



Czech Telecommunication Office

January 2021

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## Telegraphically

### Roaming in the UK

On 1 January, EU roaming regulations no longer apply to the United Kingdom. Operators can therefore start charging for roaming traffic from/to the UK as a country outside the European Economic Area, instead of the current RLAH principle ("roam like at home"). However, if they decide to do so, they must inform their customers properly and in time, including the possibility to withdraw from the contract without penalty.

### The transposition amendment is awaiting approval in the Chamber of Deputies

A [transposition amendment to the Electronic Communications Act](#), implementing the European Electronic Communications Code, is awaiting discussion in the Chamber of Deputies. CTU expects that the approval of this important amendment will significantly improve the position of consumers in relation to providers of electronic communications services.

### Meeting with the sector

A workshop with operators took place on 13 January. The agenda included the preparation of a decree laying down the technical and organizational conditions for changing the provider of Internet access services. The aim is to make the process as simple as possible and to minimize the burden for stakeholders. The proposed transposition amendment to the Electronic Communications Act was also discussed.

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## Internet speed must now be part of the contract terms

**Since the beginning of January, the position of end users has significantly improved, or, more precisely, their defense, if any, has been facilitated in situations where the performance of the Internet access service does not reach the agreed level. In January, CTU will focus on a thorough inspection of the update of the service providers' contract terms.**

As already announced by CTU in monitoring report [No. 9/2020](#), since 1 January 2021 there has been a major change with regard to the position of end users, or, more precisely, their defense, has been facilitated in situations where the performance of the Internet access service does not reach the agreed level. As of this date, General Authorization [No. VO-S/1/08.2020-9](#), laying down conditions for the provision of electronic communications services, has been amended.

The aim of issuing this amendment was primarily to remedy the current situation where providers of Internet access services were not obliged to state in their contract terms the real parameters of the performance of the service provided. Often, a parameter that in fact could not have been achieved, was advertised. The affected customers, who sought remedy in this case, were not and could not have been successful in a potential complaint procedure.

The unsatisfactory situation and the need to respond to the requirements defined by the applicable European regulations led CTU to define in a binding manner the quality parameters of the performance of the Internet access service. Customers will thus get an idea of the actual characteristics of the offered service before signing the contract, will be in a better position to compare the offers of individual providers, and will be able to effectively submit complaints about inadequate performance of their service.

Providers are newly obliged to derive data connection speed parameters from the advertised speed. The advertised speed must not be higher than the maximum speed for access at a fixed location or than the estimated maximum speed for mobile Internet access.

When distinguishing between a mobile service and a service provided at a fixed location, CTU will rely on the nature of the service as stated by its provider. A service for which the provider does not limit the possibility of its use on the move will be considered a mobile service. On the contrary, in case the provider limits the availability of the service on the move, or links the use thereof to one or more specific addresses, CTU will consider it as a service provided at a fixed location.

Normally available speed, as another parameter for access at a fixed location must be indicated by the provider in the contract as a specific value which corresponds to at least 60% of the value of advertised speed. The minimum speed must be stated in the same way for access at a fixed location: as a concrete value which must not be less than 30% of the value of advertised speed.

Where the provider offers an Internet access service at a fixed location with an advertised speed of, for example, 100 Mbps, the value of the normally available speed will have to be stated in the contract as a specific value higher than or equal to 60 Mbps (60% of the value of advertised speed), and the minimum speed will have to be stated as a value higher than or equal to 30 Mbps (30%).

A decrease in the speed achieved by the access service at a fixed location by the end-user (the so-called actually achieved speed) below the value of the minimum speed shall be considered a failure of this service and constitutes a ground for a complaint about the service. However, the user may complain about the provided service due to non-compliance with its agreed quality also in case of a significant continuous discrepancy or significant recurring discrepancy, both for access at a fixed location and for mobile access.

