



Český telekomunikační úřad

# ANNUAL REPORT

# 2023

## The Czech Telecommunication Office in a nutshell

### We are

- > **an independent administrative body** performing state administration in electronic communications and postal services, and cooperating with other public administration bodies,
- > **accessible to all stakeholders and citizens** not only at the headquarters in Prague, but also through 7 regional offices and their branches,
- > **future national Digital Services Coordinator** with responsibility for overseeing the implementation of Regulation (EU) 2022/2065 on a single market for digital services and amending Directive 2000/31/ES (Digital Services Act),
- > **an active member** of the association of European regulators for electronic communications and postal services BEREC, ERGP and IRG, and newly also a member of the European board for Digital services,
- > **involved** in several working groups of international organisations such as ITU and UPU, as well as CEPT OECD, NATO and EU institutions.

### In 2023:

#### in electronic communications:

- > we **created conditions** for the development of competition, technological innovation and wide availability of quality services,
- > we **completed the 5th round of relevant markets analyses**, resulting in the gradual deregulation of the market of internet access at a fixed location,
- > we **conducted a tender (auction) for frequencies for commercial DAB broadcasting networks** in order to promote the development of commercial digital radio broadcasting,
- > we **ensured the management of radio spectrum and numbers** and their efficient and effective use in accordance with international harmonisation,
- > we **prepared a proposal of a draft call** to support technical measures to address mobile signal availability in railway coaches (repeaters or passive walls),
- > we **monitored** the fulfilment of the newly imposed universal service obligation of special prices and pricing plans, and reviewed the availability of other partial universal services,
- > we **carried out inspections of the quality** of the services provided and the regulatory measures laid down,
- > we **worked in the preparation of a draft amendment to the Electronic Communications Act** in cooperation with the Ministry of Industry and Trade.

### in the field of postal services:

- > we **created conditions** for the development of competition in the postal market,
- > we **ensured the availability, necessary quality and affordability** of universal postal services and verified the costs for their financing,
- > we **adjusted the scope of the postal licence holder's compulsory post-office network** and the conditions for the availability of the universal services in response to lessons learned from their provision,
- > we **secured the payment of additional reimbursement of the net costs to Česká pošta, s.p.**, for the provision of universal services in the period 2018–22,
- > we **implemented the postal review** as a crucial step in preparing to ensure the availability of universal postal services and the granting of a new postal licence for the period from 2025,
- > we **carried out inspections of the quality** of the universal and other postal services provided and the regulatory measures laid down,
- > we **worked in the preparation of a draft amendment to the Postal Services Act** in cooperation with the Ministry of Industry and Trade.

### in the area of preparation for the future role of national Digital Services Coordinator

- > we **worked on the preparation of the draft of the new Digital Economy Act** in cooperation with the Ministry of Industry and Trade,
- > we **launched a website with information on the DSA** and on the issue of our other powers and responsibilities in the area of supervision of the P2B regulation, etc.,
- > we **participated in the digital economy working groups of the European supervisory authorities (DSCs)** and coordinated with them our national activities in preparation for the role of national Digital Services Coordinator,
- > we **organised a roundtable with representatives of online platforms and online search engines** on the application of the P2B regulation for business users of online intermediary services.

### for consumers and service users:

- > we **ensured** the protection of their rights,
- > we **handled** their complaints and submissions regarding the conditions, quality and price of services,
- > we **decided** on their disputes with service providers,
- > we **ensured** that the legal requirements are fulfilled and that the contract terms and conditions are clear,
- > we **provided** advice, recommendations and other forms of support within the Telecommunication Academy project.

## We operate

NetTest <https://nettest.ctu.gov.cz/en/>

Price and quality of service comparison tool <https://srovnovac.ctu.cz/>

Portal to register in the 60 GHz and 5 GHz bands <https://rlan.ctu.cz/cs/>

Visualisation Portal of telecommunication services <https://vportal.ctu.gov.cz/intro?l=en>

Telecommunication academy <https://akademie.ctu.gov.cz/>

Area and population mobile coverage portal <https://digi.ctu.cz/>

Spectrum utilisation portal <https://spektrum.ctu.gov.cz/en/>

Electronic data collection portal

<https://monitoringtrhu.ctu.cz/login?stranka=https://monitoringtrhu.ctu.cz/>

Open data portal <https://data.ctu.gov.cz/>

## A Word of Introduction by the Council Chairman

Dear entrepreneurs and users of electronic communication services and postal services, Let me begin our annual report by sharing with you a brief assessment of the year 2023 in terms of the main activities of the Czech Telecommunication Office.

I am pleased to highlight some of the new support tools that we are running for the needs of the general public. We have made available a mobile version of NetTest tool for the iOS operating system, which complements the existing web version and Android application, making it possible to test the quality of Internet Access Service on virtually any device. The VPortal visualisation tool has also undergone a major innovation. This tool makes it possible to make comparisons of the quality of telecommunications services in the Czech Republic and, since last year, visualises the availability of fixed connections and information on how mobile operators are fulfilling their auction commitments. Last year, our colleagues also worked on improving the Comparison Tool, where we added, among other modifications, the option to select the increasingly popular unlimited tariffs.

By the way, unlimited data is already used by 22% and unlimited calls by 43% of mobile services users from among consumers. These, too, are the findings of a survey we conducted last year to test user experience and satisfaction in the retail mobile market. We were pleasantly surprised by some of the findings of this survey, such as the high willingness to recommend their mobile service provider or the overwhelmingly positive perception of price in relation to quality of service. An important finding that complemented our other market monitoring tools was the fact that 11% of respondents use mobile virtual network operators.

We are aware that mobile virtual network mobile operators can also bring interesting offers to the retail market. With this in mind, we therefore re-examined compliance with 4G and 5G auction obligations over the past year. A positive finding is the further reduction in wholesale prices in the mandatory reference offers and, where applicable, the removal of some of the monthly payments and the reduction in wholesale prices, as well as improvements in other conditions.

From the point of view of protecting service users, I am very pleased that, in cooperation with representatives of the sector, in 2023, we have succeeded in proposing and preparing for implementation measures that will lead to a reduction in the negative impact of fraudulent spoofing. I estimate that in the first half of 2024 the measures should already be in force.

Last year, another of our main priorities was the auction of frequencies for DAB broadcasting networks. Our aim was to create the conditions for the digital terrestrial radio format to further develop in our country without obstacles. I am very pleased that this auction was a great success, with all bidders winning some of the frequency block allocations on offer and we were able to contribute almost CZK 80 million to the budget. Objectively, however, I must admit that the delay in the auction due to its high complexity and the large number of participants was a lesson for us.

A major task in which we participated last year was the provision of a professional guarantee for the preparation of and participation in the World Radiocommunication Conference (WRC 2023) at the end of last year. Cooperation with the sector in the renewed inter-ministerial working group on spectrum has helped us in this regard.

Preparing for the role of national Digital Services Coordinator was a completely new challenge for us during the last year. Although the government of the Czech Republic appointed us to this

position during the summer of last year, our activity will be fully developed mainly after the passing and effectiveness of the new Digital Economy Act. Even so, we have already started organisational and professional preparation during 2023, when we managed to establish a completely new department for specialized activities. This department, by the way, was already in charge of e.g. P2B regulation issues last year, but colleagues were already actively preparing for the supervision of the DSA and other related agendas.

Another new challenge for us was the preparation of the first ever subsidy title under the responsibility of CTU. During last year, we managed to prepare and present to the European Commission the basic parameters of the proposal for a subsidy call for technical devices to improve the availability of mobile signal in railway coaches. In doing so, our Office has actively supported the achievement of the 5G quality improvement objectives in the National Recovery Plan.

Finally, I cannot fail to mention the process of the comprehensive review of the postal market that we carried out during last year. Its results will now (in 2024) help us to correctly set the conditions of the tender for a new postal licence holder with the obligation to provide selected universal services for the period from 1 January 2025 to 31 December 2029. We have already submitted this plan and draft conditions for public consultation in February this year.

In conclusion, I would like to mention that the year 2023 (without a month) was also my first year as Chairman of the CTU Council. The path that I and my colleagues from the Council and colleagues from our Office have pursued has been one of greater transparency, openness and communication with both the professional sector and the general public. I appreciate it very much and thank them for their support. I thank you all for your constructive collaboration so far.

Ing. Marek EBERT  
Chairman of the Council  
of the Czech Telecommunication Office

During 2023, CTU Council was composed of Marek Ebert, Chairman of the CTU Council, who took office on 1 February 2023, and the members of the Council Jiří Peterka, Jiří Šuchman, Lukáš Zelený, each of whom focuses on specific areas of CTU's activities. The previous CTU Council Chair Hana Továrková resigned from her position and membership of the CTU Council at the end of her mandate.



## EXECUTIVE SUMMARY

### ELECTRONIC COMMUNICATIONS

We have developed analyses of relevant markets No. 1 and former market No. 3b (Wholesale local access provided at a fixed location and Wholesale central access provided at a fixed location for mass-market products), ART1/3b, taking into account the European Commission's previous reservations. The draft versions were notified on 1 June 2023. Follow-up administrative proceedings to impose obligations in Market No. 1 and to lift obligations in Market No. 3 were initiated on 4 September 2023, and administrative proceedings to impose price regulation in Market No. 1 were initiated on 30 August 2023. Following notification by the European Commission, all decisions were approved by Council for issue on 14 February 2024.

We checked compliance with the terms of the 5G auction in the form of the obligation to publish reference offers for MVNOs (mobile virtual network operators). Based on repeated negotiations with operators and thanks to their proactive approach, all three network operators recalculated their prices in the first half of the year and published new offers for potential full and light MVNOs as of mid-April 2023. They also published new reference offers as of mid-October 2023. The year 2023 saw also a reduction or cancellation of monthly payments, selected one-off prices, as well as a positive change consisting in the possibility to purchase voice and SMS services on a commercial basis in addition to data from mandatory offers. Unit prices per MB of data for mobile virtual operators have fallen significantly during 2023.

During 2023, in cooperation with operators and other stakeholders, we analysed technical and organisational ways to limit the negative impact of spoofing in the Czech Republic, including the possibility of drawing up appropriate regulatory measures. At the end of the year, we presented a proposal for specific measures in the form of a condition in General Authorisation No. VO-S/2/07.2005-10 laying down the conditions for the provision of public communications networks and associated facilities.

In 2023, we also focused on the tender for the granting of rights to use radio frequencies in the 174-230 MHz band, which took place in the form of an electronic auction. The auctioned frequency blocks were divided among all 8 tender participants. The auction was successfully completed in February 2024 with all eight successful bidders being awarded block allocations and a gain of CZK 79,325,000.

In the course of 2023, we repeatedly improved the visualization tool, VPortal, which is used by users to compare the quality of telecommunications services in the Czech Republic. In addition to other modifications, two new modules have been added: the "Fixed Services" module, which shows available fixed connections and the results of user measurements of internet speeds performed by NetTest, and the "Development Criteria" module, which shows how individual operators (holders of block allocations of radio frequencies) are fulfilling their commitments from the 2017 and 2020 auctions to mobile signal coverage.

We have developed and made available a mobile version of the NetTest tool for mobile devices running iOS to complement the existing web version and Android application. This allows the quality of the Internet access service to be tested on virtually any device.

On the basis of the delegation agreement, we have prepared a proposal for a subsidy call "Technical Devices for 5G in Railway Coaches", the aim of which is to help improve the availability and quality of mobile services also inside train coaches. At the same time, we supported the Ministry of Industry and Trade in the preparation and implementation of other subsidy titles of the National Recovery Plan. Cooperation with the Ministry of Industry and Trade on subsidy projects continues in 2024.

## POSTAL SERVICES

We carried out a comprehensive review of the postal market and preparation of related documents necessary for the consultation on the intention to impose an obligation to provide universal services for the period from 2025 under the new postal licence.

On the basis of an assessment of the current state of the use of universal postal services, taking into account the existing alternatives and their availability, and in view of the government resolution on reducing the number of post offices of the postal licence holder (Česká pošta, s.p), we have modified the conditions of availability of universal services with effect from mid-2023 by means of a decree laying down the specifications of individual universal services.

We also participated in the forthcoming amendment to the Postal Services Act in cooperation with representatives of the Ministry of Industry and Trade.

We also verified the net costs of providing universal postal services for the year 2022. The reimbursement of the net costs representing the disproportionate financial burden (after having taken into account the preliminary net costs already reimbursed) was made on 15 November 2023.

