



Czech Telecommunication Office

March 2021

Telegraphically

Transposition amendment in the committees

A transposition amendment to the Electronic Communications Act, implementing the European Electronic Communications Code, [passed the first reading](#) in the Chamber of Deputies and will be discussed in the committees in a shortened period. Approval of this amendment will improve the position of consumers vis-à-vis providers of electronic communications services, for example, by extending the applicability of the rules to providers of other services that are not yet regulated.

Opening hours and testing in CTU

CTU is open to the public [during normal opening hours](#), however, in the current serious epidemiological situation, we ask all to consider the need for a personal visit – CTU can be contacted also [electronically](#). Following the [extraordinary measure of the Ministry of Health](#), as of March 17, all CTU employees present at the premises are tested for Covid-19.

Glass antennas for prettier cities

Antennas, which do not spoil the appearance of their surroundings because they look like an ordinary glass pane while meeting the most demanding and latest technological requirements, are being [tested](#) in Prague by AGC in cooperation with T-Mobile. According to the manufacturers, their placement should be suitable, for example, in the historical centres of cities, where they are easily "disguised", for example, as signposts of the city information system.

Year 2020 in CTU: Preparation for 5G, the end of unrealistic advertised speeds

In the last demanding year, even during the coronavirus pandemic, CTU managed to remain fully functional, including the service for the public, which took place during limited opening hours. We highlight several important points from CTU's activities that have had a positive impact on consumer rights and protection or moved the Czech electronic communications market forward.

In addition to promoting competition in the mobile market, CTU's priority was to create conditions for deploying 5G mobile networks. An important means for customers to use them was to hold an auction for granting of the rights to the 700 MHz and 3400 to 3600 MHz frequency bands. In the November electronic auction phase, all offered frequencies were [distributed](#) and in January 2021, after payment of the price, they were definitively allocated. It is therefore possible to proceed to the construction phase.

CTU also made available a defined spectrum for experimental verification of 5G applications and the start of preparation of business plans until 5G devices are available for commercial deployment and other conditions are specified. In 2020, CTU also participated in the meetings of the steering committee of 5G cities and ensured the granting of experimental individual authorizations for the purposes of operating local 5G networks within the selected projects.

NEW OBLIGATIONS OF INTERNET ACCESS PROVIDERS HAVE IMPROVED THE POSITION OF CONSUMERS AS WELL AS THE QUALITY OF ACCESS SERVICES

CTU has long considered the protection of consumers and users of electronic communications services to be an important task. At this point, it is necessary to mention the [amendment](#) of General Authorization No. VO-S/1/07.2005-9, which has led to an improvement of the position of consumers – users of Internet access services. Thanks to the obligations arising from the new regulations for providers of Internet access at a fixed location, they will learn already from the contract what the normally available speed and the minimum speed will be.

It will therefore be much easier for them to raise complaints about discrepancies and outages (for more information see the Monitoring Report [1/2021](#)). This has also put an end to unrealistic increases in advertised speeds, while the actually achieved speeds used to be significantly lower. Now, the speed parameters must be derived directly from the advertised speed: for example, for access at a fixed location, the normally available speed must be specified in the contract as a specific value of not less than 60% of the advertised speed, and the minimum speed as a specific value of not less than 30% of the advertised speed.

EASIER AND FASTER PORTING OF NUMBERS, CREDIT REFUND AT NO CHARGE

As of 1 April 2020, an amendment to Act No. 127/2005 Coll. entered into force, which significantly simplified and accelerated the porting of numbers in fixed and mobile networks. Subscribers can now take advantage of the so-called one-stop shop, where they only need to contact the newly chosen (receiving) operator, who will take care of everything needed for the porting for them. CTU subsequently focused on the inspection of the implementation of the new method of porting in the contract terms of the operators, as well as on the inspection of its practical functioning.

We have informed consumers about a possible fee when transferring the remaining credit to another operator. Soon after the publication in our Monitoring Report No. 5/2020, this fee has been cancelled by most operators.

OPENING THE 60 GHZ FREQUENCY BAND, FASTER WIRELESS INTERNET

In mid-January 2020, through the updated General Authorization No. 12 ([VO-R/12/12.2019-10](#)), CTU opened up a possibility of using the 57-66 GHz frequency band on license-free basis, following prior registration of terminal equipment devices on the registration portal at <https://60ghz.ctu.cz>. Providers were thus able to start offering high-quality and truly high-speed Internet access services in this band at gigabit speeds.