A decrease in the speed actually achieved below the set value of the normally available speed continuously for more than 70 minutes shall be considered as significant continuous discrepancy for an access service at a fixed location. is. A significant recurring discrepancy is such discrepancy where there are at least three decreases for at least 3 and a half minutes in a time period of 90 minutes. For the mobile Internet access service, a significant continuous discrepancy shall be a decrease in the actually achieved speed below 25% of the value of advertised speed in an interval longer than 40 minutes. A significant recurring discrepancy shall be a decrease below 25% of the value of advertised speed at least five times for at least 2 minutes in a time period of 60 minutes.

Non-compliance with the agreed quality parameters as such is not an administrative offence, and CTU cannot punish it in any way. However, service providers are obliged to state all specified parameters

in the contract, so that customers have all relevant information and, in case of non-compliance with the agreed quality parameters, have the opportunity to successfully defend against it in a complaint procedure with the provider, or in an appeal proceedings with CTU.

Customers can check the performance of the service by means of [Netmetr](#) (an application which can be downloaded at Google Play and App Store), in the operation of which CTU participates. In case that it does not achieve the agreed parameters, they have the right to complain about the deficiencies by the service provider and request an appropriate discount on the price. The provider is obliged to process the complaint within 1 month, and in case that the customer does not agree with the settlement of the complaint he has the right to object to the settlement of the complaint by CTU.

The largest providers of Internet access services have already adjusted their contract terms accordingly. Customers can now find information on the quality parameters of Internet access in price lists or in separate documents. However, the quality parameters should be specified in the contract terms of all providers of publicly available Internet access services. In case that customers do not find the information in the contract terms of their provider, or if they find that the values stated by the provider are inconsistent with the parameters laid down by General Authorization [No. VO-S/1/08.2020-9](#), CTU requests them to contact it immediately, as the absence or incorrect indication of the quality parameters of Internet access shall be an administrative offence under the law.

In connection with this change and the planned comparison tool, CTU will also present recommendations for end users concerning the Internet access service. CTU will also provide customers with more detailed information about their rights and the instructions on how to check the performance of the service and how to proceed if it does not meet the agreed parameters.

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## Setting single European termination rates

The European Commission, in accordance with Article 75 of the European Electronic Communications Code and after consultation with BEREC, issued on 21 December 2020 the anticipated [Delegated Regulation](#) setting the so-called Union-wide mobile voice termination rate and Union-wide fixed voice termination rate (MTR and FTR).

The Regulation shall enter into force two months after its adoption, unless the European Parliament or the Council of the EU raises comments on its form during that period. The Regulation introduces a single maximum Union-wide fixed voice termination rate of EUR 0.07 cent per minute (approximately 2 Hellers) from 2022 and a single maximum Union-wide mobile voice termination rate of EUR 0.2 cent per minute (approximately 5 Hellers) from 2024.

In the transitional period - probably starting on 1 May 2021 - domestic operators will be able to charge until the end of 2021 a fixed voice termination price which is no more than the price set by the Regulation directly in CZK, namely in the amount of CZK 0.0264 per minute. For mobile voice termination in the same period, domestic operators may charge a price in CZK corresponding to the equivalent of EUR 0.7 cents per minute (i.e. approximately 18 Hellers), and subsequently in 2022 a price corresponding to the equivalent of EUR 0.55 cents per minute (i.e. approximately 14 Hellers), and in 2023 a price corresponding to the equivalent of EUR 0.4 cents per minute (i.e. approximately 10 Hellers).

For the exact conversion of the prices set by the Regulation in EUR cents (see above), operators shall use the procedure defined by the Regulation using the average exchange rates of the European Central Bank.

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## Update of regulated roaming prices

In accordance with the EU Roaming Regulation No. [531/2012](#), the maximum wholesale price per GB of data in roaming in EU countries has been reduced from EUR 3.5 to EUR 3 from 1 January 2021. After conversion by the foreign exchange reference rate published by the European Central Bank on 2 May 2020, this price cap is therefore CZK 81.29 excluding VAT from 1 January 2021, instead of the original amount of CZK 94.84 excluding VAT. There was also a small adjustment of the retail price caps for roaming services, where the maximum price of the surcharge for incoming roaming calls in EU countries fell from EUR 0.0079 per minute (CZK 0.21 excluding VAT) to EUR 0.0076 per minute (CZK 0.20 excluding VAT). However, retail price caps have not been applied by default since 15 June 2017, when the obligation to apply "Roam Like At Home" (RLAH) roaming prices within the EU came into force, and remain valid only as a safeguard with the possibility of application in exceptional cases which are further specified in the above-mentioned Regulation of the EU bodies and in the Commission Implementing Regulation (EU) [2016/2286](#).