## DIGITAL SERVICES

In connection with the exercise of the new activities arising from Regulation (EU) 2019/1150 of the European Parliament and of the Council (P2B Regulation) and in preparation for CTU's future takeover of other digital services agendas (DSA and DGA), we established a Specialized Agenda Supervision Unit on 1 January 2023. The department is responsible for overseeing the professional agenda with a nationwide scope (handling complaints and enquiries, inspections, administrative offences), including methodological activities. In cooperation with representatives of the Ministry of Industry and Trade, the department participates in the development of legislation on digital services, represents the Office in international working groups and actively prepares for the role of national Digital Services Coordinator. Throughout the year, we organised workshops and meetings with relevant representatives of the digital services sector, providing them with the necessary consultations. We have published an online guide <https://ctu.gov.cz/en/online-platforms-and-online-search-engines-p2b> to help online intermediary service providers and online search engines in particular understand the new rules. On our website, we have also posted supporting information at <https://ctu.gov.cz/en/european-digital-services-act-dsa> and frequently asked questions and answers at <https://ctu.gov.cz/digitalni-sluzby>.

## INSPECTION ACTIVITIES

The inspection of the provision of pre-contractual information and contract summary was combined with a follow-up inspection of the entities identified in the framework of the inspections of compliance with the conditions of the General Authorisation VO-S/1 and was carried out during the second half of 2023. In addition to the obligation to provide pre-contractual information and a summary of the contract, other contractual obligations under the Act were also checked. A total of 50 entities were inspected; in 42 cases violations of the Electronic Communications Act were found. In subsequent administrative offence proceedings, fines in total amount of CZK 2.2 million were imposed.

We also carried out an inspection of compliance with Decree No. 58/2022 Coll., on conditions for number portability and the change of the Internet Access Service provider, which led, among other things, to the inspected entities correcting partial deficiencies. As a result, it was found that both options – phone number portability and changing the internet service providers – work and are used in practice. The Office did not identify any systemic problems in the application practice of Decree No. 58/2022 Coll.

In 2023, 270 inspections were carried out to verify the activities actually carried out by providers of electronic communications services. Defects were found in 102 cases. The performance of the inspections in question, together with other activities of the Inspection section (written warnings to undertakings, conducting administrative offence proceedings), had a positive impact on the refinement and updating of data in the register of undertakings in electronic communications and in the Office's Comparison Tool.

We also carried out an inspection of the fulfilment of obligations in making official deliveries by the postal licence holder. The delivery of a total of 1,198 official postal items was examined and no major deficiencies were found. An error was found only for 21 postal items.

## CONSUMER PROTECTION

The Price and Service Quality Comparison Tool has also been further developed. In 2023, we introduced new functionality to the comparison tool to make it more user-friendly and responsive to changes in consumer behaviour. One of these changes, for example, was the creation of a new preset "Unlimited" consumer profile for mobile services and calls at a fixed location, which allows users to quickly compare offers with unlimited volumes. For services for which the Office, either on the basis of its own investigation or primarily on the basis of incentives from users of the comparison tool, has a reasonable suspicion that the information provided by the undertaking does not correspond to reality or, more precisely, to the methodology of data collection according to Decree No. 582/2020 Coll., we publish a new notice ("disclaimer") about the ongoing examination of the offer.

The activities of the Telecommunication Academy also continued. Our lecturers have delivered the highest number of lectures since the Academy's inception, with a total of 95 lectures. Their audience included 2051 elderly people and now also 144 minors. The Telecommunication Academy has expanded its activities and focused its lectures on low-threshold centres for children and youth, schools, etc. The number of lectures held, and the number of listeners shows not only the growing public interest in education, but also to the quality and relevance of the topics offered.

## ECONOMIC MANAGEMENT in 2023

<b>Budget 2023</b>	<b>(in CZK)</b>
Fees for numbers	105 163 751,55
Fees for frequencies	1 087 399 184,67
Administrative fees collected	24 032 431,01
Penalties collected	12 738 695,51
Other income	716 529,20
<b>Total Income</b>	<b>1 230 050 591,94</b>
Reimbursement of net costs resulting from the provision of universal service and from the loss resulting from the provision of special prices	51 898 511,49
Reimbursement of net costs representing the unfair financial burden of Czech Post	750 000 000,00
Expenses to ensure the operation of the Office	732 384 698,91
<b>Total Expenditure</b>	<b>1 534 283 210,40</b>

## CTU's MAIN PLANS FOR 2024

In the coming year, the Office will focus on:

- carrying out new analyses of so-called termination markets (wholesale call termination on fixed or mobile networks);
- assessing the impact of the approved merger of CETIN and Nej.cz on the conclusions of the analysis of relevant market 1 (wholesale local access) and former market 3b (wholesale central access);
- implementing of a subsidy call for technical solutions to improve mobile signal availability in railway coaches (repeaters and passive walls);
- cooperating with the Ministry of Industry and Trade in the implementation of subsidy calls for high-speed network coverage, including 5G networks in rural areas, and improving the quality of 5G on railway corridor;
- improving quality of 5G coverage on railway corridors and completing the coverage of white areas on the basis of the terms of new frequency block allocations in the bands 900/1800 MHz;
- conducting a selection procedure for a postal licence holder for the period from 2025;
- completing a notification of net cost compensation for postal licence holder for 2023 and 2024, and launching a notification for the new postal license period beyond 2025;
- supporting the Ministry of Industry and Trade in the negotiation and adoption of the new Digital Economy Act and amendments to the Electronic Communications Act and the Postal Services Act;
- renewing radio frequency block allocations in the bands 900 and 1800 MHz following the conclusions of the 2023 review;
- legislative regulation of measures to prevent fraudulent spoofing;

- continuing in activities in the area of consumer protection, including inspections focused on contractual terms and conditions of electronic communications services, postal services and compliance with obligations under P2B Regulation;
- preparing for the exercise of supervisory responsibilities under the DSA Regulation, including the future role of the national Digital Services Coordinator;
- cooperating with other competent authorities, associations and international organisations within the scope of CTU's involvement and competences.

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## LIST OF ABBREVIATIONS

- CTU/Office Czech Telecommunication Office
- [Electronic Communications Act](#) Act No. 27/2005 Coll., on electronic communications and on amendments to certain related acts ([Electronic Communications Act](#))
- [Postal Services Act](#) Act No. 29/2000 Coll., on postal services and on amendments to certain acts ([Postal Services Act](#))
- EU European Union
- Commission European Commission
- IRG Independent Regulators Group
- ERGP European Regulators Group for Postal Services
- ITU International Telecommunication Union
- [BEREC Communications](#) Body of European Regulators for Electronic Communications
- UPU Universal Postal Union
- ÚOHS Office for the Protection of Competition
- Česká pošta Česká pošta, s.p.
- O2 O2 Czech Republic a.s.
- CETIN Česká telekomunikační infrastruktura a.s.
- T-Mobile T-Mobile Czech Republic a.s.
- Vodafone Vodafone Czech Republic a.s.

# 01

## Situation of the Electronic Communications Market and Postal Services Market in 2023

## 01 Situation of the Electronic Communications Market and Postal Services Market in 2023

### The electronic communications market in 2023 through the eyes of Council member Jiří Peterka

Looking back to 2023, I can't help but see how increasingly important data services, both mobile and fixed, are to users. Demand for them is constantly growing, and so are the volumes of data transferred. We estimate that an impressive 320 GB of data per month will flow through a single fixed connection in 2023, about 8% more than in the previous year. One SIM card with data services accounted for 9.8 GB of mobile data transferred each month, an increase of 37% year-on-year.

The range of data tariffs, as well as combinations of data and other services, is also expanding. In fixed networks today, you probably won't find a tariff with a limited data volume anymore. Mobile services are also increasingly offering unlimited data, tiered according to speed. There are many to choose from, although prices will probably always be the subject of various debates.

The traditional advantage of mobile networks in the Czech Republic is the quality and range of coverage they provide. This is evidenced by the fact that at the end of the year, the signal of the newly deployed 5G networks was already available to 96% of the population and 94% of the territory of the Czech Republic. In the case of previously deployed mobile networks of previous generations, the percentages are even higher – but even here we still register the so-called white areas (without the availability of a sufficiently high quality signal) and we strive to ensure that as many of them as possible are well covered.

When it comes to fixed networks, the clear trend, on a pan-European scale, is very high capacity networks (VHCN) capable of providing gigabit data transfer speeds to users. Among them, mainly fibre-optic networks which have the highest speed potential. Their deployment in our country is gaining momentum and scope, but unfortunately, we are still lagging behind the EU average. We must do better here.

### 1 Electronic communications market

In the mobile services segment, two network operators have simultaneously entered 2023 with ownership changes. On 1 January 2023, T-Mobile spun off its passive mobile network infrastructure into a subsidiary, T-Mobile Infra CZ, and on the same date, the largest mobile virtual network operator, O2 Family, ceased to exist through a merger with its parent company, O2. The customer base also shifted in the middle of the year when FAYN Telecommunications, a company which provides mobile virtual network operator services under the brand name FAYNmobil, sold this part of the business to another virtual network operator, Quadruple. In December, the third network operator Vodafone agreed with SAZKA to buy its mobile virtual network operator SAZKAmobil<sup>1</sup>, which has been present in the Czech market for almost ten years. The transaction was approved by the Office for the Protection of Competition in March 2024 and is expected to be completed during the first half of the same year. In 2023, the sales of frequencies for the

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<sup>1</sup> For more details, see Vodafone's press release [here](#).

operation of 5G networks also became significant event for the development of the mobile services market – Vodafone acquired the 40 MHz block from PODA at the beginning of the year, then in the summer, T-Mobile bought the 80 MHz block from KAPRAIN holding, which offered it through incrate s.r.o. Apart from the trio of T-Mobile, O2 and Vodafone, Nordic Telecom 5G remains the only holder of frequency block allocations for mobile network operations.

Probably the most important event of 2023 in the domestic electronic communications market is the agreement announced in April on the acquisition of Nej.cz by CETIN and the KAPRAIN investment group. Following the approval of the transaction by the Office for the Protection of Competition, which became legally effective on 10 November 2023, CETIN will acquire into its portfolio mainly high-speed fibre-optic infrastructure covering 0.5 million households in several regions of the Czech Republic.

ČEZ energy group also participated in the consolidation of the electronic communications market by acquiring the regional connection provider Web4Soft Internet through Telco Pro Services in early 2023.

In August, PPF Group announced the signing of an agreement with Emirates Telecommunication Group Company (operating under the e& brand and formerly known as Etisalat) to acquire a 50% stake plus one share in PPF Telecom Group's assets in Bulgaria, Hungary, Serbia and Slovakia. The transaction did not involve O2 and CETIN, and PPF Group plans to create synergies within its activities in the telecommunications, media and financial sectors in the Czech market. From the perspective of foreign capital, we should also mention the acquisition of the local branch of the French group VINCI ENERGIES, which, in addition to energy, also focuses on communications infrastructure. InfoTel, which focuses on the construction of telecommunications networks and whose clients include, among others, all three domestic mobile network operators, became the subject of the acquisition in the autumn.

In the field of transmission of radio and TV broadcasting, events are dominated by the tender for the granting of rights to use radio frequencies in the 174–230 MHz band for the distribution of terrestrial digital radio broadcasting. The Office opened the tender on 1 August 2023 and the auction was not completed until the first days of the following calendar year. The nationwide networks will be operated by Czech Digital Group and RTI CZ, while 6 other companies have been allocated frequencies for regional networks. The total auctioned price reached almost CZK 80 million. The operator of DVB-T2 Regional Network 4, Prague Digital TV, also entered 2024 with a new owner – the company České Radiokomunikace was added into the public register as the sole shareholder on 10 January 2024. According to the Association of Television Organisations, the proportion of households with an internet-connected TV set exceeded 50% for the first time in 2023.

In August, in response to several unfavourable rulings in disputes with the Financial administration, which levied income taxes on several associations providing Internet access to their members, nine of these associations founded<sup>2</sup> the Association for a Non-Commercial Internet. This was preceded in June by the filing of constitutional complaints by societies cyrilek.net z.s. and PilsFree, z.s. against the decision of the Supreme Administrative Court, which rejected their cassation complaints against the decisions of the administrative courts, which concluded that the associational activities are merely a cover for business activities. The Office will therefore take these findings into account in its supervisory activities in 2024, both in terms of compliance with the conditions for carrying out business activities in electronic communications

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<sup>2</sup> Association of bubakov.net; cyrilek.net z.s.; czela.net z. s.; JM-Net z.s.; Association of Libčice.net; LysaFree, z. s.; mh2net, z.s.; PilsFree, z.s.; PVfree.net, z. s.; Unart, z.s.; UNHfree.net z.s.

and in terms of compliance with the conditions in relation to consumer rights in the provision of services.

## 1.1 Mobile services market

In 2023, mobile network operators (hereinafter also referred to as “MNOs”<sup>3</sup>) T-Mobile, O2 and Vodafone, as well as dozens of other business undertakings as mobile virtual network operators (hereinafter also referred to as “MVNOs”<sup>4</sup>) were active in the mobile services market. Two MVNOs – Tesco Mobile and COOP Mobil – were co-owned by an MNO.<sup>5</sup> In addition to their own primary brands, some mobile service providers have also used additional brands (branded resellers)<sup>6</sup> in the retail market, which act as additional sales channels for the core operators, in most cases MNOs. The following table provides a basic overview of the number of service providers in each category in the mobile market.

