



Czech Telecommunication Office

November 2022

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## Telegraphically

### How to deal with unsolicited marketing

The Czech Telecommunication Office has prepared a new video on unsolicited marketing calls under the [Telecommunication Academy](#) project. You will learn how to refuse an offer, record it and where and how to complain. You can watch the video on our [YouTube channel](#). You can also find more detailed advice in the clear [text manual](#) on our website.

### The CTU Council is complete again

With effect from 24 October, the Government [appointed a new member of the CTU Council](#). It is Mr. [Jiří Šuchman](#), a telecommunications manager who succeeded in the selection procedure of the Ministry of Industry and Trade.

### Partial amendment to the Act

The Government [approved](#) a draft partial "technical" [amendment](#) to the Electronic Communications Act authored by the Ministry of Industry and Trade, which regulates in particular the definition of low-income persons for the purpose of providing so-called special prices in order to help users in need and to enable effective checking of the use of these prices. The amendment will then go to the Chamber of Deputies.

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## What should I do if I have poor TV or radio reception?

### Check, report

**The Czech Telecommunication Office has published a new version of a [form](#) that makes it easy to report poor quality TV reception, especially via DVB-T2. After receiving the completed form, CTU will investigate the cause of the poor quality TV reception. To complete the form, you need to record the times when the problems occur, the programmes and channels involved, the address where the poor reception is occurring, and provide the contact details so that we can contact the complainant and help them resolve the situation. However, before submitting the form, the complainant should carry out several necessary actions. Similarly, one can complain about poor quality radio reception.**

So, what should you do if your TV picture is shown "in little cubes", freezes, the TV has no picture at all or is out of sync with the sound, the sound goes out or is distorted? The most important thing at such a moment is to check your own equipment, because very often the inspection reveals a defect on the viewer's side.

If you have an individual antenna, check its installation, especially the installation of the outdoor antenna. Is it designed to receive the channel, is it mechanically undamaged, properly mounted,

directed, polarized? Also check the amplifiers (necessity and suitability of use), the antenna lead (especially the integrity, fixing of connectors, etc.) and the TV set itself (faultless operation and correct tuning, look out for mobile phones and radio modems left nearby - they are a common cause of TV interference). Neighbours can also give you some information - what is their reception quality? If excellent, the fault is more likely to be with the recipient.

If you have a shared TV cable system or a community antenna, check your own cables (local loop) and your own receiver, and ask about the reception quality of neighbours in the same house. If there is no fault with your own equipment, you should contact the common distribution system operator, who should check the functionality of the equipment under their management and, if necessary, arrange for its repair.

If the source of the problem has not been discovered according to the previous procedure and the problem persists, you can contact CTU, either via the above-mentioned form or by other means.

For more information, visit [our website](#).

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## Visualization Portal of telecommunications services

**On 1 November 2022, a new version of the [Visualization Portal of telecommunications services](#), the so-called VPortal, was launched. It is a comprehensive visualization tool which helps users to compare the quality of telecommunications services in the Czech Republic. The portal is divided into individual modules according to the type of services. With the new version, the modules have been expanded to include the “Television services” module, which provides the display of data on the availability of services for access to nationwide and regional DVB-T2 digital television broadcasting. Currently, VPortal offers three modules - mobile services, radio services and television services.**

The “mobile services” module has been expanded to display:

- base stations in pilot operation,
- mobile signal coverage of address locations,
- evaluation of the coverage of motorways and railway corridors from the calculated coverage values (simulation).

Within this module, a new functionality has also been added that allows the user to view the evolution of the evaluation of the fulfilment of development criteria in the 3600-3800 MHz frequency band for territorial units of municipalities and districts of the Czech Republic.

All modules have been simplified and the functionality of their control has been improved, thus improving and increasing the efficiency of work with the map application. For example, the option to search for addresses and selected territorial units has been added. The ability to download the current map view to an image in JPG or PNG format, etc. is another new functionality.

When creating the new version of VPortal, the basic rules for the design of public administration websites were taken into account in accordance with [Design system at gov.cz](#).