### How will the change affect customers?

The change in the wholesale price (from EUR 3.5 to EUR 3) has an impact primarily on wholesale payments for data roaming services which operators pay to each other. Indirectly, it also affects the adjustment of roaming data limits for the so-called open data bundles where the price per GB of data is less than the wholesale unit price, i.e. currently EUR 3 per GB. These automatically include, for example, unlimited data tariffs (regardless of whether or not the tariff also includes other mobile services - voice, SMS). If the tariff is an open data bundle, the EU roaming data limit shall be calculated according to the following formula:  $((\text{retail price of the entire tariff excluding VAT} / \text{wholesale price cap} - \text{EUR 3 or CZK 81.29}) \times 2)$ .

For example, if the 6 GB tariff costs CZK 300, the roaming data limit within the EU will be 7.38 GB  $((300 / 81.29) \times 2)$ . For an unlimited data tariff for the price of CZK 1,000, the data limit would be 24.6 GB.

### UNITED KINGDOM HAS BECOME A "THIRD COUNTRY" FOR ROAMING PURPOSES

As of the end of the transitional period in which the United Kingdom was in relation to the EU until the end of 2020, the roaming regulations resulting from the EU Regulation [No. 531/2012](#) will expire on its territory on 1 January 2021. From that date, the United Kingdom is thus considered a third country for the purposes of the regulation. Roaming traffic to or from the United Kingdom should be treated as any other roaming traffic to or from countries outside the EEA. Thus, for example, this traffic should not be taken into account for the purpose of setting roaming data limits in the EU. However, operators can, of course, continue to apply the same pricing terms to their customers when roaming in the UK as they have applied to date, and so far the three major operators do so, according to their website. However, if operators decide to change these terms and not apply the RLAH rule (same prices as at home) to roaming services in the United Kingdom, they should duly inform the customers, in accordance with [Section 63\(6\) of the Electronic Communications Act](#) about this change, including the information that the customers may terminate the contract without penalty as of the date of entry into force of this change if they do not accept the new terms. This follows from the opinion received by CTU from the European Commission through BEREC.

## Electronic data collection: Newly published forms in the ESD system in 2020

In early January 2021, CTU published new forms for data collection for 2020 within the system of Electronic Data Collection (ESD) available at <https://monitoringtrhu.ctu.cz>.

Specifically, they are forms of the ART category (ART202 – Services provided in electronic communications, BH20 – Geographical data on connection and distribution optic fibre networks and their transmission points) and OOP category (K20-5 – Information on the results of the provision of universal service in 2020, K20-14 – Overview of the resulting values of quality parameters measured for 2020) for undertakings in electronic communications and forms of the POST category (CP20 – Data collection from the postal license holder and OP20 – Data collection from the postal service operators) for postal license holders and postal service operators.

Forms ART202 and BH20 have a submission deadline of 15 March 2021; forms K20-5, K20-14, CP20 and OP20 have a submission deadline of 31 March 2021.

The following is available on the CTU website: [form templates](#) which have been allocated to undertakings through the electronic data collection (ESD) system and [an overview of all forms](#) which will be published by CTU in 2021.

Data collection via the BH20 form was newly introduced. The required information is collected in order to map the existence of connection and distribution optic fibre networks (backhaul) and their transmission points. The information will be used mainly in the preparation of strategic documents and subsidy programs aimed at supporting the deployment of electronic communications networks, as well as the analysis of coverage by these networks. Data on network infrastructure is collected according to its location at the level of municipalities with the population up to 2,000 inhabitants.

The most significant change in the data collection via the ART202 form concerns the annexes for filling out the geographic data on Internet access at the level of address points. The annex relating to access to the Internet via a cable television network (terminated by a cable modem) has been updated to include the “Standard DOCSIS 3.1 and higher” parameter mapping available connections using standard DOCSIS 3.1 or higher. All annexes for the collection of geographic data have been updated to include the “VHCN” parameter, mapping the existence of a very high capacity network (VHCN).

