of the coverage/non-coverage thresholds, were measured in the second half of 2022 to verify the prediction calculation. Out of the 26 identified areas, the measurement confirmed sufficient coverage in

14 measured areas and insufficient coverage was found in 12 measured areas, which were identified as "white spots" for possible targeting of public subsidies for their coverage.

### 4.4 Inspecting compliance with legal obligations under the Electronic Communications Act, the Consumer Protection Act and the Postal Services Act

#### Inspecting the provision of number portability pursuant to Section 34 of the Electronic Communications Act and Decree No. 58/2022 Coll.

The aim of the inspection was in particular to verify compliance with the provisions of Section 34(1), (6), (7), (8), (9) and Section 63b(10) of the Electronic Communications Act and the provisions of Section 4(1), (4), (5) of Decree No. 58/2022 Coll. Compliance with the aforementioned obligations was inspected for all mobile telephone numbers transferred to the inspected entities, which were O2, T-Mobile and Vodafone in the period from 1 September to 30 September 2022. On the positive side, all the identified deficiencies were not in the nature of violations of the obligations set out in the Electronic Communications Act and Decree No. 58/2022 Coll. The inspection confirmed that the number portability process of network operators is set up in accordance with the applicable legislation and allows subscribers to effectively change service providers, which is also confirmed by the minimum number of complaints from subscribers about number portability (the Office handled only 50 complaints from subscribers in 2022). The most common problem identified in the number portability process is the manipulation and handling of the OKU (subscriber verification code).

### 4.5 Handling complaints about problems with digital terrestrial television broadcasting reception (DVB-T2)

#### Measurement of DVB-T2 signal coverage in areas with complaints from TV viewers

In 2022, the Office carried out measurements of DVB-T2 signal coverage in 28 municipalities on the basis of complaints received from local government representatives. The subject of the complaints was in particular problems with the reception of the public multiplex of Czech Television, Network 21 (MUX21). In verifying the quality of coverage, the Office proceeded in accordance with Decree No. 163/2008 Coll., on the method of determining terrestrial television signal coverage. Stationary measurements were carried out at measuring points at all the sites in question according to the procedure defined in the above-mentioned Decree. The measurements included both the measurement of TV signal parameters and an assessment of the reception situation in the area. In case of detection of limiting values of signal parameters, the causes were investigated, including the possible influence of the single frequency network (SFN). As a result of the measurements, it was found that in 29% of the measured municipalities less than half of the population is covered by the signal of the public multiplex. These are mainly municipalities far away from the dominant transmitters of the basic network and situated in rugged terrain with low population density. The primary cause of poor reception in these areas is low signal levels, possibly combined with numerous signal reflections from terrain obstacles. The technical solution in these cases would be to install additional local transmitters for extended coverage. The operators of the TV networks were informed on an ongoing basis about the specific situation and the measured signal values, and the Office also offered its readiness to deal with requests for possible coordination and allocation of frequencies if the operators of the TV networks were interested.

As part of the process of handling complaints from individual citizens about their poor quality TV signal reception, the Office always carried out local investigations at the viewers' premises, during which the parameters of the signal were measured and the technical condition of the viewer's receiving equipment was subsequently assessed. For more effective communication between citizens and the Office, information for citizens on the issue of terrestrial television signal reception has been updated on the Office's website: ["Poor quality TV reception - how to proceed"](#) and to simplify and speed up communication between citizens and the Office in this matter, a new form has been published: ["Notification of poor quality TV signal reception"](#), through which citizens can provide the Office with the

necessary information to resolve the situation in a simple and quick manner. In 2022, in 43 cases, investigations into complaints resulted in a finding that a particular viewer was in a location where the TV signal could not be received for technical reasons (low signal level, shadowing by an obstacle, reflections from the surrounding terrain). This represents 3.3% of the 1,278 complaints handled (see paragraph below).

### **Resolving cases of DVB-T2 interference in areas where 4G and 5G BTSs were put into operation**

In 2022, holders of block allocations of frequencies in the 700 MHz band commissioned 3,658 new mobile radio base stations. Given that the national mobile radio networks use a frequency band adjacent to the digital terrestrial television band, the quality of television reception has been affected in certain adverse circumstances. In such case, it was necessary to take technical measures on the receiving antenna side of the TV viewer. On the basis of the Office's decision, the technical measures were provided by the relevant mobile operator at its own expense. The procedures agreed by the coordination working group and applied by the Office and the mobile operators ensured that the elimination of interference by mobile networks was handled efficiently, to the benefit of TV viewers and did not significantly affect the quality of terrestrial TV reception. In terms of the development of the situation, it can be stated that as of 31 December 2022 LTE/5G mobile operators operated 1,498 LTE/5G base stations in the 700 MHz band in pilot operation and 2,702 stations in permanent operation; in the 800 MHz band, 345 stations were in pilot operation and 16,982 stations were in permanent operation. In total, 21,527 LTE and 5G base stations were active. In 2022, the Office received 1,353 complaints of television viewers about the interference with TV signal reception, whereas as of 31 December 2022, 1,278 submissions (including cases carried over from the previous year) regarding interference with terrestrial television signal reception (including community antennas) have been settled and closed. Interference caused by LTE or 5G signals was identified in 205 cases. Investigation of the remaining 1,073 complaints most often resulted in the discovery of a defect in the TV viewer's own receiving equipment or insufficient TV signal level in the area in question, or no interference was observed at the viewer's place during the local investigation, which in most cases was

related to a change in the weather and thus the reception conditions for receiving terrestrial television. During the year, the Office carried out a targeted awareness campaign on this issue, sending information on what citizens should do if their TV signal reception quality deteriorates, in connection with the launch of new 4G and 5G mobile network base stations. As part of this campaign, a total of 5,310 city and municipal authorities have been directly contacted as of 31 December 2022.

### **4.6 Cooperation with Czech Trade Inspection Authority**

In 2022, the Office worked with the Czech Trade Inspection Authority according to the "Agreement on cooperation between Czech Telecommunication Office and Czech Trade Inspection Authority". The cooperation consisted in particular of participation of the CTU employees in the inspections of telecommunication terminal and radio equipment and RC models. The Office provided assistance and cooperation in verifying the parameters of radio equipment in the field or in the process of measuring samples collected during inspections by the Czech Trade Inspection Authority. Measurements for the purposes of the Czech Trade Inspection Authority were carried out in 21 cases of joint inspections aimed at detecting deficiencies mainly in short-range devices (use of unauthorised frequencies, failure to submit a declaration of conformity). The defects found were further dealt with within the competence of the Czech Trade Inspection Authority.

## **5 FREQUENCY SPECTRUM MANAGEMENT**

### **5.1 Decisions on radio frequency block allocations**

On the basis of requests from T-Mobile and Vodafone, the Office conducted a review under Section 20(3) and (4) of the Electronic Communications Act to determine whether there are still grounds for limiting the number of rights to use radio frequencies in the frequency band 2110-2170/1920-1980 MHz. On the basis of this review, the Office concluded that the limitation of the number of rights should be maintained in the frequency bands in question. Subsequently, the Chairman of the Council of the Office issued new radio frequency block allocations

valid from 23 October 2024 to 31 December 2041 to T-Mobile and from 24 February 2025 to 31 December 2041 to Vodafone. At the same time, on the basis of the requests, the results of the review and the expert evaluation, the Chairman of the Council of the Office decided to change the existing radio frequency block allocations in the frequency band 2110-2170/1920-1980 MHz to T-Mobile and Vodafone to comply with the requirements of Commission Implementing Decision (EU) 2020/667 of 6 May 2020, i.e. harmonisation of the frequency grid consisting in the addition of all radio frequency block allocations to an integral multiple of  $2 \times 5$  MHz, i.e. to  $2 \times 20$  MHz. The harmonised conditions allow for the use of segments that were previously designated at the edge of the band for the use of 3G technologies as guard segments, thus enabling the effective use of these radio frequency block allocations for 4G and 5G technologies.

In the new conditions, the Office imposed an obligation on the above-mentioned block allocation holders to provide commercial retail and wholesale mobile services in the older standard (2G), the availability of which the Office considers necessary to be maintained also in the future period, at least to a minimum extent in the form of standard voice calls and related services for users of older terminals at least until 30 June 2028.

On the basis of the consent of the CTU Council Chair, the block allocation of radio frequencies for the provision of the public electronic communications network in the 3600-3640 MHz radio frequency band was transferred from PODA a.s. to the acquirer, Vodafone.

On 6 December 2022, in connection with the approaching expiry of the radio frequency block allocation, the Office initiated a review under section 20(4) of the Electronic Communications Act to determine whether there are still grounds for limiting the number of rights to use radio frequencies in the 880-915/925-960 MHz and 1710-1785/1805-1880 MHz frequency bands.

### **5.2 Decisions on authorisations to use radio frequencies**

Compared to the previous year, there was a slight decrease in the number of individual authorisations issued, which is due to fewer authorisations in the fixed service. However, as in previous years, it is still the radio communications service (point-to-point links) with the highest number

of individual authorisations issued, which are necessary for the provision of the public electronic communications service, consisting mainly of wireless access to high-speed data services (e.g. access to the Internet) or serving for radio interconnection of mobile operators' base stations or their own electronic communications network infrastructure. The continued high number of fixed radio links is mainly due to their flexibility and the fast time availability of radio infrastructure, although the operators of these broadcast networks and other operators continue to focus on the construction of an optic fibre network in view of the expected increase in transmission capacity.

Also in 2022, holders of radio frequency block allocations continued to use part of the radio frequencies previously allocated for 3G – UMTS (2100 MHz band), LTE or 5G. The use of the remaining frequencies for the 3G – UMTS system in the 2100 MHz band was phased out by all block allocation holders as early as 2021. In 2022, radio frequency block allocation holders also expanded the use of radio frequencies in the 2600 MHz band and in the 3400–3800 MHz band in line with their commitments and development plans. Information on the extent of radio coverage of public high-speed networks in the 700 MHz, 800 MHz, 1800 MHz, 2100 MHz and 2600 MHz bands can be found on the relevant website at <https://digi.ctu.cz/>, where there is a clear guidepost with information on the coverage of the population by digital radio, TV and 4G and 5G public broadband mobile networks. Information from this disambiguation point has been and will continue to be moved to the telecommunications services' visualisation portal - VPortal at <https://vportal.ctu.cz/intro>.

