



Telegraphically

Telecommunication Academy will show the intricacies of platforms

[The Telecommunication Academy](#) is no longer just for the elderly and does not only work in the form of lectures. Particularly through its videos, it also focuses on all those who sometimes find it difficult to understand the complex consumer issues and often may not know exactly what they are entitled to, how to proceed or how to defend their rights. [The latest video](#) from the academy, however, is aimed in a different direction this time, mainly at young social media enthusiasts. Not everyone is well informed about the dangers that may lurk and how to avoid them.

Information society in numbers

The Czech Statistical Office [has released](#) a publication entitled [Information Society in Numbers 2022 \(Informační společnost v číslech 2022\)](#), which maps the development of the digital society in the Czech Republic and in EU countries. In the past year, 83% of people have already used the internet and 73% have connected via mobile phone. There has also been an increase in minutes called, online shopping or the use of social media, where half of Czech businesses were already present in 2021. The popularity of electronic communication with the state administration is also growing.

Cooperation between EU operators and operators in Ukraine

Operators operating on EU territory have signed [a joint statement](#) with their Ukrainian counterparts, provisionally valid for three months. With the support of the European Commission and the European Parliament, they will provide convenient or free connections for Ukrainians currently in the EU to their relatives in Ukraine. In particular, operators will gradually reduce roaming and termination rates. For more details see the brief [press release](#) of CTU.

Changing your Internet access service provider is easier from April

A simple four-step process for customers to change their Internet access service provider.

1. Choose a new provider whose offer suits me better (see e.g., the Price and Quality Comparison Tool)
2. Contact the new (receiving) provider and tell them that I am interested in switching my Internet access service provider and which service I have chosen with them
3. Provide the new provider with all the necessary information, including the verification code (usually available from the provider, e.g. in the contract or bill)
4. Provide assistance with other steps to be arranged by the receiving provider

It's now easier than ever to switch Internet access service provider, and you should not be without a working service for any length of time. According to the amendment to the Electronic Communications Act, the provider of an Internet access service must ensure that any subscriber who so requests can change provider in such a way as to ensure continuity of service, if technically possible. [With the Decree on Conditions for Number Portability](#) and Change of Internet Access Service Provider, which takes effect on 1 April 2022, CTU now sets out the technical and organizational conditions for implementing such a change.

The purpose of the new legislation is to simplify the change process so that most of the steps are handled by the receiving provider with whom the customer wants to conclude a contract. The receiving provider leads the change and the provider being abandoned is obliged to cooperate with them. The receiving provider passes on to the provider being abandoned the information specified in the Decree. The time limit for completing all actions necessary for the change of provider is 4 working days, unless the receiving provider and the subscriber agree on a different time limit. Interruption of service during a change of Internet access service provider shall not exceed 1 working day. So, the customer should not be without functional Internet for a longer time.

If the provider fails to comply with the time limits set by the Decree, the consumer is now entitled to a lump sum compensation - we discuss this topic in more detail in the follow-up article on page 5.

NUMBER PORTABILITY

The Decree also regulates the portability of numbers, which, however, has been in practice for some time under previous legislation. New features in this area include, in particular, the newly legal rights of the subscriber to a lump-sum compensation in case of a delayed porting or when the porting is misused, and the possibility to transfer the number to another provider for a period of at least 1 month from the date of termination of the commitment under the contract.

"Gracious Spring" as a space to remedy compliance with RLAN operating conditions

As announced on CTU's [website](#) and also in the [press release](#) of 16 March this year, CTU has decided to announce a "Gracious spring" ("Milostivé jaro"). What was the reason for this initiative, who is it aimed at and what goals does CTU want to achieve through it?

The Czech Telecommunication Office has long been monitoring the situation in the frequency bands designated for the operation of equipment intended for the provision of wireless Internet access services (RLAN), basically since the time when only the 2.4 GHz band was reserved for such equipment. Today, certain combinations of equipment and bands are subject to prior notification via the registration portal at <https://rlan.ctu.cz>. Currently, the conditions for the operation of this equipment are set out in [General Authorization No. VO-R/12/11.2021-11](#) for the use of radio frequencies and for the operation of equipment for broadband data transmission in the bands 2.4 GHz - 71 GHz.