**Table 1: Service providers on the Mobile services market in 2023**

Provider type	Number of providers*
MNO	3
MVNE <sup>7</sup>	8
MVNO (total nominal number <sup>8</sup> )	104
<i>of which MVNO &gt;100 000 SIM cards</i>	3
Branded reseller	7

\* Dates are as of June 30, 2023

An assessment of the number of active SIM cards<sup>7</sup> shows that the three MNOs have strengthened their position year-on-year and control the vast majority of the market. Specifically, they achieved a market share of 95.5% by mid-2023. The 2.4 p.p. increase in the aggregate MNO share compared to the end of 2022 was mainly due to the increase in O2's share as a result of the merger of O2 and the virtual operator O2 Family, which took place on 1 January 2023. The aggregate market share of all MVNOs reached 4.5% in mid-2023, while the market share of independent MVNOs was 3.4%. In terms of aggregate retail sales of mobile services, the MVNOs that are not equity-related achieved a market share of 1.8%, the two MVNOs co-owned by MNOs 0.4% and the remaining 97.8% was shared by MNOs.

The largest MVNO was SAZKA, selling services under the SAZKAmobil brand with a market share of 1.3%, but at the end of 2023 it was announced that Vodafone had signed an agreement to acquire SAZKAmobil (the transaction is mentioned in more detail in the introduction to Chapter

<sup>3</sup> Mobile Network Operator - an entity providing mobile services to end subscribers on its own behalf, with its own radio access network.

<sup>4</sup> Mobile Virtual Network Operator – an entity providing mobile services to end subscribers on its own behalf who does not have its own radio access network or, more precisely, does not have its own block allocation of frequencies for deploying a radio access network.

<sup>5</sup> COOP Mobil s.r.o. (1/3 ownership interest owned by Vodafone), Tesco Mobile ČR s.r.o. (50% ownership interest owned by O2).

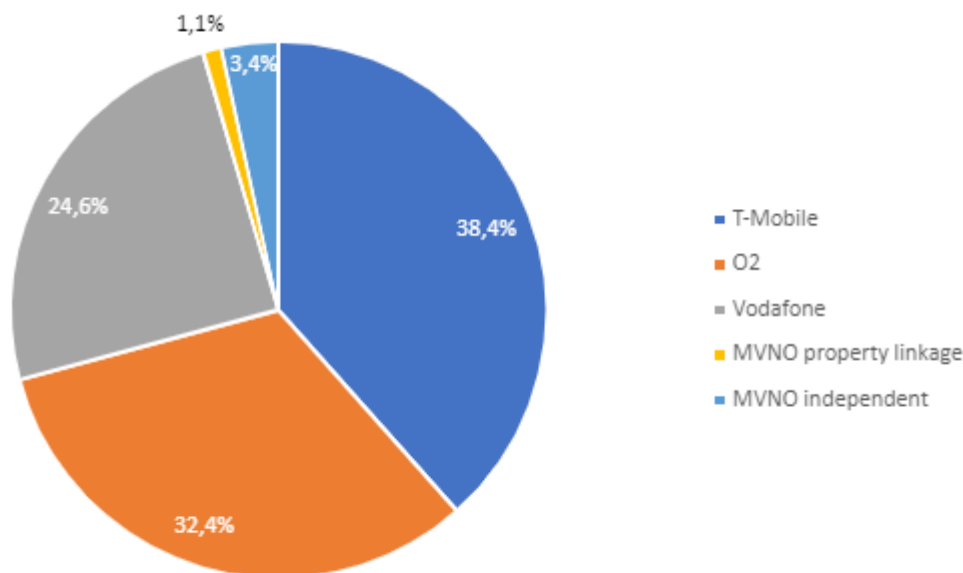
<sup>6</sup> For example, BLESKmobil, MOBIL.CZ, OpenCall and innogy Mobil.

<sup>7</sup> Active SIM cards are SIM cards for which a valid contract on provision of services has been signed (post-paid) or which were used for calls, sending SMS, MMS message or for data services at least once in the last three months of the period in question (pre-paid), as well as for M2M services.

1). The largest MVNOs included Tesco Mobile ČR with a market share of 1.1% and ČEZ Prodej with 1.0%. These three MVNOs alone reported more than 100 thousand active SIM cards.

Households accounted for the majority of the MVNOs' customer base (97.4%), with MVNOs achieving a market share of 7.4% in this segment. On the contrary, MVNOs had the minimum number of customers in the corporate segment, where their market share was only 0.3%. For MNOs, the share of household SIM cards in the total portfolio was 58.4%.

**Chart 1: Market shares based on the total number of active mobile SIM cards on the retail market in mid-2023**



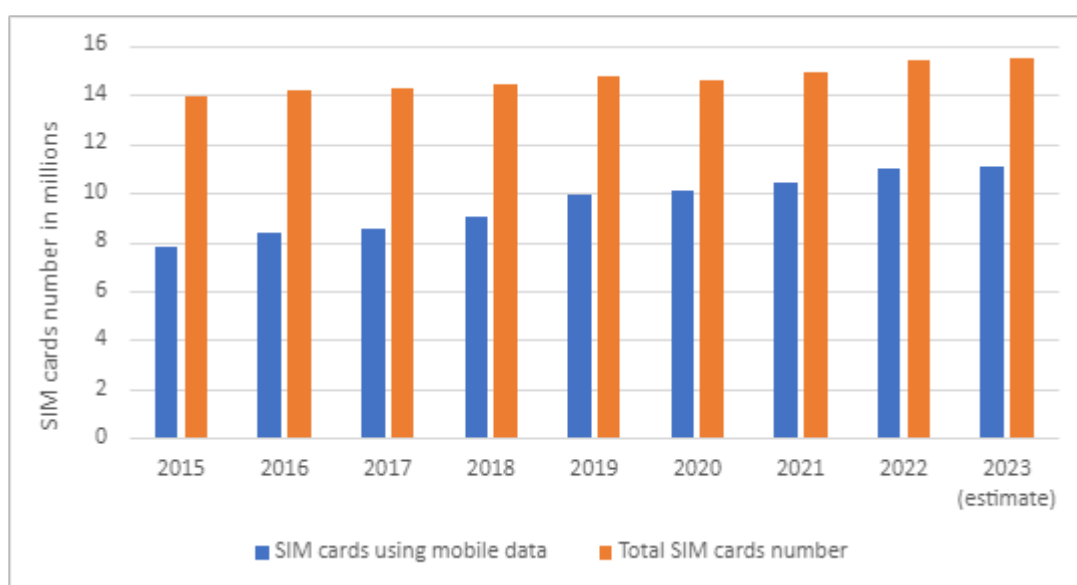
The Office estimates that the total number of active SIM cards at the end of 2023 will exceed 15.4 million, of which the share of post-paid SIM cards will be approximately three-quarters. This high representation reflects the increased attractiveness of flat-rate tariffs, which in recent years typically include not only unlimited calls and SMS messages, but also sufficiently high or unlimited mobile data volumes. In 2023, the number of M2M<sup>8</sup> SIM cards continued to grow slightly, exceeding 1.6 million.

<sup>8</sup> Machine to machine – designation used for direct communication between devices/systems.

## Mobile data services

In 2023, mobile operators offered mobile data services for mobile phones or smartphones as well as for other terminal equipment devices such as tablets, laptops and other wearables. According to the Office's estimates, the total number of mobile SIM cards using Internet access (hereinafter also referred to as “data SIM cards”) exceeded 11.4 million and was close to three quarters of the total number of mobile SIM cards. The development of the two indicators over the period 2015-2023 is shown in the following chart.

**Chart 2: Mobile data SIM cards number evolution compared to the total number of SIM cards in the period 2015–2023**

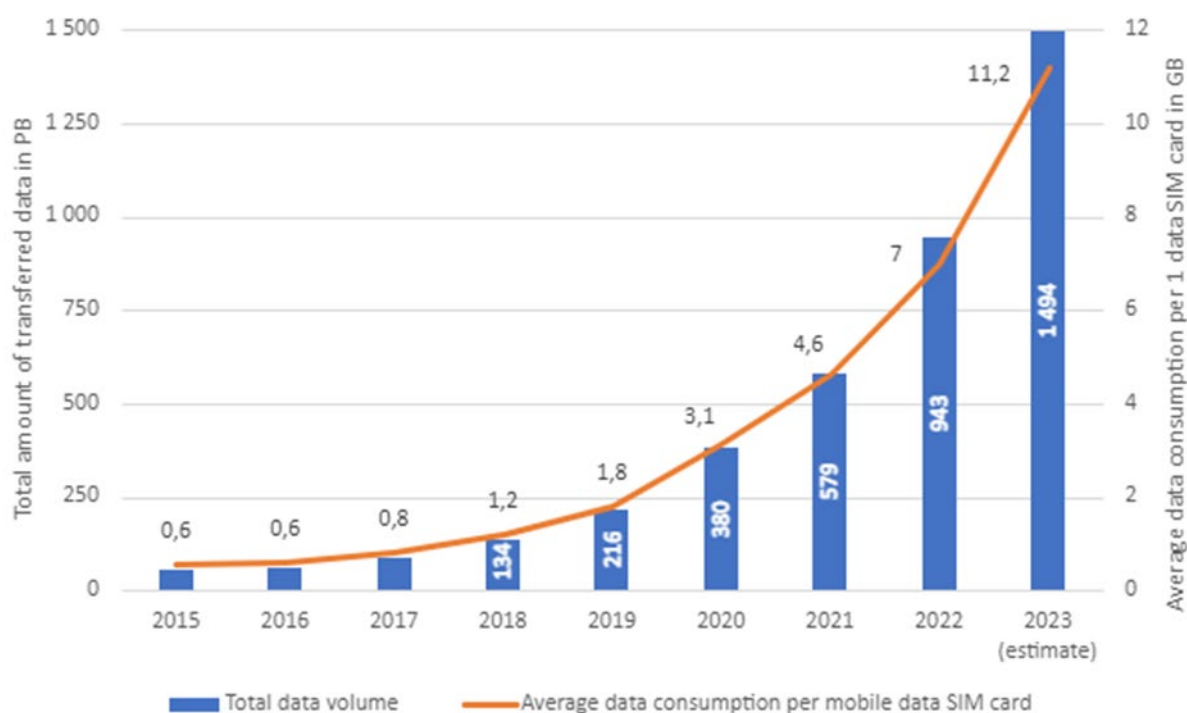


## Volume of mobile data transferred

The total volume of mobile data transferred<sup>9</sup> in 2023 is estimated by the Office to have reached 1,35 thousand PB, and its year-on-year growth can be estimated at approximately 43%. The continued growth reflects the fact that the penetration of high or unlimited mobile data tariffs is increasing among customers. Correlated with this is the growth in average monthly data usage per mobile data SIM, which the Office estimates reached 9,8 GB in 2023, representing a 37% year-on-year increase. The development of the two indicators over the period 2015-2023 is shown in the following chart.

<sup>9</sup> Represents the total data traffic generated by subscribers (download and upload). It does not include data traffic from M2M services and fixed LTE or fixed 5G services, which fall under the category of services of Internet access at a fixed location.