### 5.3 Conditions of use of radio frequencies under general authorisations

In 2022 CTU issued updates of the following two general authorisations:

1. General Authorisation No. VOR/1/6.2022-6 [available online at: <https://www.ctu.cz/sites/default/files/obsah/vo-r-1-2022.pdf>] for the operation of user's terminals of electronic communications radio networks; an update in particular for the

purpose of implementing part of the Commission Implementing Decision (EU) 2021/1730 of 28 September 2021 on the harmonised use of the paired frequency bands 874.4-880.0 MHz and 919.4-925.0 MHz and of the unpaired frequency band 1900-1910 MHz for Railway Mobile Radio, related to the 900 MHz band.

2. General Authorisation No. VOR/24/07.2022-14 [available online at: <https://www.ctu.cz/sites/default/files/obsah/vo-r24-072022-14.pdf>] for the operation of equipment of infrastructure for transmitting radio signals inside tunnels, premises of buildings and trains; an update in particular to add the 700 MHz band for the coverage of the inside of train carriages by broadband mobile networks and to set the conditions for the coverage of the inside of train carriages with regard to the technological neutrality of the bands.

### 5.4 Testing qualification

Section 26(1) of the Electronic Communications Act lays down the cases in which professional qualification is required to operate transmitting radio equipment. Under Section 26(2) of the Electronic Communications Act, only a person having a valid professional qualification certificate for the relevant radio equipment may operate that equipment. The CTU examination committees test the professional qualification of the candidates for a general and defined aeronautical mobile service radio operator certificate, nautical mobile service certificates and certificates for HAREC and NOVICE amateur radio service station operators.

In 2022, the Office issued a total of 3,495 new professional qualification certificates (including certificates issued within one year of their validity period) and extended the validity period of 1,492 licences on the basis of an examination or recognition of professional qualification acquired in another EU Member State. The work concerning professional qualification certificates has been growing steadily in recent years, especially in the case of examinations relating to SRC certificates, which are required at sea for the operation of radio stations equipped with GMDSS system elements (e.g. DSC functions), which are now standard equipment for shipboard radio stations.

**Table 12 – Overview of the fees collected in 2022 for the use of radio frequencies by particular radio communication services**

Radio communication service	Collected fees [CZK]
Land mobile service	759 802 726,00
Fixed line service	246 640 501,00
Broadcasting service	81 652 992,00
Aeronautical service	2 100 480,00
Maritime service	724 100,00
Satellite service	2 962 291,00
Other (radiolocation / Radio navigation)	3 302 445,00

### 5.5 Fees for the use of radio frequencies

In accordance with Government Decree No. 154/2005 Coll., on Determination of the Amount and Method of Calculation of the Fees for the Use of Radio Frequencies and Numbers, as amended, the amount of fees for the use of radio frequencies collected in 2022 is CZK 1,020,655,665.94.

This is a slight increase compared to 2021, driven by higher amount of collected fees for the use of radio frequencies in the terrestrial mobile service following the continued development of higher generation public broadband networks in new frequency bands.

Following Government Decree No. 408/2022 Coll., amending Government Decree No. 154/2005 Coll., on Determination of the Amount and Method of Calculation of the Fees for the Use of Radio Frequencies and Numbers, as amended, a change to the annual fees assessed for the use of radio frequencies of certain individual authorisations for the use of radio frequencies was also initiated at the end of 2022 to reflect the effect of the change on 1 January 2023.

## 6 NUMBER MANAGEMENT

Throughout 2022, the Office decided, pursuant to Section 30 et seq. of the Electronic Communications Act, on requests of businesses for an authorisation to use numbers, number series and codes, addresses and names (hereinafter referred to as "numbers") or, more precisely, on requests of businesses for a change, extension of the validity period, and revocation of the authorisations from

the numbering plans. In this area the Office issued 285 decisions, of which 50 decisions on granting an authorisation to use numbers, 28 decisions on a change of an authorisation, 160 decisions on extension of validity period of an authorisation, 34 decisions on revocation of an authorisation, and 13 decisions on termination of administrative proceedings.

## 7 DISPUTE SETTLEMENT BETWEEN ENTITIES CARRYING OUT COMMUNICATION ACTIVITIES

In the area of settlement of disputes between persons carrying out communication activities under section 127 of the Electronic Communications Act, there were 5 new dispute-related administrative proceedings initiated in 2022, which is fewer than the number of administrative proceedings concerning disputes initiated in 2021 and the lowest number of newly initiated proceedings year-over-year since 2014.

In terms of the subject matter of the dispute, the numbers of new proceedings for so-called contract claims and proceedings concerning the obligation to pay were balanced in the previous years 2020 and 2021. In 2022, compared to previous years, no new motion for the commencement of proceedings was filed concerning so-called contract disputes, i.e. disputes concerning the conclusion of an access and interconnection contract or an addendum thereto, the continuation of the performance of a concluded contract, the setting of IP addresses, the porting of an LTE connection in the provider's own network, the determination of the right to

port telephone numbers after the termination of a concluded contract, etc. All of the new motions for the initiation of proceedings concerned disputes over obligations to pay money, i.e. payment of money owed for electronic communications services provided.

In addition to the newly initiated administrative proceedings, the administrative body continued to hear two administrative proceedings that were initiated in 2021. Also these disputes were over obligations to make payment, i.e. payment of monies owed for electronic communications services provided. Therefore, a total of seven disputes between persons carrying out communication activities were heard in 2022, with three disputes finally settled in the same year. Four disputes for payment of money were not concluded in 2022, both because of the procedural conduct of the parties (late amendment of the motion to initiate proceedings, non-communication with the administrative body, presumed delivery, etc.) and the need to comply with the procedural procedures under the Code of Administrative Procedure for disputes initiated in the last quarter of 2022.

As in previous years, no dispute administrative proceedings were initiated in 2022 between a business undertaking providing the service of dissemination of radio and television broadcasting and a radio and television broadcasting operator about the conclusion of a contract for the provision of this service (Section 72a of the Electronic Communications Act). However, it is necessary to anticipate such disputes in the future, in particular in connection with the enactment of Act No. 374/2021 Coll., amending Act No. 127/2005 Coll., on Electronic Communications and Amending Certain Related Acts (Electronic Communications Act), as amended, and certain other acts, which transposed Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing a European Electronic Communications Code into the Czech law with effect as of 1 January 2022. In the field of electronic communications (i.e., Part One of the Amendment Act), Section 72a of the Electronic Communications Act expanded the personal component of any dispute over the conclusion of a contract for the service of transmission of radio and TV broadcasting, so that, in addition to the broadcaster and the undertaking providing the electronic communications service, the undertaking providing the networks used for the public transmission of radio and television broadcasting may now also be a party to the contract (and thus a party to the dispute, if any,

over the conclusion of the contract).

Final decisions issued in administrative proceedings under Section 127 of the Electronic Communications Act in disputes between persons carrying out communications activities are available on the website of the Office [available at [Decisions on disputes pursuant to Act No. 127/2005 Coll. – Section 127 | Czech Telecommunication Office \(ctu.cz\)](#)].

## 8 DISPUTE SETTLEMENT BETWEEN POSTAL SERVICE OPERATORS

In the area of dispute settlement between a postal license holder and another operator of postal services concerning access to postal infrastructure elements and special services related to the operation of the postal infrastructure pursuant to Section 34 of the Postal Services Act, no administrative proceeding concerning a dispute was heard in 2022.

In view of the fact that in February 2023, the postal licence holder again changed the prices of postal services and the scope of special services related to the operation of postal infrastructure, which were reflected in the reference offer, it can be assumed that the new change in price conditions and scope of access may generate disputes between the postal licence holder and postal service operators in the future.

Final decisions issued in administrative proceedings under Section 34 of the Postal Services Act in disputes about access to the postal infrastructure are available on the website of the Office [available at [Decisions on disputes pursuant to Act No. 29/2000 Coll. – Section 34 | Czech Telecommunication Office \(ctu.cz\)](#)].

## 9 SETTLEMENT OF DISPUTES PURSUANT TO SECTIONS 5, 9, 10 AND 14 OF ACT NO. 194/2017 COLL.

In the area of settlement of disputes concerning access to physical infrastructure (Section 5), on-site survey (Section 9), coordination of construction works (Section 10) or access to physical infrastructure inside a building (Section 14) under Act No. 194/2017 Coll., on Measures to Reduce the Costs of Deploying High-Speed Electronic Communications Networks, no new administrative proceeding concerning a dispute was

initiated in 2022. In the future, disputes can be expected to increase, in particular over the conclusion of contracts for access to physical infrastructure in connection with the deployment of electronic communications networks for 5G services. Likewise, we can expect to see an increase in disputes over the conclusion of a contract for access to the physical infrastructure inside a building, not only with regard to the deployment of next generation networks, but also in the context of property development. The increase in the number of the above-mentioned disputes may also be due to the amendment to Act No. 194/2017 Coll., implemented by Act No. 374/2021 Coll. amending Act No. 127/2005 Coll., on Electronic Communications and on Amendment to Certain Related Acts (Electronic Communications Act), as amended, and certain other Acts, which transposed, with effect as of 1 January 2022, Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing a European Electronic Communications Code into the Czech law. Part Fifteen of the Act expanded the personal component of a potential dispute over the conclusion of contract so that now, under Section 2(c)(6), the obligated person is an obligated authority if it owns or operates physical infrastructure that is technically capable of installing a short-range wireless access point or that is necessary to connect such access points to the backbone network.

Final decisions issued in administrative proceedings under Sections 5, 9, 10 and 14 of Act No. 194/2017 Coll. are available on the Office's website, sorted by the individual subjects of disputes [available at [Final decisions pursuant to Act No. 194/2017 Coll. | Czech Telecommunication Office \(ctu.cz\)](#)].