More than 80% of inspections reveal violations of conditions

If the operator of RLAN stations does not pay sufficient attention to the configuration of their radio equipment and does not follow the current development of the conditions for its operation, they can quite easily violate the conditions of the valid general authorization. This is all the more so because recently the operation of this equipment has been carried out in a state of emergency, under conditions of restricted movement and other restrictive measures that may have adversely affected the management of the equipment and networks in operation. During inspections in 2021, the Czech

Telecommunication Office noted a significant increase in the number of violations of the conditions for the use of frequencies and operation of equipment under General Authorization No. VO-R/12. We find defects and violations in more than 80% of such inspections.

The "Gracious Spring" initiative is thus primarily intended to draw the attention of operators to the poor compliance with the conditions when operating RLAN equipment. It is aimed mainly at operators of a large number of such stations, i.e. most often Internet access service providers that operate such equipment for commercial purposes.

We will temporarily carry out the inspections elsewhere

The initiative is referred to as "Gracious Spring" because in the spring period from 15 March to 30 June 2022, the Czech Telecommunication Office will direct its inspection activities on its own initiative to other frequency bands and other types of radio equipment. This will give RLAN operators the opportunity to inspect their equipment and networks during the period in question and to remedy any deficiencies identified.

The Czech Telecommunication Office believes that the above-mentioned initiative will lead to improvement in the long-standing unsatisfactory situation where the conditions of General Authorization No. VO-R/12 in the 2.4 GHz - 71 GHz band are being violated in the operation of broadband data transmission equipment.

Market analyses

Market No. 2 – Wholesale dedicated capacity

Two entities participated in the public consultation on the draft Measure of General Nature A/2/xx.2022-Y, analysis of market No. 2 – wholesale dedicated capacity at the [discussion site](#). On 5 April 2022, CTU published a table of settlement of the comments received and will subsequently consult the draft document with the Office for the Protection of Competition.

Market No. 3 - Wholesale market for access to mobile services

69 entities participated in the [public consultation](#) held from 1 to 18 March 2022 on the draft new Measure of General Nature A/3/xx.2022-x, analysis of market No. 3 – wholesale market of access to mobile services, at the discussion site. It included statements from providers of electronic communications services (mobile and fixed) as well as associations and societies. Based on the Council's decision, CTU [will not issue](#) the relevant Measure of General Nature, as we informed in more detail in the [press release](#).

Checked by CTU in March...

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

Due to the [announcement of the "Gracious Spring" initiative](#) (see also the article on pages 2-3 for more information), CTU carried out inspections only in the first half of March. A total of 27 inspections were carried out. Defects were identified in 21 cases, consisting in use of indoor frequencies outside a building, harmful interference with priority radiocommunications service stations (meteorological radar), and failure to comply with other terms of the general authorization, which were resolved by a

call to rectify the identified deficiencies and which will subsequently be addressed in administrative proceedings.

... [compliance with the conditions of General Authorization No. VO-R/24/05.2019-4 for the operation of equipment of infrastructure for transmitting radio signals inside tunnels, premises of buildings and trains](#)

CTU carried out a total of 2 inspections. Defects were identified in both cases, consisting of failure to comply with the terms of the general authorization, which were resolved by a call to rectify the identified deficiencies and which will subsequently be addressed 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 March, CTU closed 25 cases of interference with GSM, UMTS, LTE and 5G public mobile communication networks (in 6 cases the source of interference was an active element of TV signal reception), 10 cases of interference with short-range devices, 2 cases of interference with a meteorological radar, 2 cases of interference with radio and satellite signal reception, and 6 cases of interference with various devices (amateur service radio station, RR link, CB radio station, etc.). In cases where the interference was confirmed and the source of the interference was traced, the operators of the interference sources were ordered to eliminate them.

... [the use of radio frequencies without authorization](#)

CTU carried out a total of 11 inspections focused on the use of frequencies without authorization (including frequencies for the use of which an individual licence cannot be issued). 9 inspections revealed use of frequencies without individual licence; the cases were referred for resolution in administrative proceedings.

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

In March, CTU closed a total of 55 cases of TV signal reception interference. The investigation of complaints about poor TV reception revealed that in 36 cases the defect was in the viewer's equipment (most often a technical fault of the receiving antenna), in 7 cases the interference stopped, or the complainant cancelled the interference complaint during the investigation. In two cases it was a reception in a non-covered area. In one case, a fault was detected in the transmitter of multiplex 21. In two cases it was found that there was no interference within the meaning of the Electronic Communications Act (e.g. poor operation of the set-top box). In seven cases, a source of interference was detected, and in all 7 cases the source of interference was a mobile operator's base station (see below).

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

As of 31 March 2022, 334 base stations were in pilot operation, and 16 984 stations were in permanent operation. In February, an LTE base station was not identified as a source of TV signal interference in any case.