In a similar way, i.e. on license-free basis, following prior registration, CTU is also preparing the opening of other parts of the 5 GHz frequency band (specifically 5.2 GHz and 5.8 GHz).

WE CHECKED THE DELIVERY OF POSTAL ITEMS WITHIN THE UNIVERSAL SERVICE

We checked the delivery of postal items included in universal services in terms of D+1 delivery - in priority mode. We inspected a total of 115 delivery post offices, serving a total of 3,416 delivery districts.

Violations of [the Postal Services Act](#), specifically provisions of [Section 33\(1\)\(a\)](#) stating that the postal license holder is obliged to "fulfil the postal obligation in a manner which is in accordance with the needs of the public and with the basic quality requirements, including the continuous provision of information on universal services and the way in which they are used," were found in 144 specific postal items.

OPERATORS HAD TO REDUCE WHOLESALe PRICES

In the field of price regulation, we evaluated the price levels of 4G wholesale offers according to the conditions of the 4G auction. All three main operators with commitments to publish mandatory reference offers recalculated their prices in the first half of the year and published new offers with lower prices for 1 MB of mobile data as of mid-April 2020.

In May and June 2020, CTU checked the fulfilment of the commitment by O2, and the result of the inspection was an additional reduction of the price per MB in this company and publication of a new reference offer on 22 June 2020. Also, in the second half of the year, operators recalculated their prices and published new offers with lower prices for 1 MB of mobile data as of mid-October 2020. A new inspection performed by CTU did not find inconsistency in the final prices with the conditions of the commitment assumed in the 4G auction.

A COMPARISON TOOL WILL HELP CONSUMERS TO BE BETTER INFORMED ABOUT THE MARKET

We also focused on the preparation of the comparison tool, [launched on](#) 1 March 2021. The main concern was the selection of a vendor, discussions with operators, the design of parameters that should be the subject of data collection, and the drafting of a decree to implement [Section 66a \(5\)](#) of the Electronic Communications Act, which was [published](#) in the collection of laws at the end of 2020 .

TRANSITION TO DVB-T2

Within the scope of its powers and responsibilities, CTU participated in ensuring a smooth process of transition to the DVB-T2 standard, in order to release the 700 MHz frequency band for 5G networks and to provide television viewers with more modern television broadcasting with better quality programming. The entire transition process was completed as of 31 October 2020.

WE ARE PREPARED FOR PASSING THE TRANSPOSITION AMENDMENT TO THE ELECTRONIC COMMUNICATIONS ACT

CTU works on an ongoing basis with the Ministry of Industry and Trade in the matter of the transposition amendment to the Electronic Communications Act, which is undergoing the approval process in the Chamber of Deputies of the Czech Parliament. We have prepared a comprehensive summary of all implementing regulations within the scope of CTU's powers and responsibilities, which need to be amended following the approval of the transposition amendment to the Electronic Communications Act. Following the draft of the transposition amendment to the Electronic Communications Act, CTU has already launched the first discussion with stakeholders on the

application of the new rules for telephone number portability and changing the Internet access provider in accordance with the Code.

CTU believes that the transposition amendment will be approved as soon as possible, as it will contribute to greater consumer protection by extending the applicability of the rules to providers of other services which are not yet regulated (e.g. Internet calls, messengers) and to higher availability of high-quality and affordable electronic communications services.

WE EDUCATED SENIOR CITIZENS

Last but not least, we consider the education of the general public to be a very important role of CTU, which will be covered mainly by the project of the CTU Telecommunication Academy. Although the last year, which was almost completely affected by the Covid-19 pandemic, was not suitable for such activities, 42 lectures for senior citizens were held at the time when such events were allowed. The preparation of educational programs focused in particular on the topics of cyber security or 5G networks takes place on an ongoing basis. We believe that it will be possible to carry out educational programs again soon.

Price and quality of service comparison tool: service for consumers, guide for providers

On 1 March 2021, CTU launched a pilot operation of a tool for comparing the prices and quality of electronic communications services. Consumers can compare the prices and parameters of calls, SMS and data services. Mobile Internet services will be added to the comparison by the end of March, and fixed calls and Internet and pay-TV services will be added on 1 May 2021. Clearly arranged information on parameters and prices of services must be entered directly by providers of these services (operators, undertakings). They also guarantee their accuracy. The service is free and non-commercial. CTU has created and operates the tool based on the obligation imposed on it by Section 66a of Act No. 127/2005 Coll., on electronic communications.