## 10 CRISIS MANAGEMENT AND SECURITY

CTU's scope of powers and responsibilities also includes activities related to crisis management and the security, confidentiality and integrity of public electronic communications networks. In 2022, enforcement activity focused on compliance with Sections 88 and 99 of the Electronic Communications Act and the relevant implementing decrees, which were amended in 2022. Decree No. 240/2012 Coll., on the Criteria for Determining a Serious Breach of Network and Service Security and Loss of Network Integrity and the Extent and Form of Transmi-

ssion of Breach Information, which was amended, with effect from 1 January 2023, by Decree No. 380/2022 Coll., on the Criteria for Determining a Serious Breach of Network and Service Security and Loss of Network Integrity and the Extent and Form of Transmission of Breach Information. Decree No. 241/2012 Coll., on the Determination of Requirements Contained in the Technical and Organisational Rules to Ensure the Security and Integrity of Public Communications Network and the Interoperability of Publicly Available Electronic Communications Services in Crisis Situations, was amended with effect from 1 January 2023 by Decree No. 381/2022 Coll., amending Decree No. 241/2012 Coll., on the Determination of Requirements Contained in the Technical and Organisational Rules to Ensure the Security and Integrity of Public Communications Network and the Interoperability of Publicly Accessible Electronic Communications Services in Crisis Situations.

On the basis of the approved Inspection Plan for 2022, physical inspections of compliance with the obligations to protect traffic and location data and the confidentiality of communications pursuant to Section 88 of the Electronic Communications Act and the security, integrity and provision of services in crisis situations pursuant to Section 99 of the Electronic Communications Act were carried out at T-Mobile, O2 and Havel internet s.r.o. The companies Planet A, a.s., GoMobil s.r.o., COPROSYS a.s. ERBIA MOBILE s.r.o., CENTROPOL ENERGY, a.s., INTERNEXT 2000, s.r.o. and Telly s.r.o. were requested to provide for an administrative inspection the technical-organisational rules and internal technical and organisational regulations which an undertaking providing a public communications network or providing a publicly available electronic communication service is obliged to prepare pursuant to Section 88 of the Electronic Communications Act and Section 99 of the Electronic Communications Act.

Pursuant to Section 98(4) and 98(5) of the Electronic Communications Act, CTU is responsible for collecting information on material breaches of security and loss of network integrity from entities that provide a public communication network or a publicly available service. In 2022, CTU received a total of 3 reports of serious breaches in the operator's public electronic communications network and 2 notifications of failure of over-the-top services from business entities. A summary report on the number of major breaches in public electronic communications networks and regular quarterly reports are submitted to the European Network and Information Security Agency (ENISA).

## 11 INTERNATIONAL ACTIVITIES

In accordance with the Government Resolution No. 507/2011 of 29 June 2011 and the fulfilment of the tasks arising from the Electronic Communications Act, in 2022, the Office ensured participation in Commission advisory committees, BEREC, RSPG, ERGP, ENISA working groups and working groups of international organizations (ITU, CEPT, OECD, ETSI and NATO), as well as in the framework of direct cooperation between regulators.

In 2022, four regular plenary meetings of the Body of European Regulators for Electronic Communications (BEREC) and the Independent Regulators Group (IRG) were held at a top level. The heads of the regulators approved here a number of documents, including an update of the guidelines for the implementation of the International Roaming Regulation and the guidelines for the implementation of the Open Internet Regulation. Here, BEREC has responded to important judgments of the Court of Justice of the EU and has subsequently modified its methodology for evaluating this implementation. BEREC has also been involved in sanctions proceedings against Russian media companies and in international support for the restoration of Ukraine's electronic communications network infrastructure and the provision of communications services. An agreement has been concluded with the Ukrainian regulatory authority (NCEC) on its participation in this association. In addition, BEREC also addressed new topics in the area of digital agenda, working on reports on topics such as the internet ecosystem, the impact of digital technologies on the environment, interoperability of number-independent communication services and artificial intelligence.

Two plenary meetings of the European Regulators Group for Postal Services (ERGP) were also held. The group again focused mainly on the discussion on the need to amend Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service and on the available regulatory instruments. The ERGP has long called on the Commission to initiate a review of the Directive. At the plenary meeting in June, CTU received the support of the ERGP for the activities of the presidency towards the Commission. The group also expressed its views in its opinion on the Commission report on the application of the Postal Services Directive. However, the Commission confirmed at the end of 2022 that it does not consider the revision of this directive a priority

and will prepare a prospective study as one of the bases for assessing the need for revision.

In 2022, CTU held the role of Vice-Chair of the Eastern Partnership Electronic Communications Regulators Network (EaPeReg). In this context, it co-organised the EaPeReg and BEREC Summit in Riga, which focused on issues of mutual cooperation in the broader context of current events in Europe. It subsequently organised the 20th Plenary Meeting of EaPeReg in Prague, preceded by a celebration of the tenth anniversary of EaPeReg.

The Czech Republic held the Presidency of the Council of the EU in the second half of 2022. CTU participated in ensuring the Presidency at the expert level during the negotiation of new European regulations and also by sending reinforcements to the Permanent Representation of the Czech Republic to the EU in Brussels. In particular, the employees of the Office participated in the preparation of the Council meeting conclusions calling on the Commission to continue its work on the preparation of the revision of Directive 2008/6/EC on postal services; also on the process of drawing up guidelines for Member States at the ITU Plenipotentiary Conference or in the completion of the discussion of Decision (EU) 2022/2481 establishing the Digital Decade Policy Programme 2030.

In ITU, the Office also participated in ensuring the participation of the Czech Republic in the World Telecommunication Standardisation Assembly (WTSA) and the World Telecommunication Development Conference (WTDC). It was also instrumental in ensuring the coordination of EU countries at the International Telecommunication Union's (ITU) supreme assembly, the Plenipotentiary Conference, which took place in Bucharest from 26 September 2022. Coordination is the responsibility of the country holding the Presidency of the Council of the EU. In addition to these high-level meetings, the Office staff also ensured participation in ITU standard working groups, including those working on the preparation for WRC-23 which is already underway. CTU has been intensively involved in the preparation of the European region for this key conference of the radio communications sector in the CEPT working groups.

Within the framework of regional cooperation, the Office continued to implement agreements in the area of frequency spectrum management and representatives of the Office coordinated radio frequencies through bilateral and multilateral negotiations with the administrations of neighbouring countries.

## 12 COMMUNICATION ACTIVITIES

### 12.1 Communication with media

In the past year, 32 press releases were issued. In addition to the regular monthly press release that accompanies the release of the monitoring report, we have covered important topics. For example, the launch of the NetTest Android application, discounted internet and call rates for people with disabilities and low-income people, the Market Development Report, unsolicited marketing calls and the granting of the postal licence.

In addition, the Office issues a monthly monitoring report, the form of which is discussed and approved by the CTU Council. In recent years, monitoring reports have focused not only on expert topics but also on consumer topics, which, according to the analysis, have a high media profile. By increasing the clarity of the topics presented and sharing specific content on social media, monitoring reports become a tool not only for media communication, but also for communication towards the broader public. In the past year, we published 53 articles in our monitoring reports (smaller technical texts are not included in this issue), of which 30 focused on consumers.

The media reported on CTU's activities in 2,915 instances last year. This shows an increase in media interest compared to previous years.

### 12.2 Communication with the professional public

The Electronic Communications Act (in Section 126) requires the Office to publish the Telecommunication Bulletin and the Postal Services Act (in Section 40) requires it to publish the Postal Bulletin. In the past year, 12 issues of the Telecommunication Bulletin and 14 issues of the Postal Bulletin were published.

The bulletins issued are available on the Office's website and at [„https://portal.gov.cz/“](https://portal.gov.cz/) public administration portal.

In 2022, we also focused on communication towards businesses. For example, we issued [graphical instructions](#) for completing the electronic communications business re-notification form, we have provided a [contract summary manual](#), [internet access provider change diagram](#). And at the end of the year, we produced and posted an [instructional video](#) on how to complete the ART 222 form. We have also organised several workshops and meetings with the sector, for example on the topic of website blocking, universal service or changes in data collection in the ESD system, among others.

### 12.3 Communication with the public

In 2022, the CTU website ([www.ctu.cz](http://www.ctu.cz)) recorded 384 thousand visits in total. At the beginning of the year, the homepage of the website was significantly updated, making it clearer and highlighting consumer topics. The public can now easily find here, for example, guidance on how to get a price discount for people with low incomes or with disabilities, how to deal with a unsolicited marketing call, how to complain about it or how to deal with poor TV signal reception. In the section of the most frequently asked questions (problems) and answers (solutions), the website visitor can get acquainted with the appropriate procedures for submitting claims about services, filing objections and complaints with CTU, porting a telephone number or changing the Internet access provider, etc. Accompanying information materials are an integral part of the information related to the Office's activities, providing consumers with concise and clear information on the relevant issue.

The Office's presence on Facebook and Twitter complements its public communication activities. On the one hand, the Office uses these channels to communicate information published on the website to the general and professional public, and at the same time they serve as an interactive tool for direct communication, most often between consumers and CTU. In 2022, we recorded approximately 37,000 social media interactions, which is about 6,000 more than the previous year.



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# INFORMATION ON THE NEED TO PASS NEW REGULATIONS OR AMENDMENTS TO EXISTING

## REGULATIONS

### 1 ELECTRONIC COMMUNICATIONS

#### 1.1 The need for an amendment to the Electronic Communications Act

On 1 January 2022, an amendment to the Electronic Communications Act implemented by Act No. 374/2021 Coll. came into effect, which transposed Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing a European Electronic Communications Code into Czech law.

As this was a large amendment, the need for a so-called technical amendment was identified in the course of 2022, which would eliminate the inaccuracies of this transposition identified in application practice. Although some modifications are already part of the currently pending amendments to the Electronic Communications Act, not all identified needs are yet covered. There is therefore a need for further adjustments in the coming period.

#### 1.2 Need to issue implementing regulations to the Electronic Communications Act

In connection with the adoption of the transposition amendment to the Electronic Communications Act, it is necessary to complete the update of the implementing regulations to the Electronic Communications Act. There are two cases of decrees within the competence of the Office for which, for objective reasons, it was not possible to make the relevant changes by the end of 2022. The legislative work will continue in the first half of 2023. Beyond this framework, CTU identified the need to amend another decree within its legislative competence, Decree No. 163/2008 Coll., on the Method of Determina-

tion of the Terrestrial Television Broadcasting Signal Coverage. The objective of the amendment is to adapt the decree in question to the new conditions, i.e. to take into account the change in the technology of terrestrial television signal distribution (transition to the DVB-T2 standard).