The development of VPortal will continue in 2023. A new “fixed services” module is about to be launched.

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## Payment of security deposit required: The law allows it, CTU will assess the alleged discrimination on individual basis

**During its official activities, CTU frequently encounters complaints alleging discrimination by providers of electronic communications services against customers who are foreign nationals. This is due to the requirement to pay a financial security deposit to secure the obligations arising from the contract, which the subscribers may encounter at the actual conclusion of the contract for the provision of electronic communications services.**

While CTU understands that these subscribers may perceive such a requirement as unfair or discriminatory, it should be noted that requiring a security deposit (often also referred to as a deposit or security) cannot automatically be considered an unlawful practice by individual operators. In general, it is a standard security measure under the Civil Code, which is not a manifestation of a discriminatory or unlawful approach.

As already mentioned, the law provides for the possibility of such a way to secure obligations, and operators usually detail in their contract terms under which conditions they require such a security, including the conditions for its return.

It should also be stressed that operators may require such security from customers (whether Czech or foreign nationals) for whom it can be assumed that any unpaid future obligations may be difficult to collect. However, it is understandable that in the case of persons who do not have permanent ties to the Czech Republic, this risk will probably be assessed as higher.

### ***Do not hesitate to contact us***

It would be discrimination if the security deposit were demanded from a person interested in using electronic communications services solely based on their foreign nationality, regardless of the individual assessment of their creditworthiness.

CTU therefore always strictly takes into account all the circumstances of the specific case under consideration. In this context, CTU appeals to all subscribers who suspect unequal approach indicating possible discriminatory behaviour on the part of providers of electronic communications services not to hesitate to contact CTU in order to investigate such practices.

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## Checked by CTU in October...

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

CTU completed 16 inspections in September. Defects consisting in the effect of harmful interference to radiocommunication service stations on a primary basis (meteorological radar) were identified in 14 cases; these were resolved by a call to rectify the identified deficiencies and will subsequently be addressed in administrative proceedings.

... the use of radio frequencies without authorisation

CTU carried out a total of 18 inspections focused on the use of frequencies without authorization (including frequencies for the use of which an individual licence cannot be issued). 14 inspections

revealed use of frequencies without authorisation; the cases were referred for resolution in administrative proceedings.

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

11 inspections were carried out. Violations of the conditions of the individual authorisation were found in seven cases, which were addressed by a call to rectify the identified deficiencies and will subsequently be addressed in administrative proceedings. All 7 cases involved the operation of VHF radio transmitters.

... [sources of interference with the operation of electronic communications equipment and networks, the provision of electronic communications services or the operation of radiocommunications services](#)

In October, CTU closed 9 cases of interference with 5G and LTE public mobile communication networks (in two cases the source of interference was an active element of TV signal reception, in other two cases it was due to the so-called GSM repeaters), 10 cases of interference with radio and satellite signal reception, 5 cases of interference with short-range devices, and 6 cases of interference with various devices (WiFi stations, amateur service radio station, etc.). In cases where the interference was confirmed and the source of the interference was found, the operators of the interference sources were ordered to eliminate them.

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

In October, CTU closed a total of 98 cases of TV reception interference. The investigation of complaints about poor TV reception revealed that in 66 cases the defect was in the viewer's equipment (most often a technical fault of the receiving antenna or lead-in), in 13 cases the interference stopped or occurred sporadically. In 5 cases, the complainant withdrew the interference complaint during the investigation. In 13 cases, a source of interference was detected, and the sources of interference were mobile operator's 5G base stations. In one case, the poor reception quality was due to insufficient signal strength at the reception site.

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

As of 31 October 2022, 1404 base stations were in pilot operation, and 2234 stations were in permanent operation. In October, a 5G/LTE base station was identified as a source of TV signal interference in 13 cases. In October, CTU sent a letter via data mailbox to 363 municipalities in whose region the pilot operation of 5G base stations was launched, with [information on how to proceed in case of TV signal reception interference](#) .