You will find the tool at <https://srovnavac.ctu.cz>. The algorithm of the comparison tool monitors several parameters that need to be filled in when submitting queries: data usage, minutes called, text messages (SMS) sent, required type of contract, address (in the case of fixed services), etc. Consumers can set parameters based on their own usage or, for simplification, they can use predefined usage levels "low, medium, high".

The results do not include combinations of services, the so-called bundles of services with their own price (which is usually lower than the sum of the prices of separately purchased services). The reason is the great variability and number of these combinations, which would place excessive demands on the amount of information submitted by providers to CTU. However, if an undertaking provides services included in the comparison tool also within the service bundles, these services contain links directly to the relevant pages of the undertaking, where users can get acquainted with them.

According to the above-mentioned parameters, consumers can individually choose the most suitable available service, while service providers can check how competitive their offers are compared to other undertakings. The goal of the comparison tool is therefore a more dynamic development of the electronic communications market through the pressure of informed consumers on service providers, faster adjustment of offers, and thus the development of a competitive environment.

Users of the comparison tool who find inaccurate or outdated information provided for any of the services displayed can report it using the electronic form provided by the comparison tool. CTU will deal with the reported problems and, in justified cases, will provide remedy.

Checked by CTU in March...

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

CTU carried out a total of 6 inspections. Defects were identified in 4 cases, in particular the effect of harmful interference to priority radiocommunications service stations (meteorological radars and mobile networks) and use of indoor frequencies outside a building, which were resolved by a call to rectify the identified deficiencies and which will subsequently be addressed in administrative proceedings.

... the use of radio frequencies without authorization

CTU carried out 10 inspections focusing on the use of frequencies without authorization. All inspections revealed the use of frequencies without a valid individual authorization; the cases were referred for resolution in administrative proceedings.

... sources of interference with the operation of electronic communications equipment and networks, the provision of electronic communications services or the operation of radiocommunications services

In February, CTU completed a total of 146 investigations, of which there were 125 cases of interference with television reception, 12 cases of interference with GSM and LTE public mobile communications networks, one case of interference with a meteorological radar, 5 cases of interference with radio and satellite signal, and 2 cases of interference with short-range devices. The investigation of complaints about poor TV reception revealed that in 70 cases the defect was in the viewer's equipment, in 8 cases it was due to the effect of shading, reflections or reception of signal in a non-covered area. In 34 cases the interference stopped or occurred only sporadically. Eleven interference reports were cancelled by their submitters during investigation of the interference. In two cases in the area of the Jeseník promontory, interference with the signal of a Polish TV transmitter was detected.

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

As of 28 February 2021, 320 base stations were in pilot operation, and 17,014 stations were in permanent operation. In February, an LTE base station was not identified as a source of TV signal interference in any case. Defects of the reception equipment of television viewers were identified as the source of interference to mobile networks in 4 cases.

3,378 - the number of decisions issued in February on the matter, of which 3,362 decisions concerned a dispute over payment (payment of the price for services).

2,668 - the number of administrative proceedings initiated in February concerning subscriber disputes between the person carrying out the communication activity and the subscriber. These are the disputes over payments and objections to the settlement of a complaint about the billing of the price or the provided publicly available electronic communication service.

Universal service: Special terminal equipment devices

On 2 March 2021, the selection committee proceeded to open an envelope with an application for a tender for the provider of a partial service - access of disabled persons to publicly available telephone service, directory enquiry service and to directories equivalent to that enjoyed by other end users, particularly by means of specially equipped telecommunication terminal devices pursuant to Section 38(2)(f) of Act No. 127/2005 Coll., on electronic communications and on amendment of some related acts (the Electronic Communications Act), as amended.

The application was submitted by O2 Czech Republic a.s. The content of the application met all the formal requirements laid down in the announced tender, and in the following period CTU will check whether the requirements of the application are met in the area of setting prices and quantifying the net costs of providing the partial service.

Postal services

In February, six changes occurred to certificate of notification of business activities. Chytrá pošta s.r.o., Faboten plus s.r.o., Global Box s.r.o. and BXB s.r.o. announced discontinuation of business activities. Haypost CJSC and Georgian Post (Czech) s.r.o. have terminated their activities in the field of postal services.

An up-to-date list of all notified operators is available via the [search database](#) on the CTU website.