**Chart 3: Transferred mobile data and average consumption per 1 SIM card using mobile data evolution in the period 2015-2023**



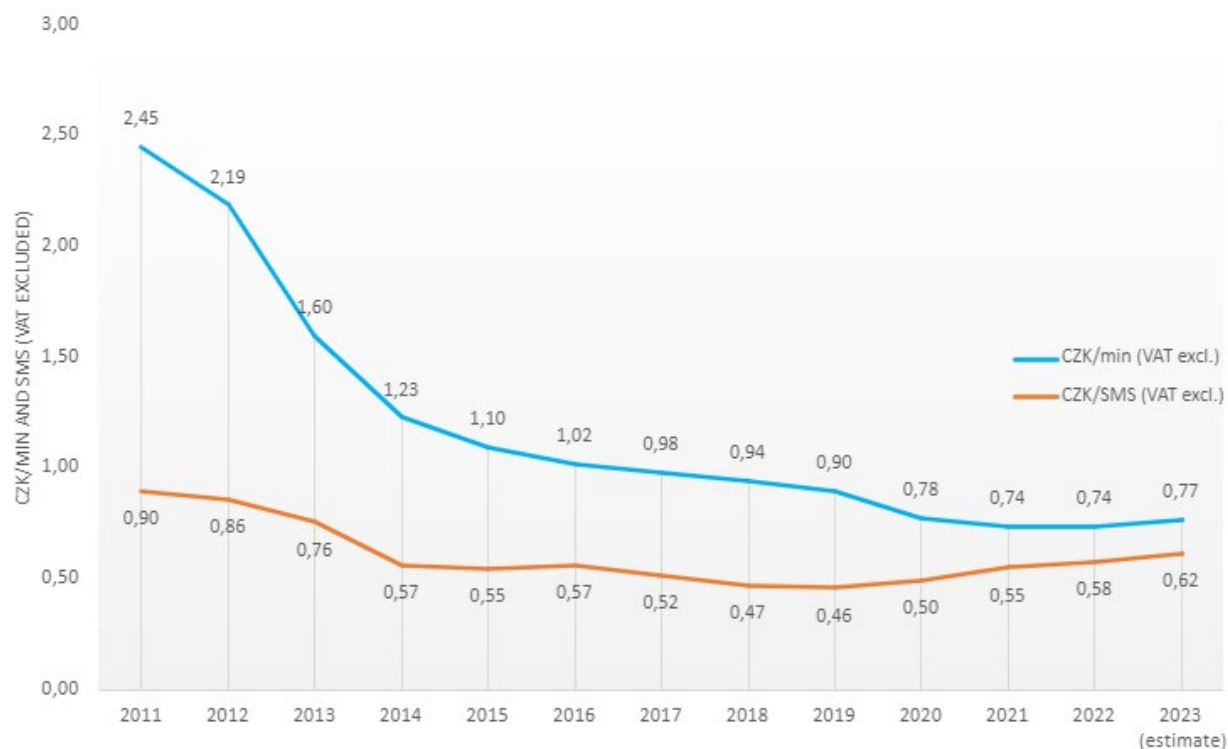
## Prices of mobile services

### Price development according to average minute price for mobile calls and SMS

The long-term trend of decrease of the average price per actual minute called slightly decelerated in 2022, and the average price started to grow in 2023. In the first half of the year, there was an increase of approximately 4% to CZK 0.77 per minute compared to the average for the whole of 2022. This trend reflects rising average prices for business undertakings of 9.3%, while average prices for non-business (resident) entities decreased slightly by 0.2%.

The downward trend in the average price per SMS sent stopped in 2019 and the average price has been rising since then. The reason for this is the declining use of this service, which is gradually being displaced by the use of communication apps based on data transmission.

Please note that the resulting price also takes into account the price which the operators charge legal entities and natural persons carrying out business activities. However, even these pricing conditions reach ordinary users in many cases through corporate tariff programmes.

**Chart 4: Average retail price for actual called minute and SMS**

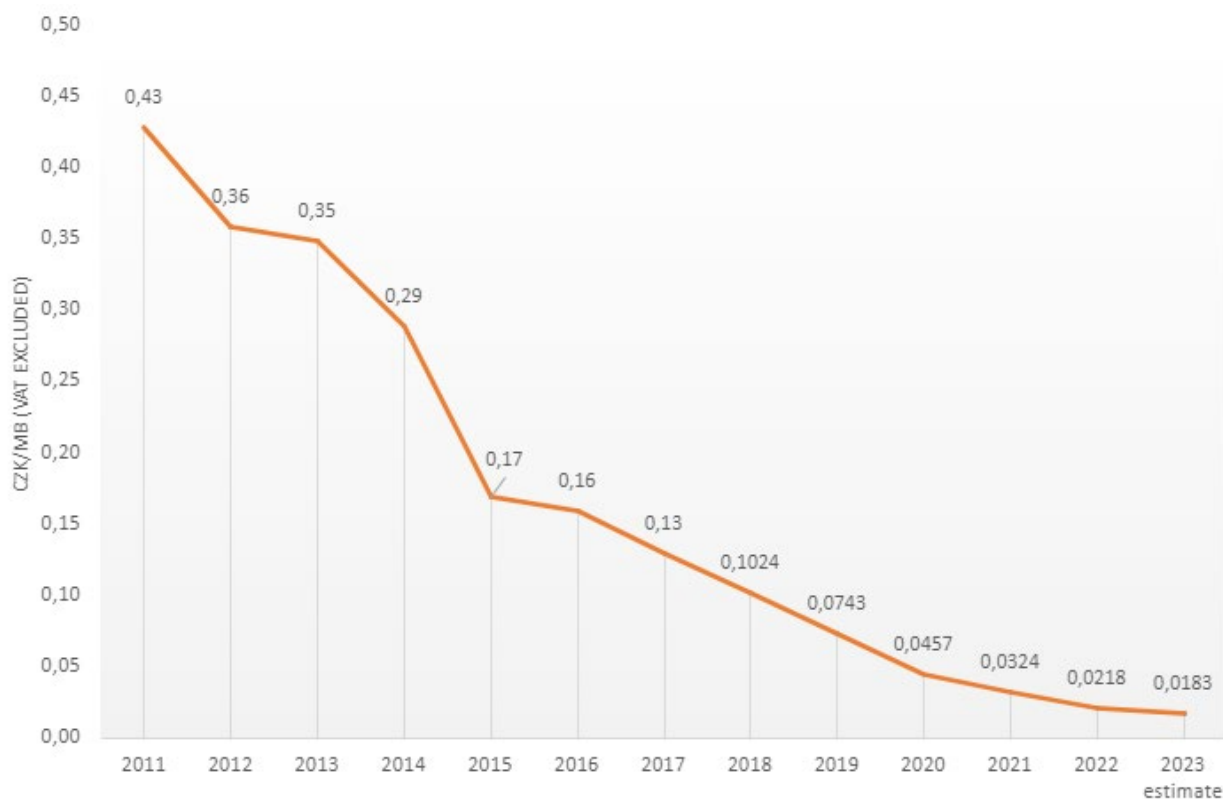
### Prices of the Internet in a Mobile Phone service (mobile data prices)

There were no significant changes to mobile operators' data service offerings during 2023. In connection with the increased costs in February 2023, Vodafone, like other operators already in 2022, increased the price of its tariffs. For example, Vodafone increased the monthly price of the cheapest tariff with unlimited data from CZK 599 to CZK 652.91. In 2023, O2 offered the cheapest tariff with unlimited data for CZK 899 per month (from July 2023 for CZK 949 per month) and T-Mobile for CZK 930 per month.

Tariffs with unlimited data most often differ (apart from the price) in the maximum download speed.

With the long-term trend of increasing data limits in mobile operators' offers, which is reflected in the growing data usage by users, the average unit price for 1 MB of data actually consumed is decreasing over time. The decrease in the average unit price is also due to the increasing consumption of existing (unchanged) data limits in tariffs by customers. The unit price decreases even in a situation where there have been no decreases in nominal tariff prices or increases in data limits on the market. This trend is supported by the following chart. For the period in question, from 2014 to mid-2023, the average unit price for 1 MB of data (not including fixed LTE/5G) decreased by CZK 0.27, i.e., by more than 93,7%, whereas for the last 5 1/2 years (between 2017 and mid-2023) it decreased by more than CZK 0.11, i.e., by nearly 86%, to CZK 0.0183 per MB.

**Chart 5: Average retail market price per 1 MB of transferred data**

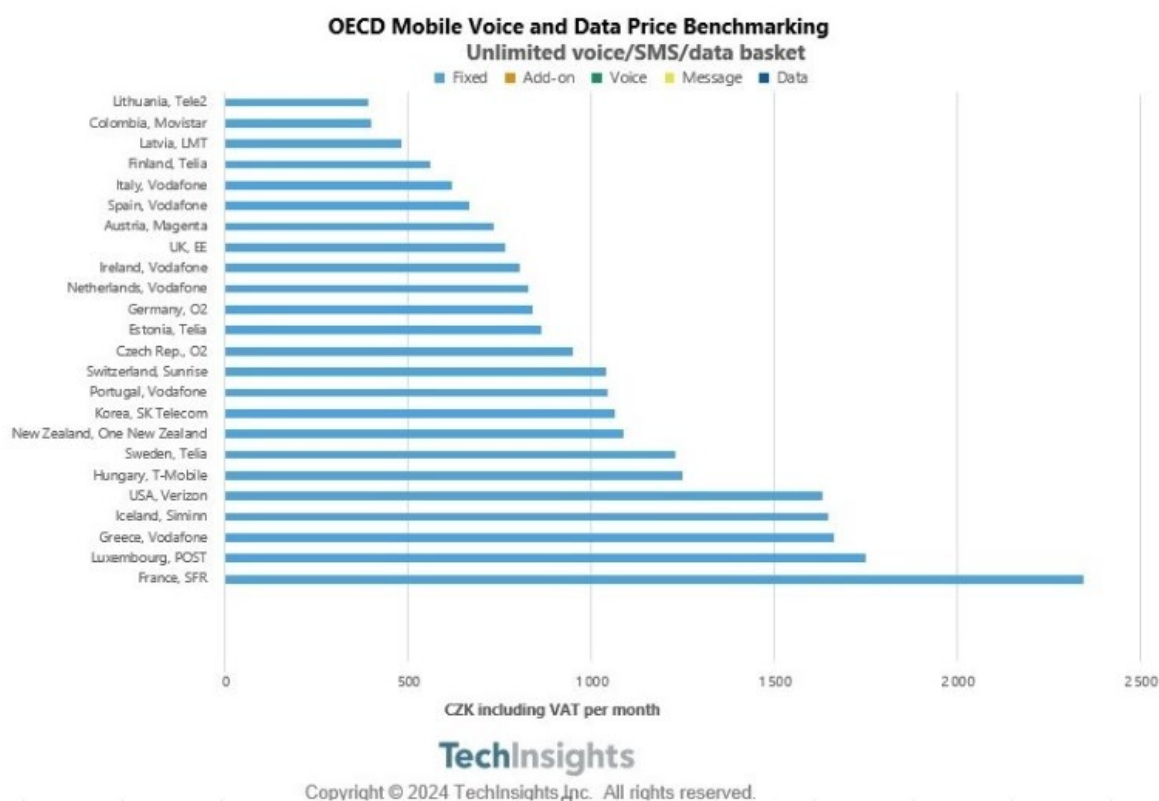


### International comparison for unlimited voice/SMS/data bundles

The Office uses the method of calculating prices according to retail consumer baskets as an additional method of calculation to monitor the development of prices of mobile services. This price calculation is based on data from TechInsights.<sup>10</sup>

<sup>10</sup> This comparison does not include the above-mentioned cheapest tariff with unlimited data from Vodafone, priced at CZK 652,91 per month (with a 24-month commitment).

**Chart 6: International comparison of unlimited bundles as of November 2023**



To illustrate the price level in the Czech Republic in 2023, an international price comparison of unlimited bundles (voice/SMS/data) is shown above. The position of the Czech Republic is approximately at the level of the average of the countries surveyed.

## Prices for international mobile services

### Mobile roaming

From a legislative perspective, 2023 brought no changes to roaming regulation. On 1 July 2022, EU Regulation 2022/612 on roaming came into force, replacing the then-existing EU Regulation 531/2012, which had been amended and supplemented several times over the course of its effective period, resulting in an overall revision also to take account of development trends in the roaming market. Since 15 June 2017, mobile operators have been required to provide the services of international roaming solely in the so-called RLAH mode (Roam Like At Home) where they are obliged (save for defined exceptions) to charge prices for calls made, SMS messages sent and data used at the same prices as at home, with no surcharge. The revised regulation has made no difference and new obligations have been added on transparency and quality of service

provided. Also, the conversion of maximum wholesale prices to CZK has been aligned with the regulation of international communications.

There was one change to regulated wholesale roaming prices in 2023, with the maximum price per GB of data falling from EUR 2 (CZK 49.27) to EUR 1.8 (CZK 44.34) as of 1 January.

### International calls and SMS

On the basis of the amended EU Regulation 2015/2120 and the applied regulation of international communications (fixed and mobile calls and SMS) within the EU, in 2023 the regulated retail price for international calls fell from CZK 5.66 (incl. VAT) per minute to CZK 5.48 (incl. VAT) per minute and SMS from CZK 1.78 (incl. VAT) to CZK 1.73 (incl. VAT) due to the appreciation of CZK against the Euro.