In addition to the decrees within the competence of CTU, the need was identified to amend three decrees within the competence of the Ministry of Industry and Trade:

- » 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.
- » Decree No. 156/2005 Coll., on the Technical and Operating Conditions of the Amateur Radio Communication Service,
- » Decree No. 157/2005 Coll., 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.

### 2 POSTAL SERVICES

#### 2.1 The need for an amendment of the Postal Services Act

In the area of postal services, there still a need, previously identified by CTU, for amendments to the Postal Services Act, including its implementing legislation, in view of the state of the postal market and its developments. The last time the Postal Services Act was significantly amended was in

2012 and its current wording does not correspond to the needs of the sector and the situation on the liberalised postal market. The legislation does not sufficiently reflect current requirements for ensuring the protection of consumer rights.

#### 2.2 The need to issue implementing regulations for the Postal Services Act

On the basis of the review in the area of universal services, the need to modify Government Decree No. 178/2015 Coll., on Determining the Minimum Number of Establishments for the Provision of Universal Services and the related Decree No. 464/2012 Coll., on the Determination of Specifications of Individual Basic Services and Basic Quality Requirements for Their Provision, as amended by Decree No. 203/2016 Coll. The need to amend these regulations is supported by the findings of the Supreme Audit Office of the Czech Republic from the audit operation 22/03 (State property and funds under the management of CTU).

Beyond this framework, the Office identified the need to amend another decree within its legislative competence, namely Decree No. 434/2012 Coll., establishing a Template Form for the Notification of Business in the Area of Postal Services. The purpose of the amendment is to adapt the decree in question to new conditions and developments on the postal services market, as well as to take into account relevant case law and legislative changes, especially in the digital area, which have occurred since the decree was issued.

### 3 ACT NO. 194/2017 COLL., ON MEASURES TO REDUCE THE COSTS OF IMPLEMENTATION OF HIGH-SPEED NETWORKS OF ELECTRONIC COMMUNICATIONS

With regard to the experience from the current application of Act No. 194/2017 Coll., on Measures to Reduce the Costs of Implementation of High-Speed Networks of Electronic Communications and on Amendment to Certain Related Acts, and in connection with the digitisation of public administration and its services, the Office has identified the need to make adjustments to Act No. 194/2017 Coll. in the area of providing information on physical infrastructure and on construction works. Strengthening the information base for the Single Information Point and making this information available through electronic tools would significantly streamline the whole process and contribute to a faster and, more importantly, more efficient deployment of high-speed electronic communications networks. Some partial adjustments have already been made in this respect, but they do not yet strengthen the information base for the Single Information Point. Certain changes can be expected in connection with the currently forthcoming European legislation in the form of a regulation based on the revision of Directive 2014/61/EU of the European Parliament and of the Council on measures to reduce the cost of deploying high-speed electronic communications networks, for the transposition of which Act No. 194/2017 Coll. was issued.



# ORGANISATION AND OPERATION OF THE OFFICE

## 1 FINANCIAL RESULTS OF THE OFFICE

The binding indicators of Chapter 328 – the Office – ensue from Act No. 57/2022 Coll., on the State Budget of the Czech Republic for 2022, as amended. An overview of the fulfilment of these indicators is given in Appendix No. 8; at the same time, Appendix No. 7 provides an overview of the binding indicators for 2023 (an obligation established by the Electronic Communications Act). Complete information on CTU's financials is contained in the CTU's Final Accounts.

## 2 MANAGEMENT OF NON-BUDGETARY FUNDS

### 2.1 Radiocommunication Account

The radiocommunication account is created according to Government Decree No. 153/2005 Coll., on the Determination of the Method of Providing Funds to the Radio Communication Account, the amount thereof, and the method of fund withdrawal, at 6% of the fees collected for the use of radio frequencies. Money is transferred to the account on a quarterly basis (invariably after the quarter having passed).

**Table 13 – The structure of income and expenditure in 2022**

	Approved budget	Adjusted budget	Final budget	Reality
<b>Incomes</b>	1 576 080 000	1 576 080 000	1 576 080 000	2 913 568 831,59
<b>Expenses</b>	730 764 017	2 990 208 367	7 825 780 691,15	7 453 056 163,95

**Table 14 – Radiocommunication account**

<b>Account balance as of 1 January 2022</b>	<b>1 259 572 484,06</b>
Budgeting for the year 2022	60 853 733,00
Drawing for the year 2022	35 327 732,15
<b>Account balance as of 31 December 2022</b>	<b>1 285 098 484,91</b>

The funds are used for to cover the effectively and practically spent costs incurred by the holders of individual authorisations to use radio frequencies who incurred these costs as a result of the changes in the radio spectrum utilisation for reasons due to the Electronic Communications Act. They can be also used for covering the expenses associated with the fulfilment of the obligation of CTU within the radio spectrum management. In 2022, CTU paid from the radiocommunication account expenses in total amount of CZK 35,327,732.15.

## 3 HUMAN RESOURCES

### 3.1 Number of systemised positions

There were 596 systemised positions in the Office in 2022. The number of systemised positions remains unchanged for 2023.

The independence of regulated entities and parties to disputes in decision-making is guaranteed by the current organisational and personnel structure of the Office under the terms of Act No. 234/2014 Coll., on the Civil Service, as amended, and the remuneration system. As part of the systemisation of positions, the Office is subject to approval by the Government, which, however, has not yet been problematic in the annual approval process.

**Table 15 – Headcount (for 2022 in comparison to 2020 and 2021)**

Indicator / period	2020	2021	2022
<b>Systemized number of employees</b>	596	596	596
<b>Average FTEs</b>	564	564	556
<b>Number of newly hired employees</b>	42	46	55
<b>Number of terminated civil service/employment contracts</b>	50	51	53
<b>Number of employees in post-productive age as of 31 December.</b>	39	37	33

### 3.2 Employee training

Employee training was carried out in accordance with Act No. 234/2014 Coll., on Civil Service, as amended, Act No. 262/2006 Coll., Labour Code, as amended, and the Binding Guideline of CTU No. 15/2016 which lays down the procedures for improvement and increasing of education of CTU employees.

23 employees passed the special part of the civil servant exam, 16 of them passed the test in field No. 36 Electronic communications and postal services.

Language training was provided to employees in the form of group and individual courses in English and French. All employees of the Office have completed the Cybersecurity Fundamentals Course in the form of e-learning. Selected employees attended courses to concern the development of personal skills (e.g. communication

and presentation skills, assertive negotiation, stress management, constructive dispute resolution).

The costs on the account of Training and education services as of 31 December 2022 were CZK

3,285,712 and on the account of Participant fees for conferences CZK 360,837.

### 3.3 Funds for the salaries of CTU employees

The budget of funds for the salaries of civil servants without EU projects for the year 2022 was CZK 298,033,628.

The average salary of a CTU employee in 2022 was CZK 44,608.

### 3.4 Remuneration of the members and chair of the CTU Council

Effective from 1 January 2022, Section 107 of the Electronic Communications Act regulates the remuneration of the members of the CTU Council and its chair to reflect the independence of the Office, with the remuneration and reimbursement being derived from that applicable to the President and members of the Supreme Audit Office, similar to that applicable to other regulatory bodies.

**Table 16 – Number of employees who have completed training in 2022**

type of training	number of employees
<b>Initial training</b>	46
<b>Initial follow-up training</b>	22
<b>Continuous training</b>	1 718
<b>Training of senior officers</b>	12
<b>Language training</b>	249



# MANDATORY PARTS OF THE ANNUAL REPORT

## 1 ANNUAL REPORT ON THE UNIVERSAL SERVICE

The Office prepares an Annual Report on the Universal Service in accordance with Section 50 of the Electronic Communications Act. In addition to information on the scope of services provided under the universal service in 2022, this report also contains information on the method of funding the universal service provided in the previous year, the funding of which was decided by the Office in 2022.

### 1.1 Imposed partial services

#### Specially equipped terminal equipment devices

The obligation to provide the service of access for the people with disabilities to a publicly available telephone service, to the directory inquiry service and to directories of subscribers which is equal to the access enjoyed by other end users, in particular using special telecommunication terminal equipment devices (Section 38(2)(f) of the Electronic Communications Act in force until 31 December 2021), was imposed on O2 based on the tender results with effect from 17 July 2021 to 31 December 2022.

#### Special prices

The obligation to allow persons with special social needs according to Section 44 and Section 45 of the Electronic Communications Act to choose prices or price plans that differ from the price plans provided under normal commercial terms and conditions such that these persons have access to and are able to use partial services and a publicly available telephone service (Section 38(3) of the Electronic Communications Act in force until 31 December 2021) was imposed on O2 with effect from 1 January 2022 until 31 December 2022.

### 1.2 Review of universal service partial services

In accordance with Transitional Provision No. 10 introduced into the Electronic Communications Act by

amendment No. 374/2021 Coll., which provided for the Office to conduct a review of all services included in universal service within 6 months as of 1 January 2022, the Office conducted and completed this review. Specifically, it involved the following partial services:

a) reasonable access to the Internet at a fixed location, including the connection necessary to use the service (Section 38(2)(a) of the Electronic Communications Act),

b) access to a voice communication service at a fixed location, including the connection necessary to use the service (Section 38(2)(b) of the Electronic Communications Act),

c) access by people with disabilities to partial services referred to in paragraphs a) and b) provided not only at a fixed location, which is equal to the access enjoyed by other consumers, in particular using specially equipped terminal equipment (Section 38(2)(c) of the Electronic Communications Act),

d) ancillary services to the partial services referred to in paragraphs a) and b) (Section 38(2)(d) of the Electronic Communications Act), such as detailed account breakdown, free selective outgoing call barring, etc.,

e) obligation to allow persons with special social needs according to Section 44 and Section 45 of the Electronic Communications Act to choose prices or price plans that differ from the price plans provided under normal commercial terms such that these persons have access to and are able to use the partial services according to Section 38(2)(a) and (b), not only at a fixed location (Section 38(3) of the Electronic Communications Act).