Radio spectrum sharing as a solution to frequency shortages: The EU is strengthening regulatory approaches

Frequency requirements of the technologies designed to provide wireless connectivity for citizens and businesses are increasing, but suitable frequency bands are already being used by other services and technologies. The solution is spectrum sharing - but this requires new technological approaches. The European Union has therefore decided to take into account the need for innovation in the next decade also in the documents setting out the key policy directions and objectives in the field of spectrum regulation, which will be adopted by the European Council and the European Parliament. Consultations on the proposals are currently taking place.

RSPG (Radio Spectrum Policy Group), as the European Commission's supreme advisory body, accepted draft versions of the following three important spectrum documents for [a public consultation](#):

- Draft Opinion on a Radio Spectrum Policy Programme (RSPP)
- Draft Opinion on Spectrum Sharing – Pioneer initiatives and bands
- Draft Opinion on additional spectrum needs

The deadline for comments is 26 March 2021; comments can be submitted by e-mail at CNECT-RSPG@ec.europa.eu. Following the settlement of the public consultation, the opinions will form the basis for the draft Radio Spectrum Policy Programme (RSPP), which will be adopted by the EU Parliament and the Council and its timeframe is 10 years.

The proposals in these documents are intended to contribute to the efficient use of frequencies and, ultimately, to promote the availability of high-speed wireless connection to consumers.

Radio spectrum management

DIGITAL TV BROADCASTING

In February, changes were made to the regional television network No. 11 (operated by Fiera Touch s.r.o.). In Pelhřimov transmitter – channel 36, ERPmax was reduced from 1 kW to 100 W; a local transmitter for extended coverage in Velké Meziříčí was launched – channel 25 (ERPmax 30 W). In February, CTU issued another authorization for the operation of transmitters of regional television networks, which will be launched in the future.

FM RADIO BROADCASTING

Transmitters Dobrochov, Svinov, České Budějovice and Zbraslav stopped broadcasting private Radio Dechovka at a medium wave frequency of 1233 kHz. Medium wave listeners can now retune to AM 792 kHz from the transmitter of Hradec Králové – Stěžery. The broadcasting of this station on UHF frequencies is without changes.

The operation of Autokino (drive-in movie theater) Pardubice was restarted on the frequency 105.6 MHz.

DIGITAL RADIO BROADCASTING

RTI cz s.r.o. completed the upgrade of the DAB+ digital radio network. All transmitters have been replaced by new generation transmitters TMV9evo by Rohde&Schwarz with higher efficiency. Deployment of these transmitters immediately resulted in better coverage at the location of a weaker signal and greater range. From March 1, RTI also included the Rádio Západ regional radio station in its DAB+ multiplex. It will be possible to tune it over almost all western Bohemia, in Prague, on the D5 motorway and in the České Budějovice region.

On March 3, the last transmitter (Praha-Strahov LI) of DAB+ digital radio in L-band was switched off.

5G HAS BEEN MADE POSSIBLE IN THE 2.6 GHZ BAND

At its meeting on March 16, the CTU Council approved a new part of the radio spectrum utilization plan for the 2200-2700 MHz frequency band (PV-P/14/03.2021-1). The new conditions include the possibility of operating 5G technologies. Mobile operators are thus given the opportunity to use their licenses to operate state-of-the-art technologies and to develop networks designed to provide high-speed services to consumers.

Telecommunication regulation in the EU

EUROPEAN COMMISSION

On 9 February we celebrated [Safer Internet Day 2021](#). This year was dedicated to a better Internet for children and young people. In the Czech Republic, National Centre for Safer Internet is the coordinator of this important day. .

On 11 February, the EU marked the 30th anniversary of the [EU emergency number 112](#). The single European emergency number was introduced in the Czech Republic on the basis of Government Resolution [No. 391/2000](#), as amended by Government Resolution [No. 350/2002](#). The Fire Rescue Service of the Czech Republic was designated to receive emergency calls on the emergency number 112.

On 24 February, the European Commission published a Draft proposal [of the new roaming regulation](#), the purpose of which is to ensure that citizens can continue to use the services of mobile operators when traveling in the EU at no additional charge and on fair conditions. In particular, the new regulation is supposed to extend the validity of the existing rules by another 10 years, i.e. until 2032. Regulation (EU) [531/2012](#) is valid only until 30 June 2022. In addition, the Commission comes up with proposals for other measures, such as the right of end users to the same quality and speed of data connection as in the domestic network, if the parameters of the visited network allow it. The proposal also further develops access to emergency services, including better awareness of alternative environments for the disabled.