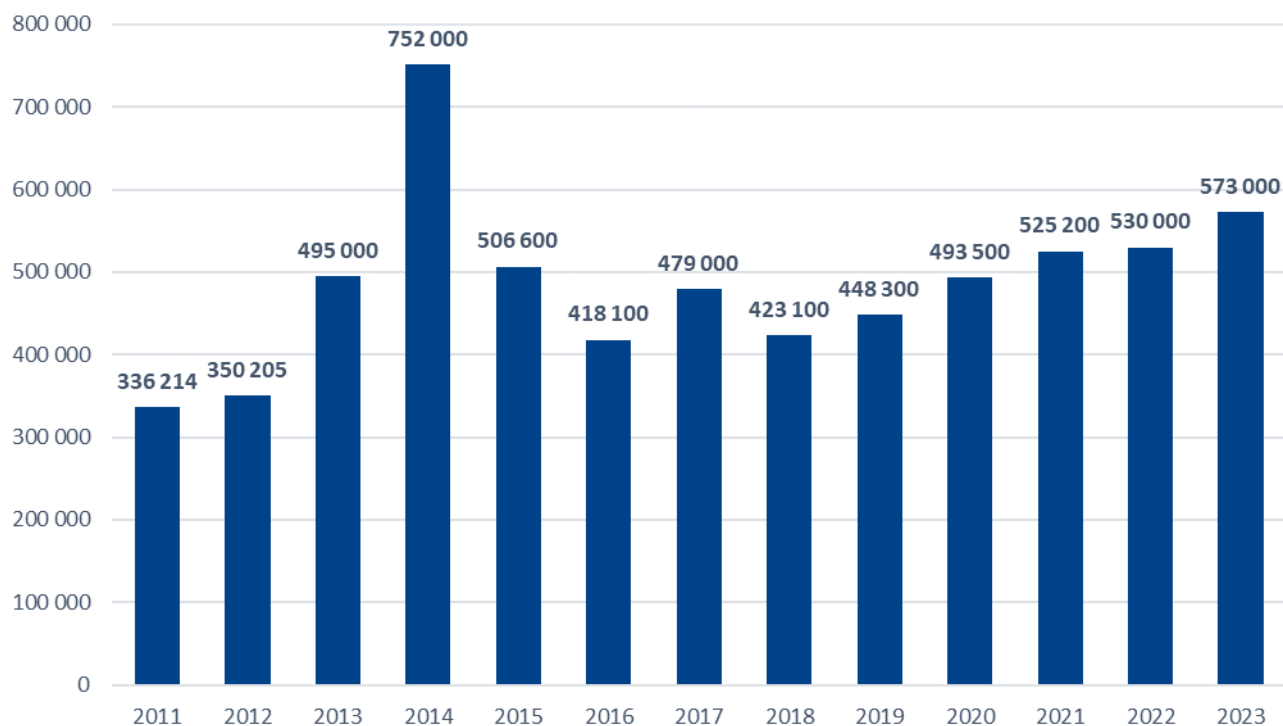
**Table 2: Currently valid maximal regulated prices in EUR and converted to CZK**

Maximum regulated prices	From 15. 5. 2023	
	Outgoing calls	SMS
<b>EUR/min, 1 SMS</b>	0,19	0,06
<b>CZK/min, 1 SMS</b>	4,5315	1,431

\* Rate 23,85 CZK/€, as an average of rates set by the ECB as of 15. 1., 15.2. a 15.3. 2023. Prices are VAT excl.

### Portability within mobile networks

Compared to the previous year, the year 2023 saw a year-on-year increase in the number of ported telephone numbers in mobile networks, by approximately 8% to approximately 573,000. The trend between 2011 and 2023 is documented in Chart 7 below.

**Chart 7: Number of ported phone numbers – mobile networks**

## 1.2 High-speed Internet access services at a fixed location

In 2023, the Office estimates that the total number of Internet access services provided at a fixed location was 4.087 million, an increase of 1.9% from 2022. However, per 100 inhabitants, the total number of accesses (despite the above-mentioned increase in absolute terms) fell slightly year-on-year, from 38.2 to 37.7. The main reason for this is the significant year-on-year increase in the number of inhabitants, when, according to the Czech Statistical Office, there were 10,828 thousand inhabitants registered in the Czech Republic as of 1 January 2023, i.e. approximately 311 thousand more than in the previous year.

In 2023, access via wireless networks in unlicensed shared bands (referred to as WiFi) continued to be the most prevalent in the fixed location retail internet access market. The Office estimates a similar number of WiFi accesses in 2023 as in 2022, i.e. approximately 1.12 million.

For xDSL<sup>11</sup> accesses, the Office forecasts a further slight increase to approximately 1.015 million accesses in 2023 compared to 1.006 million in 2022. Since 2018, there has been a continuous year-on-year increase in the number of xDSL accesses due to, among other things, the upgrading of CETIN's xDSL network in the past.

<sup>11</sup> Digital Subscriber Line – refers to technologies that allow existing metallic local loops to be used for high-speed access. Individual DSL types differ in the frequency band used, maximum speed and range. The indicator includes accesses via ADSL and VDSL technology, both within a purely metallic access network and by implementing FTTC networks, i.e. combining metallic networks with distributed optic fibre networks into the so-called rDSLAMs (remote DSLAMs).

In terms of investment, however, the focus of business undertakings – including the largest players in the market – has been on the construction of optic fibre access FTTH/B<sup>12</sup> networks in recent years. The development of these networks is also supported under subsidy programmes of the Ministry of Industry and Trade in localities with insufficient coverage by high-speed networks, where commercial entities do not plan their construction due to insufficient return on investment. In view of the above, the growth in the number of FTTH/B accesses and their market share at the expense of other connection methods continued in 2023 and can be expected in the future. According to the Office's estimates, FTTH/B accesses recorded the highest year-on-year growth of all monitored connection methods in 2023, to 890 thousand accesses compared to 810 thousand in the previous year.

In contrast, accesses made via CATV<sup>13</sup> have seen a year-on-year decline in the last two years. In 2023, the Office expects the number of CATV accesses to fall from 613 thousand to slightly below 600 thousand accesses.

High-speed wireless access using licensed bands (FWA<sup>14</sup> – not including fixed LTE/5G services<sup>15</sup>) remains the least represented in terms of numbers, falling by approximately 1,000 accesses to 10 thousand accesses in 2023 according to the Office's estimates. For fixed LTE/5G services, the Office expects only a slight increase in the number of accesses in the lower thousands compared to 2022 to approximately 455,000 accesses.

The distribution of the retail market for services of high-speed internet access provided at a fixed location by technical implementation method and their market share at the end of 2023 is shown in the following chart.

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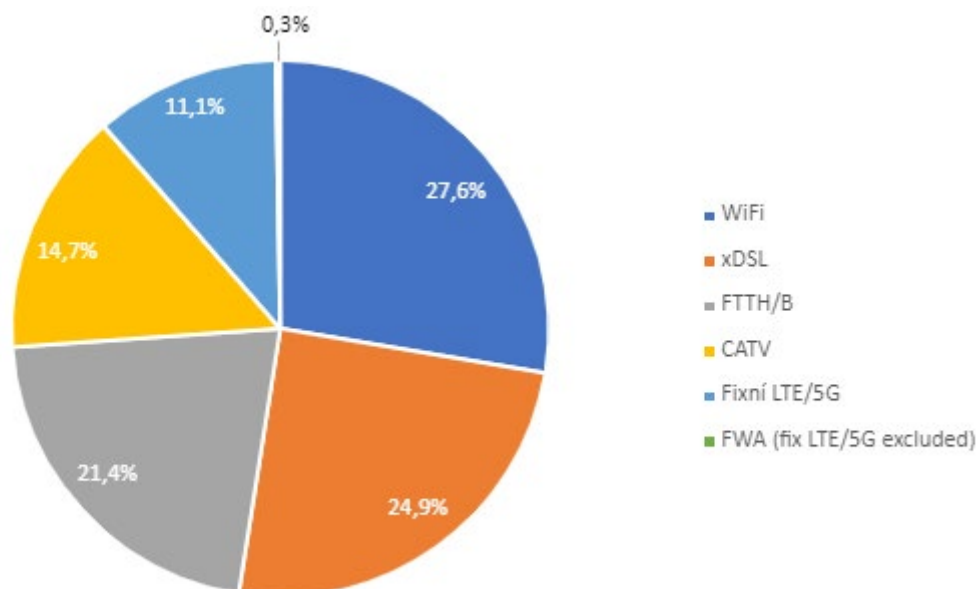
<sup>12</sup> Fibre to the Home/Building – a method of connection via optical fibres that are brought to the termination point of the network at the subscriber's premises or to the footing of the building.

<sup>13</sup> A term used for the technology of transmitting video and data via cable television coaxial distribution lines, where data transmission is implemented via a cable modem and the DOCSIS standard.

<sup>14</sup> Wireless Access – a method of providing Internet access service via a wireless network access point using licensed frequency bands.

<sup>15</sup> Designation for Internet access services provided at a fixed location over LTE or new 5G networks. Mobility is suppressed for these services.

**Chart 8: Share of high-speed access by individual methods of technical implementation (including fixed LTE/5G services) as of December 31, 2023 (qualified estimate)**



The following table, which shows the average monthly volume of transmitted data (a total of download and upload) in fixed networks per access, shows its continuous growth. The Office estimates its value for 2023 to be 320 GB.

**Table 3: Average monthly amount of transferred data in fixed networks per one access**

Year	2020	2021	2022	2023 (estimate)
Amount in GB	233,5	280,5	295,3	320,0

### European comparison of high-speed network coverage

According to the methodology of the European Commission's study *Broadband Coverage in Europe in 2022*,<sup>16</sup> published in September 2023, the aggregate coverage of fibre FTTH/B and CATV networks using the DOCSIS 3.1 standard, i.e. networks capable of providing gigabit services (download), was 73.4% on average in the EU. Thus, the Czech Republic lagged behind the European average in the coverage of FTTH/B and DOCSIS 3.1 networks in terms of the indicator in question, with coverage of 53.2%. According to the study, FTTH/B network coverage in the Czech Republic in 2022 increased by 1.6 p.p. year-on-year and reached 37.4%, but it was 19.1 p.p. lower compared to the EU average of 56.5%.

<sup>16</sup> Available online: [Broadband coverage in Europe 2022 | Shaping Europe's digital future \(europa.eu\)](https://ec.europa.eu/digital-affairs/en/news/broadband-coverage-europe-2022-shaping-europe-s-digital-future).

In terms of availability of NGA networks<sup>17</sup> in international comparison, the Czech Republic was above the EU average according to the aforementioned study, specifically the coverage of these networks was 93.3% in the Czech Republic in 2022 (98.3% if NGA wireless connections are also taken into account) and 91.5% in the EU. However, in terms of FTTH/B optic fibre network coverage in rural areas, according to the study in question, the coverage of households in the Czech Republic was 33.3 p.p. lower than the EU average in 2022 – specifically 8.1% in the Czech Republic compared to 41.4% in the EU. In terms of overall coverage of households with NGA networks in rural areas, the Czech Republic was at a similar level to the EU average (despite the study's exclusion of NGA wireless connections) with 70.1% coverage, namely only 2.8 percentage points lower.

### Prices of high-speed access services

The electronic communications sector has not escaped a rise in the price level in 2023, as can be seen by comparing the prices for high-speed internet access services below with a similar chart in the [Annual Report](#)<sup>18</sup> of CTU for the year 2022. However, where operators have increased the price of their services, the price increase has typically been up to 10%, replicating average consumer inflation for 2023 (10.6%<sup>19</sup>); exceptionally, the increase may have been higher given the underlying base.

The speed parameters of the services offered on the market range from approximately 20 Mbps up to (more often) 1 Gbps or in some cases 2 Gbps. Most providers of Internet access services at a fixed location offered in 2023 an option to choose out of standard tariffs, but they usually also offered cheaper versions of the services, usually connected with a contractual commitment to use the relevant service continuously, mostly for 12 months, or with the purchase of additional electronic communications services. On the market, it is quite common to encounter providers that offer multiple tariff groups provided on different technologies (WiFi, xDSL, optic fibre networks), while the parameters of these services (in particular the price and speed) may vary relatively significantly.