On the basis of the results of the reviews, the Office prepared intents to impose partial services under Section 38(2)(c) of the Electronic Communications Act and Section 38(3) of the Electronic Communications Act and intents not to impose the other aforementioned partial services, which it submitted for public consultati-

on pursuant to Section 130 of the Electronic Communications Act. After its completion, the Office announced a tender for partial service providers pursuant to Section 38(2)(c) of the Electronic Communications Act and Section 38(3) of the Electronic Communications Act. Following the outcome of the tender, these two partial services were imposed as an obligation in accordance with the terms of the tender, with effect from 1 January 2023 to 31 December 2025.

For partial services that are provided on commercial basis in accordance with the universal service requirements, the Office did not proceed to impose an obligation. These were partial services according to Section 38(2)(a), (b) and (d) of the Electronic Communications Act.

### 1.3 Funding of the universal service

The financing of the universal service in the past years was carried out under Act No. 151/2000 Coll., on Telecommunications and on Amendments to Other Acts, as amended (hereinafter referred to as the "Telecommunications Act") for the years 2001 to 2005 and part of 2006, and subsequently under the Electronic Communications Act for the years 2006 to 2021.

Funding of the universal service for the period 2001-2003 is now closed. The Office therefore only provides information on the status of pending proceedings.

#### Funding under the Telecommunications Act (situation in 2022)

#### Repeated discussion of the loss for the period 2004–2006

As the Office's previous decisions on the verified amount of the loss and the contributions to universal

service funding for these years (2004-2006) were gradually challenged again in administrative legal actions by T-Mobile, the Office conducted new administrative proceedings on the matter in 2022. Additional evidence was added to the file, including expert opinions commissioned by the Office. During 2022, the decision for the year 2005 was issued, which was subsequently challenged again in T-Mobile's administrative appeal. The administrative appeal concerning the loss from the provision of universal service for the year 2005 has not been decided as of 31 December 2022. First instance decisions for the years 2004 and 2006 were not issued until 2023. Therefore, the financing of the coverage of the loss from universal service for the years 2004 to 2006 has not been concluded even in the 2022.

The compensation for the recognised loss in the said years is shown in Table 17 below.

In relation to the provision of universal service in the above-mentioned years, intangible market benefits of brand enhancement of the universal service provider were identified as arising from the ubiquity and benefit of renting or using advertising space on public payphones and the disclosure of the universal service provider's name on payphone canopies. The intangible benefits were identified in relation to the entire scope of the universal service imposed, i.e. the entire public telephone service. However, as they were not found to be related to the services for which the loss was assessed, the intangible benefits were not reflected in the calculation of the loss for those years.

#### Funding under the Electronic Communications Act

#### Net costs from the provision of the universal service of special terminal equipment in 2021

For the period 2021, O2 did not submit a net cost accounting for its partial service of special termi-

**Table 17 – Summary overview of reimbursements for the loss from universal service provided in 2004–2006 in CZK**

Loss in	Amount of loss verified by CTU	Payments to the account of US	Contribution of O2
<b>2004</b>	302 622 498 Kč	208 614 879 Kč	94 007 619 Kč
<b>2005</b>	286 966 147 Kč	206 967 794 Kč	79 998 353 Kč
<b>2006</b>	280 274 507 Kč	137 152 181 Kč	143 122 326 Kč

nal equipment. O2 did not claim reimbursement for the provision of this service, which provides selected groups of people with disabilities with the opportunity to buy or rent specially equipped terminal equipment devices. Therefore, no intangible benefits from the provision of this partial service have been identified or quantified by the Office.

#### 1.4 Loss from the provision of the universal service of "Special prices" for the year 2022

On 18 July 2022, O2 filed a request for the coverage of loss on the provision of special prices in 2021. CTU reviewed the data submitted and, after rectification of the defects found, issued a decision on 1 November 2022 on determination of the loss on the provision of special prices within the universal service in the amount of CZK 57,352,873.67. The recognised loss was reimbursed to O2 from the state budget.

Since in the case of this partial universal service the loss is reimbursed in the form of a multiple of the amount of the monthly entitlement (in 2021 according to Government Decree No.109/2008 Coll. in the amount of maximum CZK 200), the number of services provided and the duration of their provision, intangible benefits are not included in the calculation of the loss.

## 2 ANNUAL REPORT OF THE CZECH TELECOMMUNICATIONS OFFICE ON THE PROVISION OF INFORMATION UNDER ACT NO. 106/1999 COLL., ON FREE ACCESS TO INFORMATION, AS AMENDED, FOR THE YEAR 2022

The Office publishes this Annual Report on the Provision of Information in the Year 2022 prepared ac-

**Table 18 – Overview of reimbursements for the loss of O2 from the provision of special prices incurred in 2021 (in CZK)**

	Presented loss	Recognized loss
Fixed network of O2	42 001 162 Kč	42 001 162 Kč
Mobile network of O2	15 351 711 Kč	15 351 711 Kč
<b>Total O2</b>	<b>57 352 873 Kč</b>	<b>57 352 873 Kč</b>

ording to Section 18 of Act No. 106/1999 Coll., Free Access to Information Act, as amended (hereinafter referred to as "Act No. 106/1999 Coll.>").

Pursuant to Section 3 of the Electronic Communications Act (in force since 1 May 2005), CTU is the central administrative authority for the exercise of state administration in matters provided for in this Act, including market regulation and setting conditions for business in the field of electronic communications and postal services. Within its scope of powers and responsibilities laid down by the Electronic Communications Act, i.e. as the body of state administration, it supervises adherence to legal regulations in the spheres of electronic communications and postal services and also compliance with the obligations in the above-mentioned areas aimed at consumer protection, as stipulated by Act No. 634/1992 Coll., the Consumer Protection Act, as amended, as well as compliance with the obligations laid down by Act No. 194/2017 Coll., on Measures to Reduce the Costs of Implementation of High-speed Networks of Electronic Communications and on Amendment of Some Related Acts, as amended.

Basic information on the organisation structure and activity of CTU is available to the general public at the website [www.ctu.cz](http://www.ctu.cz), including its electronic notice board, and on the notice board placed on the information panel in the lobby of the CTU headquarters. Information on the handling of life situations according to Decree No. 515/2020 Coll., on the Structure of Information Published about the Obligated Entity and on the Outline of the Description of Tasks Performed within the Administrative Activity is also available through the public administration portal ([www.portal.gov.cz](http://www.portal.gov.cz)).

#### CTU publishes the following data according to Section 18(1) of Act No. 106/1999 Coll.:

##### a) Number of requests for information submitted

In 2022, **80** written requests for information were

submitted and registered with CTU.

The requests for information were related to areas where CTU is active, and generally focused in particular on:

- » the provision of electronic communications and postal services and the granting of rights to use radio frequencies (17 requests),
- » general administrative activities of CTU or decisions issued by CTU both in the area of electronic communications and postal services (37 requests).

Also provided was information on:

- » economic management of CTU and internal organisation matters and activities of CTU and human resources (11 requests),
- » security and crisis management (2 requests),
- » inspections carried out (5 requests),
- » legislation (5 requests).

##### b) Number of decisions on the rejection of a request

**18** decisions on the rejection of a request were issued in 2022, **11** of which concerning only rejection of a part of the request where information was provided in part.

##### c) Number of suspended requests for information with notification of the requesting party within the meaning of Section 14(5)(c) of Act No. 106/1999 Coll. (on the grounds that it is information that does not fall within the remit of the obliged entity)

In 2022, CTU postponed a request for information in 3 cases on the grounds that the requesting party requested information not related to the scope of powers and responsibilities of CTU.

##### d) Number of appeals (administrative appeals) filed against a decision

**3** administrative appeals were filed in 2022 against a decision to reject a request.

No administrative appeal was filed in 2022 against a decision to suspend a request for information.

##### e) Copies of the substantial parts of the court decisions

#### (Section 16(6) of Act No. 106/1999 Coll.)

In 2022, the court decided 1 case of rejection of a request for information by CTU, finding the claim justified (file No. 9 A 127/2019). In the case of the request for information, the claimant requested copies of the separate records of costs and revenues submitted to CTU by Česká pošta for the years 2015, 2016 and 2017. The defendant dealt with this request by informing the claimant that it had received the certified results of the separate records from Česká pošta, but that the information contained therein was subject to the protection of business secret and therefore decided to partially reject the claimant's request. The superior administrative authority, the Chairman of the CTU Council, rejected the administrative appeal and upheld the contested decision. In its action, the claimant requested that the court annul the contested decision, as well as the decision of the first instance, and order the defendant to provide the information requested in the request, or, alternatively, annul the decision and refer the case back to the defendant for further proceedings. The court concluded that neither the defendant nor the first-instance body complied with the requirements for justification of the contested (and first-instance) decision as they failed to define and properly justify what data or information from the cost and revenue records allegedly fulfil the conceptual characteristics of the trade secret of Česká pošta. The court considered such statement of grounds of the contested decision to be absolutely inadequate and unreviewable and therefore annulled the contested decision for lack of reviewability and referred it back to the defendant for further proceedings, because it did not find the conditions due to its lack of reviewability for imposing on the defendant the obligation to provide the claimant with the requested information.

##### f) Number of complaints filed pursuant to Section 16a of Act No. 106/1999 Coll., reasons for filing them, and brief description of the processing

In 2022, CTU handled 2 complaints under Section 16a of Act No. 106/1999 Coll. against the actions of CTU as an obliged entity in handling requests for the provision of information. In the first case, where more information was anonymised in the decisions provided than the law requires of the obliged entities, the com-

**Table 19 – Provision of information pursuant to the Act No. 106/1999 Coll., on free access to information, as amended, for the period 2018-2022**

Year	Number of requests for information	Number of decisions on the rejection of a request	Number of appeals filed against a decision	Number of requests for information suspended
2018	73	20	7	2
2019	69	24	8	1
2020	96	23	5	2
2021	89	11	1	6
2022	80	18	3	3

plaint procedure was discontinued, and the obliged entity was ordered to provide the requesting party with information that consisted in anonymising less information in those decisions.

In the second case, where the complaint was filed against a notice on the payment of costs for the provision of information, the amount of CTU's reimbursement of costs was upheld.

g) *Number of review proceedings pursuant to Section 16b of Act No. 106/1999 Coll. conducted by the Office for Personal Data Protection (hereinafter referred to as "Office for Personal Data Protection")*

In 2022, the Office for Personal Data Protection did not review any decisions of CTU under Section 16b of

Act No. 106/1999 Coll.

