

## Claims against e-communication services

### Do you disagree with a billing statement from your operator?

Do you disagree with an invoice from your operator, because you are sure, that you have not made a call in the stated period? Have you ordered a service, which was unavailable, or you could use it only partially? Make a complaint!

It is advisable to make a complaint in a written and demonstratable way (e.g. sending a registered letter or delivering it personally to the store with an acknowledgment of receipt).

### Step by step

Make a complaint not later than 2 months after receiving a billing statement → Wait for a response from the operator (within 30 days) → The complaint is accepted (the operator favoured your complaint) X The complaint is not accepted or I did not receive a response → Deliver Objection against the result of a complaint to CTU (within 30 days of receiving a response) → Pay the charged fee or file a proposal with CTU to postpone the maturity date until the end of the inspection

State in the complaint your identification data, the description of the problem and what you are claiming. Provide as many evidences as possible.

### The deadlines

The operator must handle your complaint without undue delay, i.e. within 30 days after receiving the complaint. Only in exceptional cases, such as obtaining required information from foreign operators, the deadline is prolonged to 60 days.

Ideally, the operator will favour your complaint and will return the price differential or adjust the setting of the service and lower the price for a period, when it was unavailable. However, the situation is not always favourable.

### Are there other options of a defence?

In case your complaint is declined, there are other options of defence. You can file an objection against the result of a complaint with the Czech Telecommunication Office (CTU).

You have also the right to demand a refund of costs within the administrative proceeding (e.g. representation by a lawyer, postage, mileage, etc.) The refund is usually provided only when the appellant is successful.

Despite the complaint against the billing statement, or the objections against the result of a complaint, you are obliged to pay the charged fee. However, you can request a decision from CTU to suspend the effect of the complaint. In such case, it is possible to pay for the invoice after the final decision of CTU.

Where you can make a complaint?

With T-Mobile in a written form in the client centre (Tomíčková 2144/1, 148 00 Prague 4), by e-mail to [info@t-mobile.cz](mailto:info@t-mobile.cz), or personally in any branded store.

With O2 in a written form at O2 Czech Republic, Reklamační oddělení, Za Brumlovkou 266/2, 140 22 Prague 4 – Michle, by phone on free of charge line 800 02 02 02, or personally in any branded store.

With Vodafone in a written form at Vodafone Czech Republic a.s., Reklamační oddělení, nám. Junkových 2, 155 00 Prague 5.

## Objection against the result of a complaint – template

Name, Surname

Contact details

Defendant

Name of the company (operator)

Seat, TIN

Czech Telecommunication Office

Department for Prague Region

P. O. Box 02

225 02 Praha 025

Place, Date

### **Objection against the result of a complaint**

On 11 January 2015 I received a billing statement No. 12345 to an amount of 1 125 CZK in relation to my telephone number XXX XXX XXX from company XY. I filed a complaint, as I do not agree with the amount of the billing statement.

According to a detailed statement I have supposedly made 3 foreign calls (to Turkey) on 20 December 2014 at the amount of 430 CZK. I am not aware of any foreign calls made on the stated date, I do not know the number called, I do not have any contacts in the stated country, and I confirm, that any other person made a call from my mobile phone.

Company XY declined my complaint claiming the cause was inspected and according to their record, the calls had been made. I was notified about the result of the complaint on 2 February 2015. I claim my right to object against the result of a complaint in the legal deadline of one month.

I propose the Czech Telecommunication Office decided, that the defendant is obliged to pay in favour of the appellant wrongly charged amount of 430 CZK including costs.

.....

Signature

### Attachments:

Copy of a billing statement dated ...,

Refusal of a complaint dated ..... *place, date*

## Complaint of a billing statement from the operator – template

Name and surname

Contact details

Name of the operator

Address

Place, date

### **Complaint of a billing statement of electronic communication services**

On 11 January 2015 I received a billing statement No. 12345 to an amount of 1 125 CZK in relation to my telephone number XXX XXX XXX from company XY. I filed a complaint, as I do not agree with the amount of the billing statement.

According to a detailed statement I have supposedly made 3 foreign calls (to Turkey) on 20 December 2014 at the amount of 430 CZK. I am not aware of any foreign calls made on the stated date, I do not know the number called, I do not have any contacts in the stated country and I confirm, that any other person made a call from my mobile phone.

In accordance with 64(7) Act No. 127/2005 Col., on electronic communications, I hereby claim my right to make a complaint regarding the state billing statement. I request an inspection of provided statement and return of the charged fee of 430 CZK, which I have already paid, to my bank account no. 123456789/XXXX until 30 days after the resolution of the complaint.

With regards

.....

Signature

#### Attachments:

Copy of a billing statement no. 12345