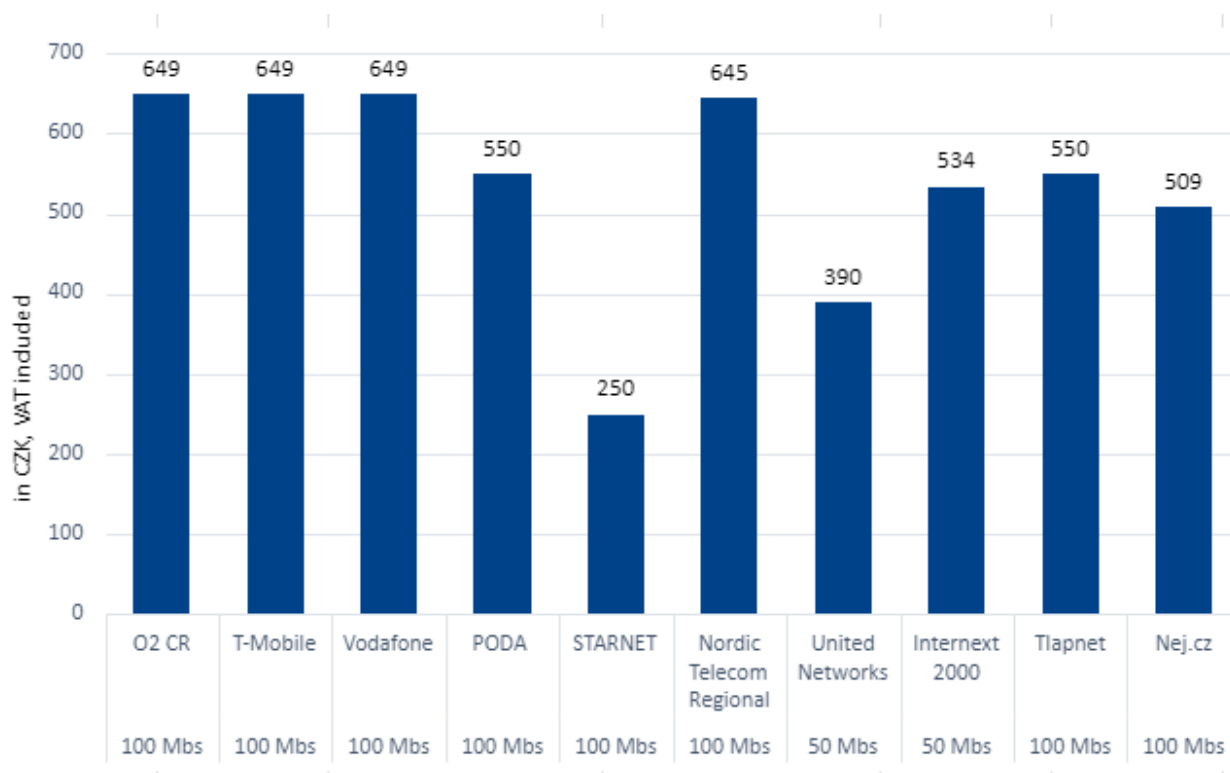
The prices of the offers of selected providers of Internet access services at a fixed location are shown in the following chart. Given the existence of multiple tariff groups of some of the providers listed in the chart, it should be noted that the prices of the services with the highest coverage have been selected. Thus, in the offers of given operators, it is typically possible to find services with different parameters (e.g. higher speed for approximately the same price or lower price for approximately the same speed), but which are available only on a smaller part of their operated networks (typically optic fibre networks). Despite the influence of the difference in parameters due to different technologies, the overview shows that most of the alternative operators respond to the market developments and, as in the previous year, offer 100 Mbps as a standard connection for subscribers.

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<sup>17</sup> The study includes in the NGA networks also connections implemented through VDSL, FTTH/B and CATV networks with DOCSIS 3.0. and 3.1. The NGA network coverage for the Czech Republic thus does not reflect the coverage of FWA (including WiFi) networks enabling downloading with effective speeds (download) of at least 30 Mbps. However, FWA (incl. WiFi) technology provided at a fixed location represents almost 30% of the market in the Czech Republic.

<sup>18</sup> See page 24.

<sup>19</sup> See [data](#) on inflation by the Czech Statistical Office.

**Chart 9: Internet access service prices comparison per selected operators**

### Wholesale high-speed Internet access

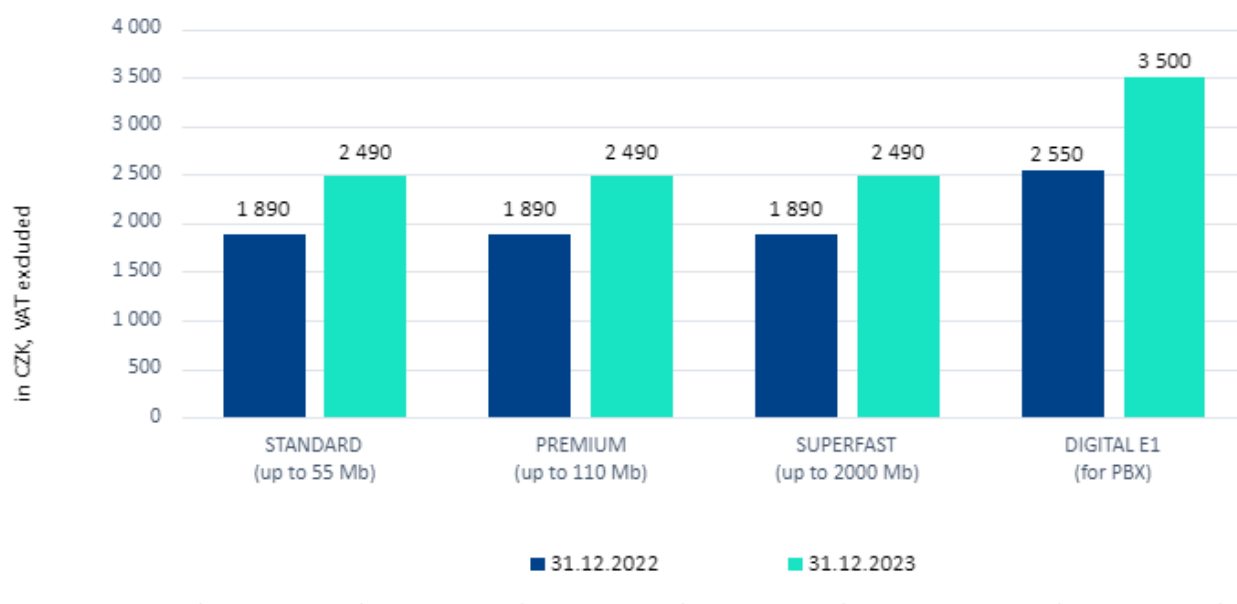
In 2023, CETIN continued to gradually refine and adapt its reference MMO (Mass Market Offer), which today represents the basic product offer in the wholesale high-speed Internet access market. The wholesale MMO includes providing access to a range of services provided on the IP network, such as TV signal and video distribution in addition to the basic connection for Internet access. In addition to these sub-elements, the wholesale MMO also includes the possibility of ensuring access to the control systems and technical support for troubleshooting including online monitoring system.

In 2023, CETIN adjusted the prices in the reference wholesale offer (MMO) for both types of wholesale prices, i.e. one-off set-up prices and monthly prices. CETIN has increased the one-off price by CZK 600 for the termination point network connection service. If the wholesale partner also subscribed to broadband access services (e.g. DSL CA, Optical CA), the set-up price was charged in the amount of CZK 1. CETIN has divided the monthly price into three variants R1, R2 and R3, according to the specific (RÚIAN) address.<sup>20</sup> For individual address groups (variants R1, R2 and R3), CETIN charges a different price depending on the speed. For the monthly prices for the R1 variant, the price remains the same as in 2022, while for the R2 and R3 variants the price is lower.

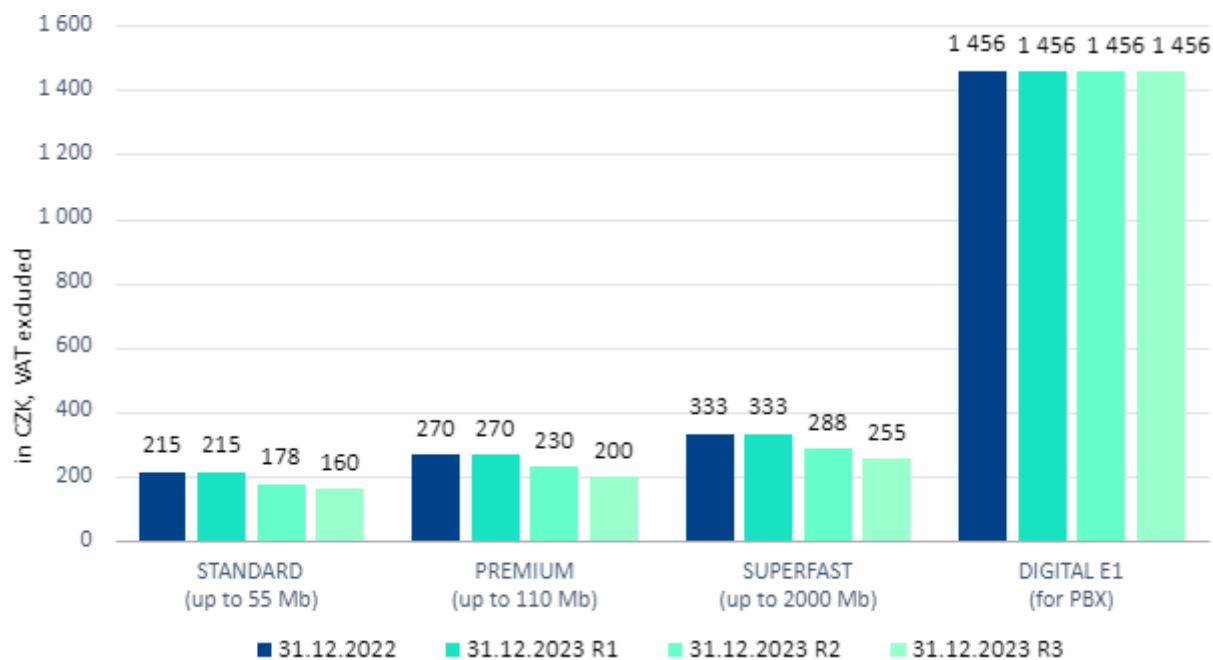
<sup>20</sup> Groups of family houses and non-residential premises, apartment buildings and housing estates.

The development of prices of the two universal services out of the wholesale MMO in 2023 is illustrated by the following two charts.

**Chart 10: CETIN one-off wholesale prices for high-speed access (reference offer MMO)**



**Chart 11: CETIN monthly wholesale prices for high-speed access (MMO reference offer)**

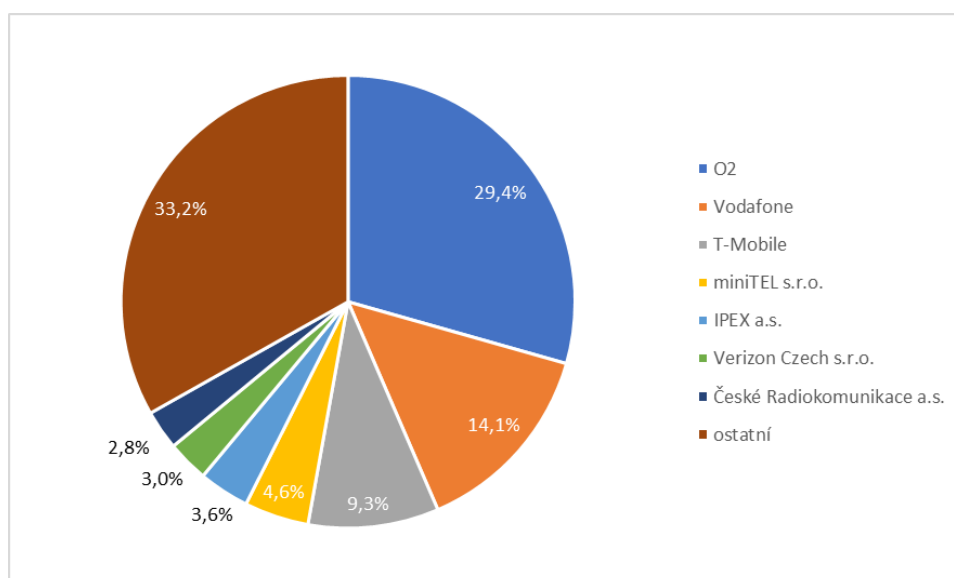


In 2023, the Office also prepared and posted on its website a pricing model for calculating wholesale prices of access to local optic fibre networks to assist smaller operators in negotiating the price of access to optic fibre networks <https://ctu.gov.cz/en/methodology-determining-prices-access-optic-fibre-infrastructure>.

### 1.3 Voice services provided at a fixed location

Voice services provided at a fixed location are mainly used by legal entities and natural persons engaged in business activities. According to the Office, the share used by them in 2023 was close to 75% of the total estimated number of 1.233 million, with the remainder accounted for by households, while the total number of subscriber lines is continuously decreasing. At the same time, the share of services provided via VoIP<sup>21</sup> continues to increase; the number of subscriber lines with this technology was already double the number of lines in PSTNs in 2023. The largest providers of voice services at a fixed location are O2, Vodafone and T-Mobile, whose combined market share is estimated by the Office at around 53%. In 2023, the Office recorded more than 200 operators that reported providing voice service at a fixed location to at least 100 subscriber lines.