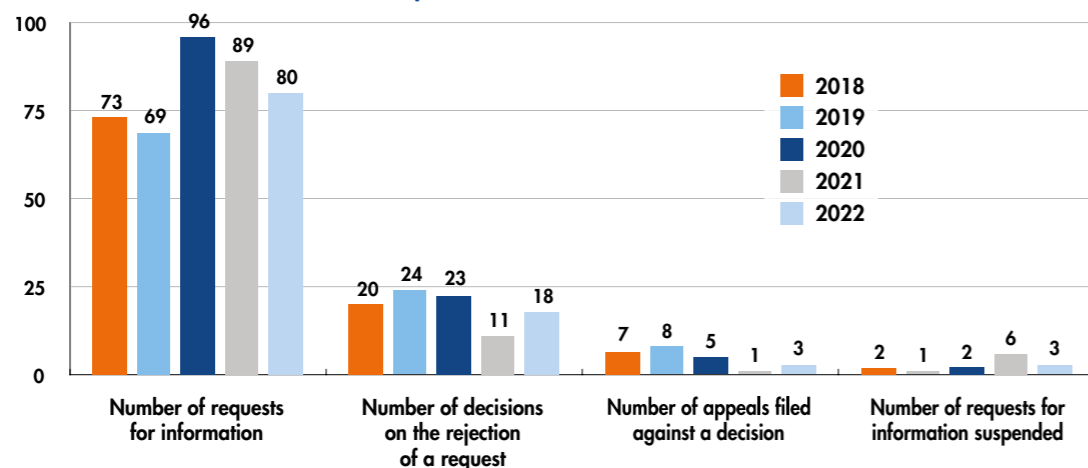
h) *List of exclusive licences provided, including reasoning for the need to provide an exclusive licence (Section 14a of Act No. 106/1999 Coll.)*

In 2022 CTU did not provide any exclusive licence.

i) *Other information relating to the application of Act No. 106/1999 Coll.*

In 2022, CTU did not collect any reimbursements of costs associated with the provision of information pursuant to Section 17 of Act No. 106/1999 Coll. The written requests for the provision of information included in the 2022 records were handled in accordance with the law and the internal regulations at CTU. Requests for information submitted by telephone were

**Chart 16 – Provision of information pursuant to the Act No. 106/1999 Coll., on free access to information, as amended, for the period 2018-2022**



Note: This Annual Report was published on 6 February 2023 in a manner allowing remote access, i.e., on the website of the Office ([www.ctu.cz](http://www.ctu.cz)).

not recorded by CTU and, given their quantity and nature, were dealt with promptly in the same manner. The information provided is published by CTU on its website in accordance with Act No. 106/1999 Coll.

An overview of the settled written requests for the provision of information in 2022 in comparison with the previous years, starting from 2018, is shown in Chart 16.

### 3 ANNUAL REPORT OF THE CZECH TELECOMMUNICATIONS OFFICE ON OUT-OF-COURT SETTLEMENT OF CONSUMER DISPUTES (SECTION 20K(4) AND (5) OF THE CONSUMER PROTECTION ACT)

The legal framework for the out-of-court settlement of consumer disputes in the field of electronic communications services and postal services in 2022 consisted mainly of the Electronic Communications Act and of the Postal Services Act, including regulations issued to implement the same. The procedural actions of the Office within out-of-court settlement of consumer disputes is regulated by Act No. 500/2004 Coll., Code of Administrative Procedure, as amended. General obligations of the Office, as the out-of-court consumer dispute resolution body, in particular the disclosure and notification obligation, are regulated in Act No. 634/1992 Coll., the Consumer Protection Act, as amended.

Pursuant to Section 20k(4) of Act No. 634/1992 Coll., on Consumer Protection, as amended, the Office

ce, as an out-of-court consumer dispute resolution body, reported the following information to the Ministry of Industry and Trade as part of the 2022 evaluation:

a) *on the number disputes submitted to it and the types of suggestions related to it;*

For the year 2022 the Office received 257 petitions regarding a dispute between the consumer and provider of electronic communication services or provider of postal services. The petitions were related to the dispute proceedings regarding an objection against the handling of a claim about the billing, claim about the electronic communication service, concerning a dispute about non-pecuniary consideration, and concerning an objection to the handling of a claim about the defects of postal services.

b) *on the percentage of out-of-court settlements of consumer disputes which were suspended or rejected without finding a solution, and the percentage of the reasons for the suspension or rejection, if known;*

In 2022, proceedings were suspended in 21% of the total number 257 requests received for out-of-court settlement of consumer disputes. Out of the total number of suspended proceedings, the proceedings were suspended in 54 requests for reasons stated in Table 20.

c) *on the average time necessary for the settlement of the dispute;*

The average time necessary for the settlement of the dispute within of the out-of-court settlement of consumer disputes was 119 days.

d) *on the degree of compliance with the outcome of the out-of-court settlement of consumer disputes, if known;*

Administrative proceedings conducted by CTU

**Table 20 – Overview of the applicants share according to the reason for suspension of the proceedings**

Reason for suspension of the proceedings	Share in %
Requesting party withdrew the request	22
Requesting party failed to rectify substantial defects of the request	22
Requesting party failed to pay the administrative fee	48
Request has become irrelevant	8

have two instances. A decision issued by the Office is binding upon the parties and enforceable by other procedures according to the law and legally.

**e) on system or serious problems which occur frequently and lead to disputes between consumers and vendors;**

Main causes of disputes between consumers and providers include failure to comply with legal obligations, in particular the service providers' disclosure obligation related to termination of the contract in the event of unilateral changes consisting e.g. in an increase of the price for the agreed services, in the change of the tariff or, as the case may be, a change in parameters of the agreed service of electronic communications. Disputes relating to the poor quality of internet access service, in particular low internet speeds, are also a significant part of this. With respect to portability, the Office encounters cases where the provider fails to provide the consumer with the OKU number required for the telephone number porting process, the time limit for porting the telephone number is too long, or the required porting does not occur.

There were also submissions containing a complaint about the procedure in the course of conclusion of contracts at the provider's branch, where the complainants were not allowed to get thoroughly acquainted with the content of the concluded contract. Another cause of dispute is the conclusion or change of a contract made by telephone, where the subsequently issued bill did not correspond to the agreement made during the telephone call, or an unsolicited service was activated for the consumer. Often, the Office encounters insufficient awareness of consumers about the rights and obligations arising from the contract, or inaccurate or outright incorrect interpretation of contractual provisions by consumers. In addition to insufficient information provided to the consumers prior to the conclusion and during the term of the contract, providers of electronic communications services as well as operators of postal services often provide insufficient justification for claims rejected by them and the consumer is then often prevented from verifying the reasonability of the rejection of the claim by the provider or operator.

In the area of postal services, the most frequent causes of disputes were damage to the contents of a postal item or the loss of a postal item and related

right to compensation for damages, or, for example, failure to deliver the postal item in accordance with the concluded contract, where the agreed directions or supplemental services are not complied with, unjustified return of the postal item to sender or failure to make an attempt to deliver the postal item.

A major reason is also the insufficient awareness of consumers about the postal terms, including but not limited to packaging of the postal item, method of calculation of the damages, and permitted content of a postal item with respect to the service chosen as well as the handling of claims by the postal service operator where it is inadequately explained and often ambiguous and repetitive. In connection with the gradually expanding range of postal service operators, the number of disputes concerning (in addition to Česká pošta) other operators, in particular Zásilkovna s.r.o., Direct Parcel Distribution CZ s.r.o., etc., is increasing.

**f) on cooperation, if any, of the bodies within a network of the consumer dispute out-of-court settlement bodies facilitating the settlement of cross-border disputes and assessment of the effectiveness of this cooperation, if any**

In 2022, CTU did not receive any request related to a cross-border dispute.

**g) on professional training of natural persons for performing the out-of-court settlement of consumer disputes;**

The employees responsible for performance of the out-of-court settlement of consumer disputes are trained on regular basis within the training of civil servants in the laws and regulations under which the disputes are processed.

**h) on assessment of the effectiveness of the out-of-court settlement of consumer disputes and on potential improvement thereof;**

With respect to the binding nature of the decision on the parties to the dispute and the procedures according to the laws, the settlement of consumer disputes is considered sufficiently effective.

## 4 INFORMATION ON HANDLING COMPLAINTS ABOUT THE ACTIVITIES OF THE OFFICE FOR THE YEAR 2022

In all fifteen cases, the complaints were directed against the procedures of the administrative body; no complaint was directed against inappropriate behaviour of officials. The case-by-case investigation thus found 13 complaints to be unfounded and 2 complaints to be substantiated, 1 of which was found to be partially substantiated.

In the case where CTU found the complainant's complaint to be justified after investigation, the complainant expressed their disagreement with CTU's handling of the administrative offence proceedings, as the complainant had not been informed of how their complaint had been handled. CTU dealt with the complaint by sending the complainant a notice of adjournment and by taking measures to remedy the deficiency found in the form of a strong reprimand to the authorised official, who in this case did not observe the principle of speed or, more precisely, the time limit laid down in the Code of Administrative Procedure.

In another case, when CTU investigated the complaint and found it partially justified, the complainant expressed their dissatisfaction with the work of the authorised official who had included a document in a file to which it did not belong. CTU informed the complainant that the complaint was found to be partially justified and took steps to remedy the deficiency by having a conversation with the authorised official.

In all other thirteen cases, CTU investigated the complaints and found them unfounded. In the area of checking the activities of Česká pošta in relation to the provision of postal services, CTU dealt with one complaint in which the complainant argued that CTU made decisions according to the non-existent price list of Česká pošta. In the area of administrative proceedings in the field of administrative offences, CTU handled two complaints, in the first case the complainant argued that CTU was unreasonably burdening the complainant with an administrative burden, and in the second case the complainant argued against the inaction of the administrative body. The other three

complaints were directed against the administrative body's compliance with the Code of Administrative Procedure, consisting of incorrect delivery, failure to respect certain principles of administrative procedure and unjustified delays. In one case, the complainant objected to the violation of the rights of the parties to the administrative proceedings conducted by CTU, specifically in accessing the file. In another case, the complainant objected very vaguely to Vodafone's billing for services. In two cases, the same complainant objected to CTU's conduct in

the administrative proceedings, describing it as bullying. In three cases, the same complainant objected to CTU's conduct in setting the venue of the hearing at the address of the regional department.