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## Universal service: Special terminal equipment devices

On 9 December 2020, CTU published a call for comments on the intention to impose, within the framework of the universal service, the obligation to provide the partial service of access of disabled persons to publicly available telephone service, directory enquiry service and directories, equivalent to that enjoyed by other end-users, particularly by means of specially equipped telecommunication terminal equipment devices pursuant to [Section 38 Paragraph \(2\) Point \(f\) of the Electronic Communications Act](#). Comments could have been submitted until 9 January 2021. CTU did not receive any comments within this period.

## The year 2021 at CTU

**Development of 5G networks and other modern high-capacity networks, promotion of competition, in particular in the mobile market, but also preparation for the selection of a new postal license holder. In short, these are some of the main priorities of CTU for the year 2021 according to the plan of activities approved by the CTU Council at the end of last December.**

The agreed plan of activities also shows that for the period of 2021, CTU Council considers the cooperation in successful completion of the transposition of the European Electronic Communications Code (EECC) into national electronic communications legislation to be another important task.

The Council believes that in addition to the performance of ex-ante regulation, it is also important to actively use the powers of CTU in all cases of disputes between undertakings as part of the promotion of competition.

The Council also considers it important for the coming year 2021 to maintain the current high level of protection of consumers and users of electronic communications and postal services, and to provide the necessary professional support to consumers and customers in addressing their specific problems and needs.

Specifically, CTU will therefore focus mainly on the following tasks in 2021:

### PROMOTION OF COMPETITION, MONITORING AND MARKET ANALYSES

CTU will ensure fulfillment of the measures it has defined to promote competition on the mobile market within the conditions of the auction of frequencies for the 5G networks. In particular, CTU will provide the necessary support for negotiation of access to national roaming service for new operators in the mobile market.

Taking into account the revised Commission Recommendation on relevant markets, CTU will also complete the ongoing 5<sup>th</sup> round of analyses of relevant markets No. 3a, 3b and 4 (wholesale local access provided at a fixed location, wholesale central access provided at a fixed location for mass-market products and wholesale high-quality access provided at a fixed location). Based on the results of the auction of frequencies, CTU will also perform an analysis of the new relevant market No. 5 (wholesale access to mobile services).

CTU will also prepare an update of measures of general nature, which, among other things, establish a list of relevant markets for ex-ante regulation (OOP1).

In the area of prices and price regulation, CTU will focus on supervision and cooperation with the Commission and with undertakings with significant market power in the implementation of European regulation of maximum Union-wide mobile voice termination rate and maximum Union-wide fixed voice termination rate ). In 2021, CTU will also continue to monitor the prices of mandatory wholesale offers, also according to the conditions of the auction of frequencies for 4G networks.

For the purposes of electronic data collection, CTU will complete the generational update of the electronic data collection system and put the new system into live operation. This will make it possible to meet the requirements of data collection in accordance with the forthcoming transposition of the European Electronic Communications Code. Other activities will include the collection and verification of financial and operational data for BEREC for the application of international roaming and conditions for providing the international call service, the preparation of a report on market developments with a focus on 2020, and an update of datasets within the Open Data system.

## DEVELOPMENT OF THE 5G NETWORKS AND MODERN HIGH-CAPACITY NETWORKS

Based on the results of the auction of frequencies for the 5G networks, CTU has already granted block allocations of the radio frequencies in question on 18 January 2021. Subsequently, it will ensure refarming of the 3400-3800 MHz frequency band in order to enable the use of coherent segments of this frequency band for the provision of services, but also for use within the needs of Industry 4.0.

In 2021, CTU will also lay down the final conditions for the use of the 26 GHz frequency band and the opening of other frequency bands (including but not limited to 5.2 and 5.8 GHz) for use in the provision of services.

Cooperation will also continue within the 5G Alliance working groups, including work on solutions to improve the coverage of motorway and railway corridors, as well as municipalities without quality mobile signal coverage.