**Chart 12: Market shares by total number of subscriber lines of voice services provided at a fixed location in 2023**



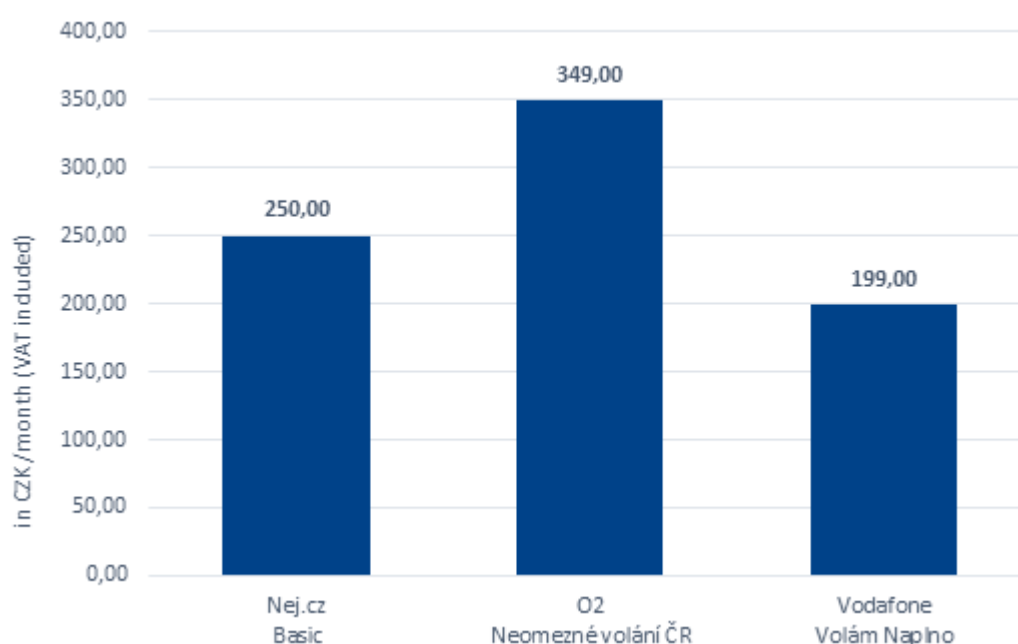
<sup>21</sup> VoIP – transmission of digitised voice via internet protocol (Voice over Internet Protocol).

### Prices of voice services provided at a fixed location

The prices of voice services provided on fixed networks can be documented in the price offers of major providers intended for households. Prices of voice services provided on fixed networks of the operators being monitored are unchanged in 2023 compared to the previous period.

For illustration, the following chart shows the comparison of the monthly prices for the use of the telephone service through fixed networks from selected operators providing this service.

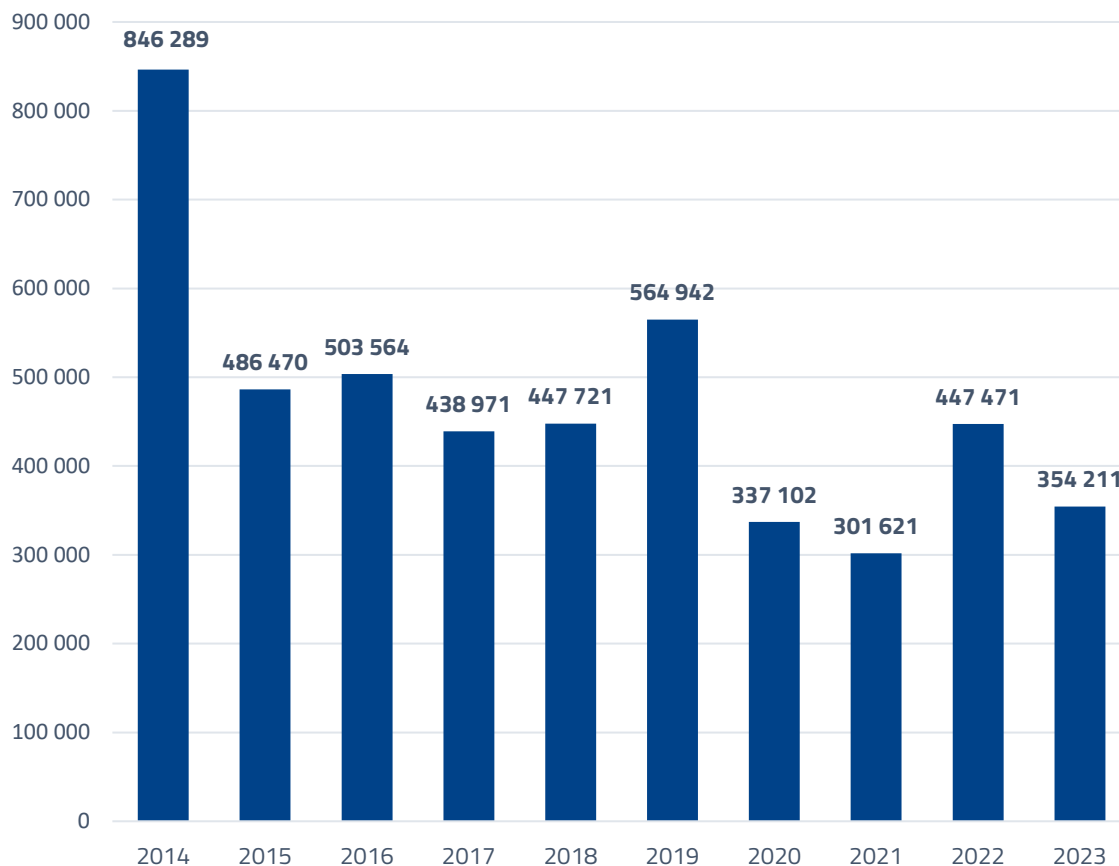
**Chart 13: Comparison of monthly prices for the use of fixed line by 31 December 2023**



### Number portability in fixed networks

In 2023, a total of 354,211 individual subscriber telephone numbers were ported in fixed networks, which represents a year-on-year decrease approximately by 21%. There has also been a decrease in the number of portings<sup>22</sup> on fixed networks compared to 2022, by approximately 2% to 10,024 portings. The degree of using telephone number portability on fixed networks in the period 2014 to 2023 is documented by the following chart 14.

<sup>22</sup> Porting (porting operation) means transfer of a separate telephone number or an entire number series (e.g. the porting of a series of 1000 numbers constitutes one porting operation).

**Chart 14: Number of ported individual subscriber numbers – fixed networks**

## 1.4 Regulation of the electronic communications market in 2024

### Relevant market analyses

In 2023, the Office continued to conduct the 5<sup>th</sup> round of relevant market analyses. Following the Measure of General Nature No. A/S1/12.2022-22 issued at the end of the previous year, an analysis of the former relevant market No. 1 – Wholesale call termination on individual public telephone networks provided at a fixed location, it initiated administrative proceedings with CETIN concerning the revocation of the designation of an undertaking with significant market power and, in parallel, with O2 concerning the designation of an undertaking with significant market power. The relevant decisions SMP/S1/03.2023-1 and SMP/S1/03.2023-2 came into force on 23 March 2023. The Office also subsequently issued a decision to cancel (No. REM/S1/07.2023-3) and impose (No. REM/S1/07.2023-4) obligations, which entered into force on 20 July 2023.

Following the withdrawal of the proposals from the previous year's notification, new draft analyses of Relevant Market No. 1 – Wholesale local access provided at a fixed location and former Market No. 3b – Wholesale central access provided at a fixed location for mass-market products were prepared by the Office in February 2023, taking into account previous objections from the

European Commission (hereinafter also referred to as the "Commission"). The proposals were submitted for public consultation on 15 February 2023, subsequently consulted with the Office and notified to the Commission on 1 June 2023. On 3 July 2023, the Office received a decision in which the Commission applied comments without impacting the conclusions of the analyses and subsequently issued both analyses as Measure of General Nature No. A/1/07.2023-2 and No. A/3b/07.2023-3 in the issue No. 3/2023 of the Telecommunication Bulletin on 26 July 2023. The analysis of relevant market No. 1 found that the 33 territorial units (administrative districts of municipalities with designated municipal authority) belonging to segment B of the defined market, representing separate geographic markets, are not effectively competitive markets, as they are occupied by an undertaking with significant market power, which was found to be CETIN. In the remaining 356 territorial units (designated municipal authorities), CETIN will be deregulated based on the results of the analysis.

The analysis of relevant market No. 3b has established that the relevant market in question is an effectively competitive market, as no undertaking with significant market power is active on this market or, more precisely, the market in question no longer meets the three criteria test and the application of ex-ante regulation on the analysed market No. 3b is not possible. On the basis of the above results of the analysis, this market will thus be deregulated. On 7 August 2023, follow-up administrative proceedings were initiated with CETIN. The respective decisions to designate an undertaking with significant market power in 33 separate geographic markets within relevant market No. 1 (SMP/1/10.2023-5) and to withdraw the designation of an undertaking with significant market power in relevant market No. 3b (SMP/3b/10.2023-6) entered into force on 2 November 2023. Following the analyses carried out, administrative proceedings were initiated with CETIN regarding the imposition of obligations on Market No. 1 and the cancellation of obligations on Market No. 3b. The decisions (Czech only) [REM/1/02.2024-2](#), [CEN/1/02.2024-1](#) and [REM/3b/02.2024-3](#) came into force on 16 February 2024.

Following the referral of the revised draft analysis of relevant market No. 3 – Wholesale Access to Mobile Services to the European Commission at the end of 2022, the Commission launched a Phase II review on 30 January 2023. It then concluded the notification process on 27 March 2023 by issuing a decision vetoing the draft analysis. According to the Commission, taking into account BEREC's opinion and all the evidence gathered, the Office's attempt to apply ex-ante regulation on the basis of the combined significant market power of the three mobile network operators is not in line with competition law principles. In this context, the Office removed relevant market No. 3 from the list of relevant markets, the amendment was issued as a Measure of General Nature No. OOP/1/07.2023-5 on 26 July 2023 in issue No. 3/2023 of the Telecommunication Bulletin. As part of the monitoring of the mobile market, in the remainder of the calendar year, the Office focused mainly on verifying the fulfilment of commitments from the mobile spectrum auctions.

### **Prices in the mandatorily published reference offers of 4G and 5G services**

As part of its ongoing monitoring of the fulfilment of the wholesale offer commitment from the auction of frequencies in the 800 MHz, 1 800 MHz and 2 600 MHz bands (4G auction) and now also in the 700 MHz band (5G auction), the Office has repeatedly checked the fulfilment of this commitment. Intensive scrutiny of the implementation of this commitment by all three MNOs and also as a result of changing market variables that affect the shape of wholesale prices (new retail tariffs with new prices on offer from/of MNOs, rising average data usage) caused that not only a steady decline in wholesale prices per MB of data has been achieved in the reference offers of all three operators, but also adjustments and improvements in other parameters of these offers

were done, such as reductions in one-off and monthly prices or in the conditions for the application of contractual penalties (by introducing a gradual ramp-up of minimum data volumes used up).

Specifically, over the last 5 years (since 2018), the unit wholesale price per MB of data on 4G networks for full MVNOs has fallen by 86.5% for O2 (from CZK 0.104 to CZK 0.014), by 89.8% for T-Mobile (from CZK 0.101 to CZK 0.0103) and by 72.76% for Vodafone (from CZK 0.0492 to CZK 0.0134). Unit price per MB of data for so-called "light" MVNOs on newly built 5G networks fell year-on-year (2023 vs. 2022) by 34.84% for O2 (from CZK 0.031 to CZK 0.0202), by approximately 43.5% on average for T-Mobile (applies prices for data bundles ranging from 1GB to 50GB) and only for Vodafone it increased by 41.12% (from CZK 0.0241 to CZK 0.034), mainly due to a significant reduction in single and monthly prices for this company (see below).