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

As of 31 October 2022, 290 base stations were in pilot operation, and 16,965 stations were in permanent operation. In October, an LTE base station was not identified as a source of TV signal interference.

2,049 - the number of decisions issued in October on the matter, of which 2,046 decisions concerned a dispute over payment (payment of the price for services).

3,212 – the number of administrative proceedings initiated in October concerning subscriber disputes between the person carrying out the communication activity and the subscriber. These are the disputes over payments and objections against a claim settlement about the billing of the price or the provided publicly available electronic communications service.

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## Universal service – special prices and special terminal equipment devices

### Decision on the request for reimbursement of the loss from the provision of special prices for the year 2021

On 1 November 2022, CTU issued a decision on reimbursement of the loss from the provision of special prices for the year 2021 in the amount of CZK 57,352,873.67. O2 submitted a request for the reimbursement of the loss in the amount of CZK 57,352,873.67 on 18 July 2022. CTU checked whether the submitted calculation complies with the Government Regulation No. 109/2008 Coll., as amended, and whether the loss resulted only from the provision of discounts to persons with disabilities, as defined in the Electronic Communications Act. The loss from the provision of special prices was reimbursed from the state budget by CTU.

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## Strengthening the role of CTU in dispute resolution

In its first reading in October, the Chamber of Deputies supported a draft amendment to the Code of Civil Procedure ([Chamber of Deputies Document 48](#)), which strengthens the position of executive authorities, regional or local government authorities, bodies of interest or professional self-government, or a conciliation body established pursuant to a separate regulation, which are collectively referred to as "administrative authorities", in the process of so-called legal actions under Part Five of the Code of Civil Procedure (proceedings in matters decided by another authority).

In terms of application practice, this amendment to the Code of Civil Procedure will probably mostly affect the specialized bodies implementing out-of-court dispute resolution (CTU, ERO, financial arbitrator). Today, these authorities have essentially no procedural status and thus no corresponding procedural rights and obligations in any court proceedings following up on their decisions, which worsens the situation of the consumer, who usually cannot afford the same quality of legal services as a business with high capital. As a result, the court would have to call on these authorities in proceedings under Part Five of the Code of Civil Procedure to state whether they would exercise their authorisations in the proceedings. These authorities could then comment on the legal action, attend the hearing, request to speak or consult the file - i.e., actively participate in the proceedings before the court and defend their previous conclusions.

In particular, in the case of replacing their decision in the grounds of the judgment, the court would have to deal with the reasons which led it to change the conclusions reached by the administrative authority. Unlike the current situation, the administrative authorities would also receive a court judgment, providing them with effective feedback on their decision-making.

The law is proposed to take effect on 1 July 2023.

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## Market analysis and WACC update

### Former Market No. 1 (according to the 2014 Commission Recommendation) - Wholesale market of call termination in individual public telephone networks provided at a fixed location

After CTU carried out a public consultation and a consultation with the Office for the Protection of Competition (hereinafter referred to as "the Office for the Protection of Competition") on the draft Measure of General Nature No A/S1/0x.2022-x amending Measure of General Nature - Market Analysis

No A/1/04.2020-3, market No 1 - wholesale call termination services in individual public telephone networks provided at a fixed location, and received no comments, it initiated the notification of the [measure in question](#) to the European Commission on 21 October 2022. The Commission also did not raise any comments on the measure in question as part of the notification procedure.

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## Special classification of cost and revenues methodology and their assignment and the structure of the reported information

In [Telecommunication Bulletin No. 10/2022](#) CTU published Measure of General Nature No. OOP/4/10.2022-20 amending Measure of General Nature No. OOP/4/09.2014-6 laying down the special classification of cost and revenues methodology and their assignment and designating the structure of the reported information. In this measure, CTU updates the value of the WACC indicator. The new WACC for a designated undertaking providing electronic communications networks or a publicly available electronic communications service is 5.01%, and for an access service on next generation access networks provided by a designated undertaking it is 5.98%. The measure comes into effect on 1 January 2023.