CTU will continue to work closely with the Ministry of Industry and Trade (MPO) on the preparation and implementation of calls for subsidy programs, on the preparation of documentation to meet the basic condition 3.1 for the 2021–2027 programming period (“National Plan for the Gigabit Society”), and the preparation of measures under the Action Plan 2.0 to facilitate non-subsidy measures in support of planning and deployment of electronic communications networks.

CTU will continue to ensure the operation of a Single Information Point ("SIP") pursuant to Act No. 194/2017 Coll., on measures to reduce the cost of deploying high-speed electronic communications networks, decisions in disputes, including determination, if applicable, of the price in pending disputes. At the same time, CTU and Ministry of Industry and Trade will provide support to BCO (Broadband Competence Office) for the purpose of coordinating the development of high-speed electronic communications networks.

## REGULATION AND INSPECTION IN THE AREA OF POSTAL SERVICES

In addition to ensuring a comprehensive review of the level of quality and method of providing universal services and the general availability thereof, on the basis of which CTU will formulate conditions of the tender for postal license holder for 2023-2027, another task is to complete the notification of the reimbursement of net costs of the provision of universal services with the European Commission. This should allow the reimbursement of net costs for the period of 2018 – 2022 to the existing postal license holder, Česká pošta, s.p

As every year, CTU will publish a summary report on the fulfillment of obligations imposed on the existing postal license holder, Česká pošta, s.p., for the previous year and will continuously evaluate the affordability and costs of the universal postal services. Even in 2021, CTU will ensure the fulfillment of tasks arising from Regulation (EU) 2018/644 of the European Parliament and of the Council on cross-border parcel delivery services, including related data collection.

## RADIO SPECTRUM MANAGEMENT

In addition to the support for radio spectrum utilization for the 5G networks and new high-capacity networks, CTU will also provide support in 2021 for the provision of high-quality signal of terrestrial television DVB-T2 broadcasting. At the same time, CTU will cooperate with the Ministry of Industry and Trade on the proposal of next steps to frequency allocation for further development of terrestrial digital television broadcasting. CTU will also complete the international coordination of frequency blocks in band III intended for the development of digital radio broadcasting on the T-DAB platform and will propose next steps to grant the rights to use for these radio frequencies.

During the year, CTU will ensure continuous updates of individual parts of the Radio Spectrum Utilization Plan (RSUP), general authorizations for the use of radio frequencies or the operation of radio

equipment. At the same time, in cooperation with the relevant entities, CTU will prepare for submission to the Government a proposal for an update of the Radio Spectrum Management Strategy to reflect current trends in its use within the EU, as well as the results of the last World Radiocommunication Conference and findings from preparations for the upcoming conference.

In preparation for the opening of additional frequency bands (5.2 GHz, 5.8 GHz, etc.), CTU will launch an updated version of the registration portal (today for the 60 GHz frequency band). CTU will also launch a long-planned generational renewal of the SW tool supporting spectrum management (SPECTRA), as well as measures for the future disclosure of information on radio spectrum utilization.

### UNIVERSAL SERVICE IN ELECTRONIC COMMUNICATIONS AND POSTAL SERVICES

Completion of the review and a tender for a new provider of the partial service of special terminal equipment, including the subsequent imposition of the obligation, and new reviews of partial services newly defined by the transposition amendment to the Electronic Communications Act will be the tasks of CTU within the universal service.

As in previous years, CTU will provide financing for the verified amount of net costs and loss from the provision of the universal service in electronic communications. Specifically in postal services, CTU will focus on completing the process of notification of state aid in connection with the mechanism for financing net costs for the period from 2018 to 2022.

### INSPECTION ACTIVITIES AND CONSUMER PROTECTION

In its inspection activities, CTU will focus primarily on thorough monitoring of compliance with the newly set conditions for Internet access services. CTU will also focus on the process of telephone number portability. CTU will also make available to consumers a comparison tool for prices and quality of electronic communications services.

In postal services, CTU will once again focus on checking the delivery of postal items included among universal postal services.