No remedial actions were adopted in the case of complaints about incorrect actions of the administrative body assessed as unfounded.

An overview of the number of complaints filed in 2022 is presented in Table 21 at the end of this Report.

No anonymous submissions were delivered to CTU in addition to receiving and dealing with the complaints specified above, neither did CTU consider any other complaint in 2022 within the meaning of this Report.

In 2022, CTU received three petitions.

All of the submissions in question referred to the lack of mobile network signal coverage in the district of Kouty in the town of Kravaře, in the municipalities of Krasov, Čaková and Brantice – the local district of Radim, and in the municipality of Košík – the local district of Tuchom. Insufficient signal quality significantly complicates the possibility to call emergency numbers and also has a negative impact on the business environment in these areas. For this reason, the inhabitants asked CTU to improve the coverage with radio signal of mobile networks in those municipalities.

The Office informed the authors of all petitions about its scope of powers and responsibilities pursuant to the Electronic Communications Act, stating that the coverage with radio signal which is provided by mobile operators is primarily their responsibility and depends on their business and economic judgment and goals.



In spite of the foregoing, however, CTU wishes to support as much as possible successful fulfilment of requests expressed in the petitions, and thus also ensure compliance with the principle laid down in Section 4(4) of the Code of Administrative Procedure, i.e. to allow the persons in question to exercise their rights and legitimate interests. With respect to the above, CTU implemented the following measures:

It sent a letter to the operators concerned in the case of the municipal district of Kouty in the town of Kravaře and in the municipalities of Krasov, Čaková and Brantice – the local district of Radim.

In addition, to support the arguments presented in the petitions, CTU scheduled technical measurements to check the actual coverage of these areas by the radio signal of mobile networks of individual operators in all municipalities. The results of the measurements were provided on a case-by-case basis to the petitioners. CTU is prepared to participate in the specific discussions to resolve the situation. The authors of the petitions were informed in writing about all of the above-mentioned measures.

CTU also has on record all submissions announced or delivered to it in the matter of suspicion of corruption or fraud by any of its employees. It checks and regularly assesses these within its remit as part of an analysis of the complaints handled based on the provisions of Section 175 of the Code of Administrative Procedure.

In 2022 CTU did not receive any report of suspected corrupt conduct by an employee of CTU.

As for the messages received at the anti-corruption e-mail address [korupce@ctu.cz](mailto:korupce@ctu.cz), which was put into operation on 10 July 2007, they are handled in a special manner within CTU in terms of the regular monitoring and responsible evaluation thereof, since the

anti-corruption e-mail address could serve as a potential source of information on potential corrupt conduct by CTU employees. CTU is therefore ready to respond promptly and actively to such submissions in accordance with internal regulations and based on generally applicable regulations.

The anti-corruption e-mail address also serves for submitting reports pursuant to Government Decree No. 145/2015 Coll., on Measures Related to the Reporting of Suspected Unlawful Acts in a Civil Service Authority which were processed pursuant to this Decree, and also Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the Protection of Persons Who Report Breaches of Union Law, which has not yet been transposed. For the sake of completeness, it is necessary to state that the address [korupce@ctu.cz](mailto:korupce@ctu.cz) is used by the public for submitting suggestions in the event of suspected unlawful acts of undertakings in electronic communications or postal services, i.e., for submissions of a nature other than what it is supposed to serve. Such submissions are nevertheless referred to the relevant department of CTU for processing within the relevant legal framework.

**Table 21 – List of complaints by 31 December 2022 (Section 175 of the Act No. 500/2004 Coll., Administrative Procedure Code)**

	Type	Number of submissions					
		Received	From previous period	Settled	Justified	Unfounded	carried over to subsequent period
1.	<b>Petition*)</b>	3	–	3	3	–	–
2.	<b>Complaint**)</b>	15	–	15	2	13	–
1.	<b>Notice**)</b>	–	–	–	–	–	–
2.	<b>Initiative**</b>	–	–	–	–	–	–

\*) Act No. 85/1990 Coll., on petition right    \*\*) Act No. 500/2004 Coll., Administrative Procedure Code, as amended, Section 175

# ANNEXES IN 2022

## 1 OVERVIEW OF SUBSCRIBER DISPUTES IN ELECTRONIC COMMUNICATIONS SERVICES IN 2022

Type of activity	Commenced administrative proceedings	Issued decisions	Decided in a favour of		Other
			subscribe	provider	
<b>Decision on subscriber disputes</b>	25 701	24 975	310	22 791	1 874
a) objections against settlement of complaints on provided service	19	13	1	4	8
b) on objections against settlement of complaint on billing statement for services	88	69	16	29	24
c) on payment of the price for services (financial claim)	25 583	24 890	293	22 757	1 840
d) other	11	3	-	1	2

## 2 SUBSCRIBER/USER COMPLAINTS ON ELECTROCOMMUNICATIONS SERVICE IN 2022

Subject-matter of complaint	I.Q	II.Q	III.Q	IV.Q	TOTAL
1. Electronic communications services	234	288	263	239	1 024
2. Telephone number portability in mobile network	14	12	10	15	51
3. Telephone number portability in fixed network	4	2	5	5	16
4. Change of internet access service provider	14	2	3	11	30
5. Consumer protection	6	11	10	11	38
6. Universal service	3	6	3	1	13
7. Radiocommunications services	56	42	32	27	157
8. Communication networks, protection zones and use of other person's property	34	57	20	14	125
9. Other	250	218	362	737	1 567
<b>TOTAL</b>	<b>615</b>	<b>638</b>	<b>708</b>	<b>1 060</b>	<b>3 021</b>

## 3 SOURCES OF INTERFERENCE OF ELECTRONIC COMMUNICATIONS EQUIPMENT AND NETWORKS

Identification of sources of interference with electronic communications equipment and networks, provision of electronic communications services or operation of radiocommunication services	2022
of which: Radio, television and satellite reception	1 188
Radio equipment and networks	294
Public communications networks for the transmission of R and TV signals (TKR)	2
Others (common television antennas)	183

## 4 OVERVIEW OF CONTROL ACTIVITIES POSTAL SERVICES AND SUBSCRIBER DISPUTES FOR 2022

Type of activity	Number		Number of local investigations		number of initiated administrative proceedings	number of issued decision *	decided to the benefit of the			imposed fines	
	total	out of which	total	out of which			subscriber	provider	other	number	amount in CZK
<b>1. compliance with Postal Services Act</b>	769	-	173	-	79	91	-	-	-	87	2 725 000
a) compliance with postal conditions according to Section 6 of Postal Services Act	-	204	-	17	9	10	-	-	-	10	147 500
b) compliance with other provisions of the Postal Services Act	-	458	-	6	45	63	-	-	-	60	2 187 000
c) compliance with the conditions of quality requirements according to Decree No. 464/2012 Coll.	-	50	-	150	2	5	-	-	-	5	63 000
d) compliance with ZOS	-	57	-	0	23	13	-	-	-	12	327 500
<b>2. Decisions on objections to the handling of a complaint acc. to Section 6a of Postal Services Act</b>	0	-	6	-	236	288	74	122	92	-	-
<b>3. Failure to provide information acc. to Section 32a of Postal Services Act</b>	0	-	-	-	0	1	-	-	-	1	8 000
<b>4. Other</b>	0	-	1	-	4	3	-	-	-	2	26 000
<b>TOTAL</b>	<b>769</b>	<b>-</b>	<b>180</b>	<b>-</b>	<b>319</b>	<b>383</b>	<b>74</b>	<b>122</b>	<b>92</b>	<b>90</b>	<b>2 759 000</b>

## 5 INQUIRIES, COMPLAINTS AND TELEPHONE INQUIRIES IN POSTAL SERVICES FOR 2022

Subject	Telephone inquiries	Number of submissions processed	Total
a	b	c	d
<b>Complaints and inquiries about postal services</b>	–	–	–
<b>1. Long waiting times</b>	2	0	2
<b>2. Post office opening hours</b>	0	1	1
<b>3. Change in storage post office</b>	4	6	10
a) Basic postal services	4	5	9
b) Commercial postal service	0	1	1
c) Not specified	0	0	0
<b>4. Service of delivery of a postal parcel</b>	71	227	298
a) Basic postal services	38	128	166
b) Commercial postal service	13	49	62
c) Not specified	20	50	70
<b>5. Processing complaints</b>	146	155	301
a) Basic postal services	40	68	108
b) Commercial postal service	18	56	74
c) Not specified	88	31	119
<b>6. Breach of postal secrecy</b>	1	3	4
a) Basic postal services	0	2	2
b) Commercial postal service	0	0	0
c) Not specified	1	1	2
<b>TOTAL</b>	<b>224</b>	<b>392</b>	<b>616</b>

## 6 MEASURES OF GENERAL NATURE (OOP) ACC. TO THE ELECTRONIC COMMUNICATIONS ACT ISSUED IN 2022

OOP – Others

No.	Registration number	Title	Date	Number of the Telecommunication Bulletin (TB)	Effective from
1.	OOP/13/06.2022-5	Measure of general nature laying down the scope of the data required in an application for an individual authorisation to use radio frequencies	01.06.2022	5/2022 dated 2.6.2022	01.07.2022
2.	OOP/7/06.2022-9	Measure of General Nature repealing the Measure of General Nature No. OOP/7/07.2005-12, laying down the scope, form and method of publication of information relating to access to the network or interconnection of electronic communications networks and essentials, scope and form of the reference offer for access or interconnection, as amended	28.06.2022	6/2022 dated 1.7.2022	15th day after publication on TB
3.	OOP/8/06.2022-10	Measure of General Nature repealing the Measure of general nature No. OOP/8/07.2005-11, the essentials and conditions of the reference offer of unbundled access to the metallic local loop.	28.06.2022	6/2022 dated 1.7.2022	15th day after publication on TB
4.	OOP/10/06.2022-11	Measure of General Nature repealing the Measure of General Nature No. OOP/10/10.2012-12, laying down the technical and organizational conditions for implementing telephone number portability and the principles for number portability billing between undertakings, as amended by the Measure of General Nature No. OOP/10/02.2020-1.	28.06.2022	6/2022 ze dne 1.7.2022	15th day after publication on TB
5.	OOP/21/07.2022-12	Measure of general nature laying down the scope of data on individual authorisations for the use of radio frequencies excluded from access.	01.07.2022	6/2022 dated 1.7.2022	01.07.2022
6.	OOP/4/10.2022-20	Measure of General Nature repealing the Measure of General Nature No. OOP/4/09.2014-6, laying down a special classification of cost and revenues methodology and their assignment and designating the structure of the reported information.	17.10.2022	10/2022 dated 14.11.2022	01.01.2023
7.	OOP/13/11.2022-21	Measure of General Nature repealing the Measure of General Nature No. OOP/13/07.2005-1, laying down the scope of the required data in the application for the granting of an individual authorization to use radio frequencies and the Measure of General Nature No. OOP/13/04.2008-3, which amends the Measure of General Nature No. OOP/13/07.2005-1, laying down the scope of the required data in the application for the granting of an individual authorization to use radio frequencies	29.11.2022	11/2022 dated 7.12.2022	01.01.2023