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## The Czech Republic is actively preparing for the World Radiocommunication Conference

**In 2023, the World Radiocommunication Conference (WRC-23) will be held; its main task will be to revise the international rules for the use of frequencies.**

The Czech Republic is actively involved in the preparation of Europe for the WRC and has also contributed, for example, by convening some sub-meetings in the Czech Republic. The meeting of the CEPT/CPG/PTC project team responsible for aeronautical and maritime communications, as well as for radio-determination services, including the Galileo global navigation satellite system, took place in Prague on 18-21 October 2022.

Representatives of regulators, defence ministries and the private sector discussed issues such as radio communications in aviation and maritime communications in international waters. They also discussed the possibility of digitizing long-distance short-wave links used in aviation and the modernization of the GMDSS emergency services system. Telecommunications for the so-called sub-orbital flights, which involve leaving the atmosphere and transitioning to a phase of flight in inter-satellite space, were also part of the discussion.

On the issue of enhancing air traffic safety, several proposals are being discussed globally, including, for example, the introduction of the possibility of VHF pilot communication from the aircraft even in remote and signal-free areas of oceans and continents, using satellite stations. A significant part of the meeting was devoted to the communication and management of professional drones, which are at the beginning of a promising era for the use in various areas of citizens' lives, the economy and national security. Significant progress was made in defining Europe's positions on the various items on the WRC-23 agenda at the Prague meeting.

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# Telecommunications regulation in the EU

## Official Journal of the EU

On 12 October, [Regulation \(EU\) 2022/1925 of the European parliament and of the Council](#) of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives [\(EU\) 2019/1937](#) and [\(EU\) 2020/1828](#) (Digital Markets Act, DMA) was published. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. It shall apply from 2 May 2023. However, Article 3(6) and (7) and Articles 40, 46, 47, 48, 49 and 50 shall apply from 1 November 2022 and Article 42 and Article 43 shall apply from 25 June 2023.

On 27 October, [Regulation \(EU\) 2022/2065 of the European parliament and of the Council](#) of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act, DSA) was published. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. This Regulation shall apply from 17 February 2024. However, Article 24(2), (3) and (6), Article 33(3) to (6), Article 37(7), Article 40(13), Article 43 and Sections 4, 5 and 6 of Chapter IV shall apply from 16 November 2022.

## European Commission

On 18 October, the European Commission published its [Work Programme for 2023](#).

The European Commission also submitted a [Draft Council Recommendation](#) on a coordinated approach by the Union to strengthen the resilience of critical infrastructure. The draft Recommendation aims to maximise and accelerate work on critical infrastructure protection in three priority areas: preparedness, response and international cooperation. To this end, a stronger support and coordination role of the Commission is envisaged to improve preparedness and response to current threats and enhanced cooperation between Member States and with neighbouring third countries. Priority should be given to the key sectors of energy, digital infrastructure, transport and space.

## EU Council

From 31 October to 5 November, under the auspices of the Czech Presidency of the EU Council and Deputy Prime Minister for Digitalisation Ivan Bartoš, the [Czech Digital Week](#) event focused on digitalisation was held for the first time in the Czech Republic. This event should reflect the Czech priorities within the European Union. The [main topics](#) were e.g. support for digital transformation, the future of the Internet, cyber security, opportunities and limits of new technologies. The highlight was the ["EU Secure and Innovative Digital Future"](#) conference, which took place on 3-4 November.

## Eastern partnership

The [Eastern Partnership Business Forum](#) took place in Prague on 17-18 October. The forum was attended by government officials from all 5 Eastern Partnership countries (Ukraine, Moldova, Georgia, Armenia and Azerbaijan), EU representatives, international organisations, business and financial institutions. The aim of the forum was to discuss the possibility of deepening and expanding trade cooperation between the EaP countries and the EU, and geo-economic risks were also discussed, including the current efforts to reduce the economic dependence of the EU and EaP countries on Russia. Cooperation in digital transformation, energy transition, smart cities, sustainable agriculture and screening of foreign investment were the main topics of the conference.