An important task for CTU in 2021 will be to ensure the operation of the Automated Frequency Spectrum Monitoring System (ASMKS) and to create a system for monitoring and checking data service parameters. In this regard, CTU plans to implement a publicly available certified tool for measuring QoS parameters of Internet access services and to expand the CTU portal for data visualization with new modules and new features.

CTU will continuously monitor business practices in the provision of electronic communications services and carry out targeted inspections focusing on unfair business practices. Of course, CTU will continue to carry out activities in the process of settling complaints and submissions of electronic communications and postal services users, including decisions on objections to the settlement of complaints with service providers.

### LEGISLATION

Based on the reading and enactment of the transposition amendment to the Electronic Communications Act, CTU will focus primarily on the preparation of implementing regulations (or changes to existing ones) to modify specific conditions in areas where it is authorized to do so under the transposition amendment to the Act.

As part of the fulfillment of all its tasks and exercise of the powers entrusted to CTU by the legislation in the field of electronic communications and postal services, including relevant powers and responsibilities in the field of consumer protection, for 2021 CTU also plans to maintain close and effective communication with all stakeholders both on the part of the sector of operators and service

providers, and also on the part of consumers and end-users. To this end, CTU Council considers it necessary to continue using both the mechanisms required by law and informal consultations, working discussions and workshops with the stakeholders concerned.

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## Checked by CTU in December...

...compliance with the conditions of General Authorization No. [VO-R/12/12.2019-10](#) for the utilization of radio frequencies and operation of devices for broadband data transmission in the 2.4 GHz to 71 GHz frequency bands

CTU carried out a total of 23 inspections. Deficiencies were found in 17 cases, in particular harmful interference with stations of priority radiocommunications services (meteorological radars) and use of indoor frequencies outside a building, which were addressed by a call to eliminate the identified deficiencies and which will subsequently be addressed in administrative proceedings.

... use of radio frequencies without authorization

CTU carried out five inspections focusing on the use of frequencies without authorization. Three inspections revealed the use of frequencies without individual authorization; the cases were referred for resolution in administrative proceedings.

... compliance with the conditions of the individual authorization to use frequencies

Five inspections of compliance with the conditions of the individual authorization for the use of frequencies were performed; all inspections revealed non-compliance with the parameters of the individual authorization.

... 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 December, CTU completed a total of 225 investigations, of which 182 cases of interference with television reception, 18 cases of interference with GSM, LTE and UMTS public mobile communications networks, nine cases of interference with a meteorological radar, six cases of interference with radio and satellite reception, and 10 cases of interference with various systems (integrated rescue system stations, mobile service station, amateur service device, WiFi station, short-range devices, etc.) were detected. The investigation of complaints about poor TV reception revealed that in 103 cases the defect was in the viewer's equipment, in 17 cases it was due to the effect of shading, reflections or reception of signal in a non-covered area, in 38 cases the interference stopped or occurred sporadically. Fifteen interference reports were withdrawn by their submitters during investigation of the interference. Interference was found in five cases, of which in three cases the source of interference was outside the Czech Republic. In four cases it was not interference with television reception, but rather other unspecified problems with TV reception (e.g., incorrect operation of the equipment).

### ... pilot operation of LTE base stations in the 800 MHz band

As of 31 December 2020, 331 base stations were in pilot operation, and 17,005 stations were in permanent operation. In December, an LTE base station was identified as a source of TV signal interference in two cases. Defects of the reception equipment of television viewers were identified as the source of interference to mobile networks in four cases.

**2,832** – the number of administrative proceedings initiated in December concerning subscriber disputes between the person carrying out the communication activity and the subscriber. These are disputes over monetary performance and objections to the settlement of complaints.

**2,335** - the number of decisions issued in December on the matter, of which 2,324 decisions concerned a dispute over monetary performance (payment of the price for services).

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## Postal services

In December, Uloženska s.r.o. announced the termination of its postal services business due to the sale of its enterprise to another company. An up-to-date list of all notified operators is available via [search database](#) on the CTU website.