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

As of 31 March 2022, 1393 base stations were in pilot operation, and 270 stations were in permanent operation. In February, a 5G/LTE base station was identified as a source of TV signal interference in

seven cases. In February, CTU sent a letter via data mailbox to 512 municipalities in whose region the pilot operation of 5G base stations was launched, [with information](#) on how to proceed in the event of TV signal reception interference.

... [network security and integrity](#)

On 15 and 16 March 2022, CTU carried out an inspection of the operator T-Mobile Czech Republic a.s. The inspection focused on the security, confidentiality and integrity of public electronic communications networks according to [Section 88](#) and [Section 99](#) of Act No. 127/2005 Coll. on Electronic Communications and Decree [No. 241/2012 Coll.](#), laying down the technical and organizational rules to ensure the security and integrity of public communications network and the interoperability of publicly available electronic communications services in a state of crisis.

No serious violations of the set obligations were found during the inspection.

2,248 - the number of decisions issued in March on the matter, of which 2,239 decisions concerned a dispute over payment (payment of the price for services).

2,728 - the number of administrative proceedings initiated in March 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 communications service.

The right to a lump-sum compensation is also linked to number portability or Internet access

The transposition of the so-called European Electronic Communications Code has incorporated into the Electronic Communications Act the legal regulation of changing the provider of Internet access services, which we report on the front page. However, the consumer's position has also been strengthened by Decree [No. 529/2021 Coll.](#), which introduces rights to lump-sum compensation. The Decree was prepared by the Ministry of Justice in cooperation with the Ministry of Industry and Trade.

Affected subscribers are entitled to a lump-sum compensation if there is a delay in porting the number or changing the Internet access service provider, if the receiving provider or the provider being abandoned breaches its legal obligations, or if the agreed repair and installation deadlines are not met. The amount of the lump-sum compensation to be paid to the subscribers in these cases does not depend on the assessment by individual providers, but is fixed by the aforementioned Decree, which sets the amount of such compensation for individual situations.

In general, the lump-sum compensation may not be less than CZK 100 per day and not more than CZK 1000 per day. For example, if there is a delay in the porting of a number or a change in the Internet access service provider, the affected subscriber is entitled to compensation in the amount of CZK 200 for each day of delay. The Decree also foresees situations where a provider is in default of its obligations for an extended period of time. Starting from the sixth day of the delay, the lump-sum compensation is increased to CZK 400 for each day of such delay.

According to the Decree, providers must publish this information on their websites in a clear, comprehensible and easily accessible manner and publish it, or a link to it, together with information on the procedure for porting a number or changing the provider of an Internet access service.

In addition to the above, CTU adds that this new regulation of lump-sum compensation does not affect the right of the subscribers to seek damages under the relevant provisions of the Civil Code.

CTU is authorized to resolve any disputes between subscribers and providers regarding the provision of this lump-sum compensation.

LEGISLATIVE CHANGES

DECREES RESPONDING TO THE TRANSPOSITION AMENDMENT TO THE ELECTRONIC COMMUNICATIONS ACT

On 7 March 2022, Decree [No. 41/2022 Coll.](#) amending Decree [No. 462/2013 Coll.](#), on the determination of the amount and method of reimbursement of effectively incurred costs for interception and recording of messages, for storing and providing traffic and location data, and for providing information from the database of subscribers of the publicly available telephone service, was published in [Part 23](#) of the Collection of Laws.

On 15 March 2022, Decree [No. 51/2022 Coll.](#), on the scope, form and manner of publication of information on access or interconnection and on the requirements, scope and form of the reference offer for access or interconnection, was published in [Part 29](#) of the Collection of Laws.

On 15 March 2022, Decree [No. 52/2022 Coll.](#), on the technical and organizational conditions for the use of the software application and the electronic form for data collection in the field of electronic communications, was published in [Part 29](#) of the Collection of Laws.

On 18 March 2022, Decree [No. 58/2022 Coll.](#), on the conditions for number portability and change of Internet access service provider, was published in [Part 33](#) of the Collection of Laws.

We take a closer look at the changes this Decree brings for consumers in the article on the front page.

All of the above mentioned Decrees come into effect on 1 April 2022, except for the provisions of [Section 2\(5\)](#), Decree [No. 52/2022 Coll.](#), which shall come into effect on 1 January 2023.

Radio spectrum management

DIGITAL RADIO BROADCASTING

On 9 March, the Ukrainian Radio programme was launched on the MUX23 (CDG) broadcasting network. The broadcast is distributed on the basis of cooperation with Czech Radio (Český rozhlas), which also offers a stream of Ukrainian colleagues on [its website](#). Listeners can also find the same station on DAB+.