No.	Registration number	Title	Date	Number of the Telecommunication Bulletin (TB)	Effective from
8.	VO-R/1/06.2022-6	General Authorization to operate user terminals of radio networks of electronic communications	01.06.2022	5/2022 dated 2.6.2022	01.07.2022
9.	VO-R/24/07.2022-14	General Authorization to operate infrastructure equipment for the propagation of radio signals inside tunnels and interior spaces of buildings	20.07.2022	7/2022 dated 28.7.2022	01.09.2022

## OOP – Radio spectrum use plan

No.	Registration number	Title	Date	Number of the Telecommunication Bulletin (TB)	Effective from
10.	PV-P/7/02.2022-3	Part of the radio spectrum utilization plan for the frequency band 2700-4200 MHz (Sectin 16, Paragraph 2)	22. 02. 2022	3/2022 dated 3. 3. 2022	01. 04. 2022
11.	PV-P/10/05.2022-4	Part of the radio spectrum utilization plan for the frequency band 470-960 MHz (Sectin 16, Paragraph 2)	03. 05. 2022	4/2022 dated 4. 5. 2022	01. 06. 2022
12.	PV-P/17/07.2022-7	Part of the radio spectrum utilization plan for the frequency band 15,35-21,2 GHz (Sectin 16, Paragraph 2)	22. 06. 2022	7/2022 dated 28. 7. 2022	01. 09. 2022
13.	PV-P/13/07.2022-8	Part of the radio spectrum utilization plan for the frequency band 10-12,5 GHz (Sectin 16, Paragraph 2)	22. 06. 2022	7/2022 dated 28. 7. 2022	01. 09. 2022
14.	PV-P/4/08.2022-16	Part of the radio spectrum utilization plan for the frequency band 33,4-39,5 GHz (Sectin 16, Paragraph 2)	16. 08. 2022	9/2022 dated 31. 8. 2022	01. 01. 2023
15.	PV-P/21/08.2022-17	Part of the radio spectrum utilization plan for the frequency band 174-380 MHz (Sectin 16, Paragraph 2)	16. 08. 2022	9/2022 dated 31. 8. 2022	01. 10. 2022
16.	PV-P/1/08.2022-18	Part of the radio spectrum utilization plan for the frequency band 146-174 MHz (Sectin 16, Paragraph 2)	30. 08. 2022	9/2022 dated 31. 8. 2022	01. 10. 2022
17.	PV-P/26/08.2022-19	Part of the radio spectrum utilization plan for the frequency band 27,5-66 MHz (Sectin 16, Paragraph 2)	30. 08. 2022	9/2022 dated 31. 8. 2022	01. 10. 2022

## OOP – Network plans

No.	Registration number	Title	Date	Number of the Telecommunication Bulletin (TB)	Effective from
18.	SP/2/01-2022-1	Network plan amending SP/2/05.2011-7 (Network plan of transfer parameters of public telephone networks according to Section 62, paragraph 3)	26. 01. 2022	1/2022 dated 31. 1. 2022	15th day after publication on TB
19.	SP/3/02.2022-2	Signaling network plan of public communication networks (Section 62, Paragraph 3)	16. 02. 2022	2/2022 dated 18. 2. 2022	15th day after publication on TB
20.	SP/4/07.2022-15	Network plan, repealing SP/4/07.2011-13 (Network plan for the allocation of identifiers of data flow networks and services for national digital television broadcasting networks in the Czech Republic according to Section 62, Paragraph 3)	27. 06. 2022	7/2022 dated 28. 7. 2022	15th day after publication on TB

## OOP – Analyzes of relevant markets

No.	Registration number	Title	Date	Number of the Telecommunication Bulletin (TB)	Effective from
21.	A/2/07.2022-13	Dedicated wholesale capacity (corresponding to the former relevant market No. 4)	20. 07. 2022	7/2022 dated 28. 7. 2022	15th day after publication on TB
22.	A/S1/12.2022-22	Measure of General Nature amending Measure of General Nature – market analysis no. A/1/04.2020-3, market No. 1 - Wholesale call termination on individual public telephone networks provided at a fixed location	05. 12. 2022	12/2022 dated 21. 12. 2022	15th day after publication on TB

## 7 FULFILMENT OF BINDING INDICATORS OF STATE BUDGET IN 2022

(in thousands of CZK)

Indicators	Budget		Final budget	actual budget as of 31. 12. 2022	% of achievement (5/4)
	approved	amended			
1	2	3	4	5	6
<b>AGGREGATE INDICATORS</b>	–	–	–	–	–
Total income	1 576 080,00	1 576 080,00	–	2 913 568,83	184,86 %
Total expense	730 764,02	2 990 208,37	7 825 780,69	7 453 056,16	95,24 %
<b>SPECIFIC INDICATORS - INCOME</b>	–	–	–	–	–
Tax income	30 000,00	30 000,00	–	28 801,24	96,00 %
Total non-tax income, capital income and transfer receivables	1 546 080,00	1 546 080,00	–	2 884 767,60	186,59 %
including: Total income from the European Union budget excl. Common Agricultural Policy	0,00	0,00	–	0,00	0,00 %
Total other non-tax income, capital income and transfer receivables	1 546 080,00	1 546 080,00	–	2 884 767,60	186,59 %
<b>SPECIFIC INDICATORS - EXPENCES</b>	–	–	–	–	–
Expenses on securing the achievement of the Czech Telecommunication Office tasks	730 764,02	2 990 208,37	7 825 780,69	7 453 056,16	95,24 %
including: Expenses covering loss from the provision of universal service - special prices	100 000,00	100 000,00	100 000,00	57 352,87	57,35 %
Expenses covering loss from the provision of universal service - net costs	170,00	170,00	170,00	0,00	0,00 %
Net costs representing unfair financial burden of postal licence holders	0,00	2 250 000,00	6 750 000,00	6 750 000,00	100,00 %
Expenses connected with the performance of the Czech EU Presidency	0,00	0,00	0,00	0,00	0,00 %
Other expenses on securing the achievement of the Czech Telecommunication Office tasks	630 594,02	640 038,37	975 610,69	645 703,29	66,18 %
<b>CROSS-SECTIONAL INDICATORS</b>	–	–	–	–	–
Salaries of employees and other payments for work	313 054,79	320 025,02	317 529,48	308 791,03	97,25 %
Mandatory insurance paid by employer	105 601,27	107 957,20	107 267,92	103 882,20	96,84 %
Transfer of culture and social needs fund	5 974,48	6 113,89	5 960,67	5 960,67	100,00 %
Salaries of employees in work service except employees in civil service	–	–	–	–	0,00 %
Salaries of employees in civil service acc. to the Civil Service Act	298 724,01	305 694,24	302 228,41	297 370,80	98,39 %
Ensuring readiness for crisis situations according to Act No. 240/2000 Coll.	0,00	0,00	0,00	0,00	0,00 %
Total costs jointly financed by the European Union budget without CAP	0,00	0,00	0,00	0,00	0,00 %
including: From the state budget	0,00	0,00	0,00	0,00	0,00 %
Share of the European Union budget	0,00	0,00	0,00	0,00	0,00 %
Total costs kept in EDS/SMVS information system of program financing	68 855,00	68 855,00	306 407,96	74 895,61	24,44 %

## 8 CHAPTER INDICATORS - BUDGET OVERVIEW FOR 2023

Summary indicators	in thousands CZK
<b>SUMMARY INDICATORS</b>	
Total Income	1 065 230
Total Expense	2 222 277
<b>SPECIFIC INDICATORS - INCOME</b>	
Tax income <sup>1)</sup>	30 000
Total non-tax income, capital income and transfer receivables	1 035 230
including: Total income from the European Union budget excl. Common Agricultural Policy	–
Other non-tax income, capital income and transfer receivables	1 035 230
<b>SPECIFIC INDICATORS - EXPENSES</b>	
Expenses on securing the achievement of the Czech Telecommunication Office tasks	2 222 277
including: Expenses covering loss from the provision of universal service - special prices	100 000
Expenses covering loss from the provision of universal service - net costs	220
Net costs representing unfair financial burden of postal licence holders	1 500 000
Expenses connected with the performance of the Czech EU Presidency	–
Other expenses on securing the achievement of the Czech Telecommunication Office tasks	622 057
<b>CROSS-SECTIONAL INDICATORS</b>	
Salaries of employees and other payments for work	330 706
Mandatory insurance paid by employer <sup>2)</sup>	111 779
Transfer of culture and social needs fund	6 333
Salaries of employees in work service except employees in civil service	–
Salaries of employees in civil service acc. to the Civil Service Act	316 647
Ensuring readiness for crisis situations according to Act No. 240/2000 Coll.	–
Total costs jointly financed by the European Union budget without CAP	–
including: From the state budget	–
Share of the European Union budget	–
Total costs kept in EDS/SMVS information system of program financing	37 250

<sup>1</sup> bez příjmů z povinného pojistného na sociální zabezpečení a příspěvku na státní politiku zaměstnanosti

<sup>2</sup> povinné pojistné na sociální zabezpečení a příspěvek na státní politiku zaměstnanosti a pojistné na veřejné zdravotní pojištění



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