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## Frequencies from the 5G auction were allocated to the winners

**The winners of the tender for granting of the rights to use radio frequencies to provide electronic communications networks in the 700 MHz and 3400–3600 MHz frequency bands, which was organized in the form of an auction, are CentroNet, a.s., Nordic Telecom 5G a.s., O2 Czech Republic a.s., T-Mobile Czech Republic a.s., and Vodafone Czech Republic a.s. The allocated radio frequency ranges in both frequency bands can be found in the table at the end of the article.**

The tender for granting of the rights to use radio frequencies for 5G networks [was announced](#) by CTU following a repeated public consultation on the draft terms and conditions on 7 August 2020.

The winners are CentroNet, a.s., Nordic Telecom 5G a.s., O2 Czech Republic a.s., T-Mobile Czech Republic a.s. and Vodafone Czech Republic a.s., as published by CTU in its [press release](#). All auction blocks were allocated, the gains of individual auction blocks were published in the [Information on the conclusion of the auction phase](#). The total price for all auction blocks reached CZK 5.596 billion. Sev.en Innovations a.s. and PODA a.s. did not acquire any auction blocks in the auction phase.

Because CTU did not receive, within the set time limit, an agreement from all auction winners on the distribution of abstract auction blocks and only received an agreement between O2 Czech Republic a.s. and T-Mobile Czech Republic a.s. on placement in the neighboring blocks in the 700 MHz frequency band, the abstract auction blocks were allocated to individual specific segments of radio frequencies by drawing lots in accordance with the Auction Rules.

On 15 December 2020, CTU conducted a draw in the presence of a notary, members of the selection committee and representatives of applicants Nordic Telecom 5G a.s., O2 Czech Republic a.s., T-Mobile Czech Republic a.s. and Vodafone Czech Republic a.s. – in the 700 MHz frequency band, Vodafone

Czech Republic a.s., being the first company, drew a block of radio frequencies of 723-733 / 778–788 MHz. The agreement on placement in the neighboring blocks in the 700 MHz frequency band concluded between O2 Czech Republic a.s. and T-Mobile Czech Republic a.s. shows that T-Mobile Czech Republic a.s. will get the block of 713–723 / 768-778 MHz radio frequencies and O2 Czech Republic a.s. will get the block of 703–713 / 758–768 MHz radio frequencies.

In the 3400–3600 MHz band, a draw was conducted for blocks the allocation of which to specific frequencies was not fixed by the Auction Rules. Vodafone Czech Republic a.s. , as the first one to draw lots, drawing the block of 3560–3580 MHz. O2 Czech Republic a.s., as the second one to draw lots, drawing the block of 3540-3560 MHz. The remaining block of 3580–3600 MHz was then allocated to Nordic Telecom 5G a.s.

After the frequencies have been allocated, CTU issued a decision for the unsuccessful auction participants rejecting their applications, and following the entry into force of these decisions, CTU returned the deposited financial guarantee. The successful auction participants, after having paid part of the price exceeding the guarantee deposited by them, received a decision on the granting of radio frequency block allocations issued by CTU on 18 January 2021.

### 5G Auction

	Allocated frequency ranges in 700 MHz band	Allocated frequency ranges in 3,5 GHz band
CentroNet, a.s.	--	3400–3480 MHz
Nordic Telecom 5G a.s.	--	3580–3600 MHz
O2 Czech Republic a.s.	703-713 / 758-768 MHz	3540–3560 MHz
T-Mobile Czech Republic a.s.	713–723 / 768–778 MHz	3480–3540 MHz
Vodafone Czech Republic a.s.	723–733 / 778–788 MHz	3560–3580 MHz

## Legislative changes

### DECREE ON SUBMISSION OF INFORMATION FOR THE PROVISION OF A COMPARISON TOOL

On 31 December 2020, Decree [No. 582/2020 Coll.](#), on the scope, form and method of submission of information for the provision of a comparison tool, was published in Volume 238 of the Collection of Laws.

The decree has been issued by CTU to implement the provisions of [Section 66a of the Electronic Communications Act](#), as amended by Act [No. 311/2019 Coll.](#), which imposes an obligation on CTU to provide and publish a comparison tool that will enable customers to compare and assess various publicly available electronic communications services in terms of their prices and quality of the service provided. The decree in question lays down the scope, form and method of submission of information

by obligated undertakings providing publicly available electronic communications services for the purposes of creating and operating this comparison tool. CTU discussed this topic in more detail in the article entitled “The preparation of an independent comparison tool continues” in [Monitoring Report 12/2020](#).