DIGITAL TV BROADCASTING

On 11 April, České Radiokomunikace started broadcasting the Ukrainian TV station 1+1 in the nationwide multiplex 23.

MEASURES OF GENERAL NATURE

On 7 April, CTU started [the public consultation](#) on General Authorization No. VO-R/1/xx.2022-y for the operation of user terminals of radio electronic communications networks. The main reason for the update is the need to implement part of [Commission Implementing Decision \(EU\) 2021/1730](#) of 28 September 2021 on the harmonised use of the paired frequency bands 874.4-880.0 MHz and 919.4-925.0 MHz and of the unpaired 1900-1910 MHz frequency band for Railway Mobile Radio.

On the same day, CTU also launched a [public consultation](#) on Measure of General Nature No. OOP/13/xx.2022-y laying down the scope of information required in an application for an individual licence to use radio frequencies. The main reason for the update is to take account of technological advances in fixed radio communications, where point-to-point fixed radio devices are now commercially available with MIMO technology. In addition, minor changes are proposed in relation to technological advances and legislative developments, including in the area of remotely piloted unmanned aircraft.

Telecommunications regulation in the EU

Official Journal of the EU

On 29 March, the [Commission Implementing Decision \(EU\) 2022/498](#) of 22 March 2022 amending Implementing Decision (EU) 2020/167 as regards harmonised standards for avalanche beacons, satellite earth stations and systems, land mobile earth stations, maritime mobile earth stations, IMT cellular networks equipment, fixed radio systems, digital terrestrial TV transmitters, mobile communication on board aircraft systems, multi Gbps radio equipment, broadcast sound receivers, audio frequency induction loop drivers, primary surveillance radars and TETRA radio equipment, was published. This decision shall enter into force on the day of its publication in the Official Journal of the European Union.

BEREC

On 23 March, the [10th BEREC Stakeholder Forum](#) took place in Brussels. As last year, informal meetings of registered stakeholders with the chairs of the individual working groups, the so-called Meet&Greet, took place before the official opening of the Forum. These meetings were of great interest again and discussed, among others, BEREC's specific plans for current or soon expected events in the telecommunications sector and opinions on relevant legislative proposals. During the conference itself, the [outline BEREC work programme for 2023](#) and the ongoing [call for inputs](#) for the addition of optional topics were presented. This was followed by presentations and discussions on selected current issues, which for this year were the proposals for European regulations concerning regulation of artificial intelligence and digital platforms. Both were the subject of a short lecture and a panel discussion, featuring both Union and industry representatives. A [BEREC study on environmental impacts of electronic communications](#) was also presented. BEREC will follow this up with its own report on environmental sustainability.

BEREC has also issued several statements in relation to the ongoing invasion of Ukraine. In particular, BEREC has [supported](#) and appreciated all initiatives by operators to assist Ukrainian citizens, as it considers the preservation of the ability to communicate to be crucial. Furthermore, BEREC [commented](#) on the application of net neutrality rules in relation to the sanctions regulation on selected Russian media content providers.

European Commission

On 16 March, European Commission launched [public consultation](#) on the draft Cyber resilience act – new cybersecurity rules for digital products and ancillary services. The public consultation is open until 25 May 2022.

On 22 March, the European Commission submitted a [draft Cybersecurity Regulation](#), i.e. new rules to govern common cybersecurity and information security measures across EU institutions, bodies and other entities. The aim of the draft is to strengthen the resilience of European institutions and their

ability to respond to cyber threats and incidents, while ensuring a resilient and secure EU public administration in the context of increasing hostile activity in global cyberspace.

On 24 March, European Commission reached a [political agreement](#) between the European Parliament and EU Member States on the Digital Markets Act ([DMA](#)). DMA is a part of the digital space reform together with the Digital Services Act ([DSA](#)) which aims at ensuring safe and responsible online environment. This package together will create a comprehensive set of new rules for all digital services, incl. social media, online marketplaces and other online platforms operating in the EU. This is a key part of Europe's digital strategy.

ERGP

As CTU reported in its [press release of 10 March](#), the European Group of Postal Regulators issued a [statement](#) on 8 March supporting initiatives to deliver humanitarian aid to war-torn Ukraine. ERGP called on postal operators to lower or to abolish fees charged for the delivery of parcels with medical or other humanitarian content to Ukraine. It also supported any initiatives leading to alternative ways of delivering humanitarian aid to the Ukrainian public.