BEREC

BEREC welcomed [the legislative proposal of the EC on Roaming Regulation review](#). BEREC considers that the roaming regulation and the introduction of Roam Like at Home (RLAH) are an evident success and a substantial contribution to further completing the single market.

The 46th BEREC Plenary meeting took place on 11 March 2021.

BEREC Board of Regulators adopted the following documents for publication:

- [BoR \(21\) 23](#) 26th BEREC International Roaming Benchmark Data Report - 1 April 2020 to 30 September 2020
- [BoR \(21\) 30](#) BEREC Opinion on the revision of the Broadband Cost Reduction Directive (BCRD)
- [BoR \(21\) 32](#) BEREC Guidelines on the consistent implementation of the obligations established in Article 22 (2), 22 (3) and 22 (4) of the EECC (carry-over) and Report on the results of the public consultation
- [BoR \(21\) 35](#) BEREC Opinion on the EC Digital Markets Act (DMA)
- [BoR \(21\) 39](#) BEREC Report summarising conclusions from the internal workshop on sustainability

Other documents approved for [public consultation](#):

- [BoR \(21\) 33](#) Report on the harmonised definitions for indicators regarding OTT services, relevant to electronic communications markets
- [BoR \(21\) 34](#) BEREC Report on the ex-ante regulation of digital gatekeepers
- [BoR \(21\) 36](#) Report on the handling of third-party payment charges on mobile phone bills

Legislative changes

ACT ON SCREENING FOREIGN INVESTMENTS

On 3 February 2021, Act [No. 34/2021 Coll.](#), on Screening of Foreign Investments and on the Amendment of Related Acts (the Screening of Foreign Investments Act) was published in Volume 17 of the Collection of Laws.

The Act lays down rules and procedures for screening of foreign investments made for the purpose of carrying out economic activities in the Czech Republic and thus strengthens the protection of security interests and internal order or public policy of the Czech Republic.

Without a permit or a conditional permit, no foreign investment may be made in the Czech Republic, in particular in the activities of persons in the field of manufacturing, research, development, innovation or ensuring the life cycle of military material, but also, for example, in the operation of designated elements of critical infrastructure as well as in the activities of the administrator of the information system of the critical information infrastructure, in the information system of the universal service or the operation of the universal service itself, and other areas defined by law.

The legislation in question also sets the institutional framework for the implementation of relevant procedures. The Act is also an adaptation of legal order of the Czech Republic to Regulation [\(EU\) 2019/452](#) of the European Parliament and of the Council establishing a framework for screening of foreign direct investments into the Union.

The Ministry of Industry and Trade shall be the body responsible for the screening of foreign investments, which also acts as a contact point and cooperates with the relevant contact points of the European Commission and the Member States of the European Union in the field of screening of foreign investments. For its activities, the Ministry of Industry and Trade is entitled to request information and opinions from national authorities, including CTU, if the subject of the investment is related to the sector of electronic communications or postal services.

This Act shall enter into force (with the exception of parts of Sections 6 and 17) on 1 May 2021.

Market analyses: Proposal for a Measure of General Nature determining the relevant markets in the field of electronic communications

On 23 February 2021, CTU launched a [public consultation](#) at the discussion site on the draft [Measure of General Nature No. OOP/1/0x.2021-x](#), identifying relevant markets in the electronic communications sector, including criteria for assessing significant market power. In this document, CTU takes into account the new [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 this Recommendation, CTU identifies relevant market No. 1 – Wholesale local access provided at a fixed location (corresponding to the original relevant market No. 3a), Market No. 2 – Wholesale dedicated capacity (based on the original relevant market No. 4) and, on top of the Recommendation, keeps relevant market No. 3 – Wholesale access to mobile services (the original relevant market No. 5) in the list of relevant markets. Original termination relevant markets No. 1 and 2 and relevant market No. 3b according to the cancelled Measure of General Nature No. OOP/1/04.2015-2 laying down the relevant markets in electronic communications, including criteria assessing significant market power, as amended by Measure of General Nature [No. OOP/1/12.2019-11](#) of 18 December 2019, were no longer identified in the Recommendation as susceptible to ex ante regulation. Comments on the proposal can be submitted until 23 March 2021.