This Decree shall enter into force on the fifteenth day after its publication, i.e. on 15 January 2021.

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## Telecommunications regulation in the EU

### Official Journal of the EU

On 15 December, [Commission Implementing Regulation \(EU\) 2020/2082](#) of 14 December 2020 on setting the weighted average of maximum mobile termination rates across the Union and repealing Implementing Regulation (EU) 2019/2116, was published. This Regulation shall enter into force on the twentieth day of its publication in Official Journal of the European Union and shall be binding in its entirety and directly applicable in all Member States from 1 January 2021.

On 29 December, [Commission Recommendation \(EU\) 2020/2245](#) of 18 December 2020 on relevant product and service markets within the electronic communications sector susceptible to ex ante regulation in accordance with Directive (EU) 2018/1972 of the European Parliament and of the Council establishing the European Electronic Communications Code (notified under document C(2020) 8750). The Recommendation on Relevant Markets shall be implemented into Czech national law pursuant to Electronic Communications Act by issuing amended Measure of General Nature No. OOP1 laying down relevant markets in electronic communications, including criteria for assessment of significant market power.

### European Commission

On 7 December, the European Commission published its [Ranking Guidelines](#) for digital platforms which complements the EU Platform-to-Business Regulation (P2B) ([Regulation \(EU\) 2019/1150 of the European Parliament and of the Council](#)). Main aim of this Regulation is to increase transparency and non-discrimination of online search, where assessment of relevancy based on algorithms represents the key factor for online search results.

On 15 December the European Commission has proposed comprehensive set of new rules for digital markets – [Digital Services Act](#) (DSA) and [Digital Market Act](#) (DMA). Digital Services Act revised especially Directive on Electronic Commerce and considered the rapid transformation and expansion of digital services. The new framework will rebalance the rights and responsibilities of users, intermediary platforms, and public authorities. Digital Market Act addresses structural issues on digital markets and aims to regulate large online platforms acting as “digital gatekeeper” to the single market.

21 December was a deadline for transposition of the European Electronic Communication Code (EECC), i.e. a deadline for EU Member States to transpose the new EU telecom rules into national law. Only 4 EU Member States had fully transposed the EECC on time.

On 18 December, the European Commission adopted a [Delegated Regulation](#) setting single maximum Union-wide voice termination rates, in line with the European Electronic Communications Code, which operators are allowed to charge each other for mobile and fixed termination services. Now, with regard to a procedure a time-limit to raise objections is running.

The Commission published the [Report](#) on the effectiveness of the implementation of the European emergency number '112', which was submitted to the European Parliament and to the Council, in line with the European Electronic Communications Code.

## EU Council

[Portuguese](#) took over the EU Presidency on 1 January 2021. Portuguese [Programme](#) focuses on five main areas: strengthen Europe's resilience, promote confidence in the European social model, promote a sustainable recovery, speed up a fair and inclusive digital transition and reaffirm the EU's role in the world. Dealing with Digital Services Act (DSA) and Digital Market Act (DMA), and achieving common approach by ePrivacy Regulation will be the [priorities](#) of the Presidency in electronic communications. Draft Regulation on European data retention will be another priority. During the Portuguese presidency also proposals to AI and to prolongation of roaming regulation shall be published.

## BEREC

On 21 December 2020 BEREC together with ENISA held a workshop under the title "5G cybersecurity toolbox developments and way(s) forward". Presentations are available on [BEREC website](#).

In mid December BEREC published 2 Reports:

- [BoR \(20\) 249](#) BEREC Summary Report on the status of internet capacity, regulatory and other measures in light of the Covid-19 crisis
- [BoR \(20\) 240](#) Summary Report on the Outcomes of Mobile Infrastructure Sharing Workshop

On 11 December BEREC issued Decision No MB/2020/11 for the Approval of the Headquarters Agreement between the BEREC Office and the Host Member State (Latvia).