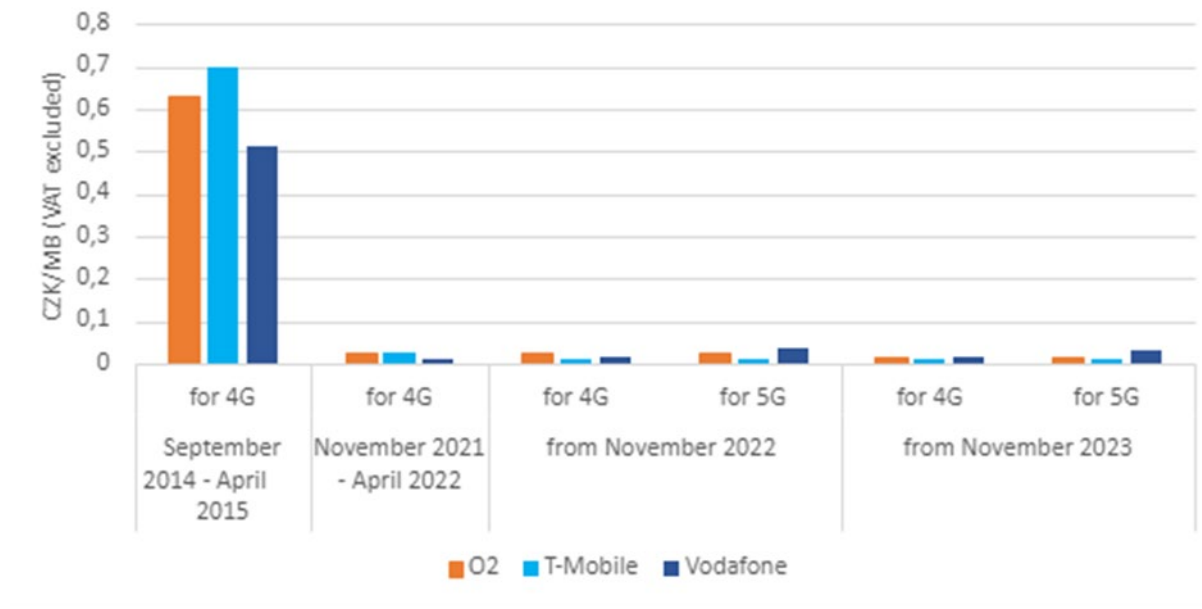
The other significant change in reference offers for "light" MVNOs that occurred year-on-year (2023 vs. 2022) was a reduction in one-off and monthly prices. The largest reduction occurred for Vodafone, which reduced the one-off price from CZK 24 million to CZK 6.8 million, i.e. by CZK 17.2 million (by 71.67%). At the same time, Vodafone reduced the monthly price from CZK 1.6 million to CZK 150 thousand, i.e. by CZK 1.450 million (by 90.63%). O2 also had a significant year-on-year decrease in the one-off price, from CZK 13.8 million to CZK 6.6 million, i.e. by CZK 7.2 million (by 52.17%). A monthly payment of CZK 640 thousand (for 1-100 thousand SIMs), and CZK 220 thousand (for the next 100 thousand SIMs) was cancelled by O2 in 2023. T-Mobile has also lowered the monthly price in 2023 for services provided on its 5G network from CZK 250 thousand to CZK 200 thousand. The structure of the interrelated wholesale prices in the reference offers (unit prices per MB, monthly prices, one-off prices, SIM card prices) should thus no longer be fundamentally different from the structure applied in commercially concluded contracts between MNOs and MVNOs, whose acceptability in the market has already been demonstrated in commercial contracts.

On the basis of negotiations between the Office and the MNOs, in the second half of 2023, O2's reference offer was modified to include a specific non-price provision, according to which voice and SMS services, the prices of which will be negotiated commercially, may also be the subject of the concluded contract. T-Mobile's reference offer for "light" MVNOs from October 2023 also contains an explicit provision on the possibility of simultaneously negotiating the provision of data services according to the price conditions of the reference offer with (commercially) negotiated voice and SMS services. Finally, a similar provision has been part of Vodafone's reference offer since the beginning (i.e. 2022). It now allows MVNOs to use this regulated offer to offer comprehensive bundles of mobile services on the retail market.

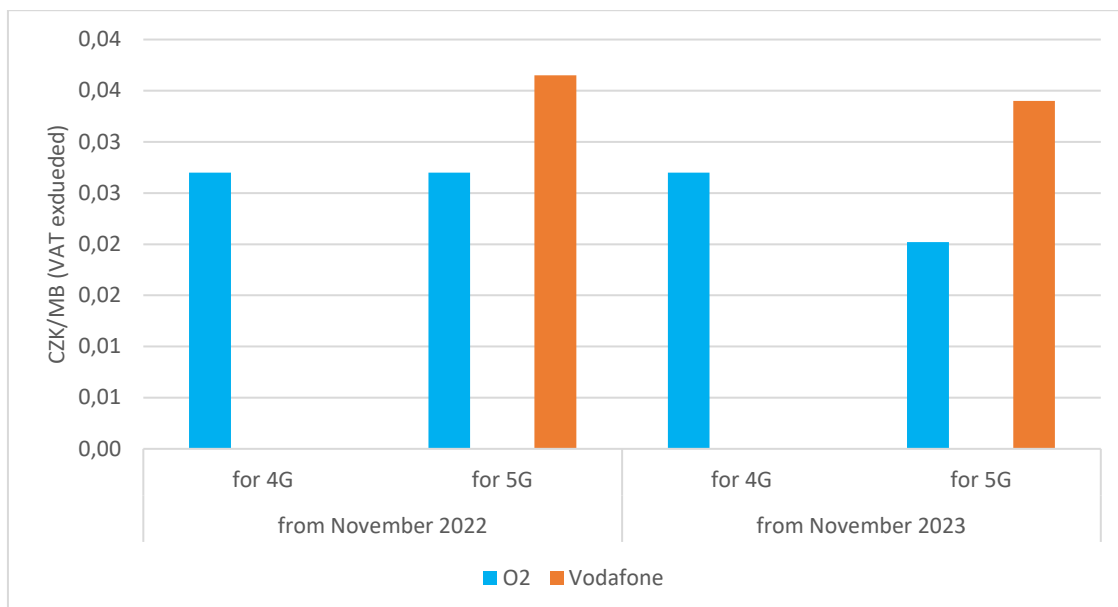
The above therefore demonstrates that the Office uses this regulatory instrument effectively to directly increase the competitive environment at the wholesale and hence retail level.

The evolution of wholesale prices under the above wholesale 4G and 5G offer commitment is shown in the following table comparing the prices from the first commitment period for 4G offers (September 2014–April 2015) and the values these wholesale prices reached in 2023.

**Chart 15: Development of wholesale prices according to the above commitment of 4G and 5G offer for Full MVNO**



**Chart 16: Development of wholesale prices according to the above commitment of 4G and 5G offer for Light MVNO**



T-Mobile has set wholesale prices in the Light MVNO reference offer for data bundles, not for individual MBs. The prices of these bundles are shown in the following table.

**Table 4: Development of wholesale prices according to the above commitment of 4G and 5G offer for Full MVNO/Light**

from November 2023					(CZK, VAT excluded)	
50GB	21GB	10GB	6GB	2GB	1GB	
317	201	138	118	60	37	

from November 2022					
50GB	21GB	10GB	6GB	2GB	1GB
325	206	142	120	62	37

### Updating the value of the Weighted Average Cost of Capital (WACC)

For the purposes of the applied price regulation and for the determination of the net costs of providing universal service, the Office has periodically updated the value of the pre-tax WACC for a specified undertaking providing electronic communications networks or providing a publicly available electronic communications service. Following a public consultation and in consultation with the Commission, the Office has set new WACC values applicable from 1 January 2024 in the amount of 5.72% for legacy infrastructure (mainly metallic) and 8.70% for the Next Generation Access (NGA) and Very High Capacity Network (VHCN) services. The relevant Measure of General Nature No. [OOP/4/09.2023-7](#) was issued by the Office on 7 November 2023 and published on its website.

## 1.5 Terrestrial digital TV and digital radio broadcasting

### Television broadcasting

In 2023, the situation regarding terrestrial digital television broadcasting was already stabilised. Coverage was improved only in a few cases in the form of additional transmitters for the nationwide networks 21 and 24 or by modifying the technical parameters of the transmitters. As in previous years, investigations into complaints about interference or poor-quality reception continued throughout the year. Where frequency possibilities allowed, the development of regional broadcasting networks continued in 2023. The current overview of national and regional broadcasting networks and other details of the status of terrestrial TV broadcasting can be found on the website at <https://vportal.ctu.cz/tel>.

### Analogue and digital radio broadcasting

In 2023, the Office continued to coordinate internationally the frequency requirements of applicants for new UHF-FM radio transmitters in the 87.5–108 MHz frequency band. These were requests submitted not only by foreign administrations, but also by private radio operators in the Czech Republic through the Council for Radio and Television Broadcasting ("RRTV") or by Český

rozhlas (Czech Radio). In accordance with the applicable laws, cooperation with the RRTV was carried out, i.e. the Office, at the request of the RRTV, established diagrams of the use of individual radio frequencies and the number of inhabitants covered by the radio signal transmitted on these radio frequencies.

The digital radio broadcasting of Český rozhlas, which was launched on the basis of the block allocation granted to Český rozhlas on 6 December 2021, continued in 2023. Český rozhlas has been expanding and thickening its broadcasting network, with 8 new transmitters being put into operation in 2023. This improves the availability of quality signal even inside buildings. In addition to the public digital radio broadcasting of Český rozhlas, it provided broadcasting in Band III for RTI cz, s.r.o., TELEKO digital, a.s., Joe Media s.r.o. and České Radiokomunikace a.s. and Progress Digital s.r.o. However, the use of their current broadcast frequencies is time-limited by international coordination and serves only as a temporary measure until frequency block allocations are made from the new frequency plan, which has been finalised and internationally coordinated around mid-2022. An up-to-date overview of the digital radio signal coverage of these operators can be found on the website at <https://vportal.ctu.cz/dab>.

For detailed information on the tender for the granting of rights to use radio frequencies for the provision of electronic communications networks for the provision of terrestrial digital radio broadcasting and multimedia applications (DAB+), see chapter 6.1 Decisions on radio frequency block allocations.

## 2 Postal services market

### The postal services market in 2023 through the eyes of Council member Jiří Šuchman

In the past year, we continued to witness gradual changes in the postal services market caused by dynamic technological developments and digitalisation, which have significantly affected the way we communicate. This concerns both the private sector and the public administration, where the development of eGovernment is also leading to the computerisation of communication with the state.

For several years in a row, we can see how these changes affect the demand for postal services in a fundamental way, where they are manifested primarily by a long-term decline in the number of postal items carried and, on the other hand, thanks to the development of e-commerce, an enormous increase in the volume of parcels transported.

Our main task in the area of postal services in the past year was the preparation and implementation of a review of the availability of universal postal services. Following the completion of the review, its results will now form the basis for a new tender for the holder of the postal licence in the period after 2025, which is expected to be announced in the first half of 2024.

### 2.1 Situation of the postal market

In 2023, the Office registered 3 new undertakings providing postal services. One of these undertakings ceased providing postal services in 2023, as did 4 other undertakings. Also, one undertaking interrupted the provision of postal services in 2023.

Thus, in 2023, 31 undertakings were authorised to carry out business activities in the field of postal services for at least a certain period of time, and as of 31 December 2023, 25 undertakings still had this authorisation. However, out of the above-mentioned 31 undertakings who were authorised to provide postal services in 2023, only 21 actually transported mail.

Postal services operators may offer their services throughout the entire territory of the Czech Republic, or they may limit the geographical scope of their offer, both for the posting and delivery of postal items. A total of 28 operators offered the option to post mail throughout the Czech Republic in 2023, and 22 operators offered nationwide delivery service. Detailed information on postal services offered by individual operators in 2023 is published by the Office on its website at <https://ctu.gov.cz/en/vyhledavaci-databaze/evidence-provozovatelu-poskytujicich-nebo-zajistujicich-postovni-sluzby>.

In 2023, the Office prepared an amendment to Decree No. 434/2012 Coll. establishing a template form for the notification of business in the area of postal services. With this amendment, the Office modified and refined the specification of notified postal services. The postal services offered by the operators in the new structure are published by the Office from 1 January 2024 via this link: <https://ctu.gov.cz/en/vyhledavaci-databaze/evidence-provozovatelu-poskytujicich-nebo-zajistujicich-postovni-sluzby-od-2024>.

### Volume of postal services

The development of the postal services market is monitored by the Office using a number of indicators, the most important of which is the development of the number of postal items transported by operators within individual postal services. This indicator is shown in Table 5.

**Table 5: Development of the number of transported postal items**

Type of postal service	2020	2021	2022	2023
delivery of a postal item up to 2 kg	238 776 904	207 324 577	181 466 134	144 977 572
delivery of a postal parcel	36 494 068	48 538 822	127 786 290	142 112 322
- of which: delivery of a postal parcel up to 10 kg	35 439 689	46 977 858	118 962 534	133 180 244
delivery of a registered item	64 149 749	60 501 262	49 111 454	44 006 902
- of which: delivery of a registered item up to 2 kg	63 679 749	59 880 032	48 498 454	43 395 902
delivery of a valuable postal item	2 026 214	1 914 320	1 634 492	1 378 473
- of which: delivery of a valuable postal item up to 10 kg	2 011 234	1 900 216	1 621 947	1 367 624
delivery of a postal item up to 7 kg for the visually impaired	68 427	70 585	58 920	47 064
- of which: delivery of a registered letter up to 7 kg for the visually impaired	14 336	12 675	11 063	10 204

The Office has been monitoring on a long-term basis a decline in the number of postal items primarily used to transport written communications. These are postal items up to 2 kg and registered mail. This development is in line with the trend observed in other countries as users increasingly prefer electronic forms of communication. The newly introduced obligation to use a data mailbox for all entities registered in the register of persons, i.e. also for natural persons carrying out business activities, such as self-employed persons, etc. also had an impact on the decrease in the number of these postal items in 2023.

There is also a decline in the number of insured postal items transported, which users are replacing with other alternative services, such as express postal items. In 2023, there was also a decline in the number of postal items carried for visually impaired persons, but these are more likely to fluctuate and there is no apparent downward trend.

On the contrary, an increase in the number of postal items primarily used for the transport of goods and other tangible items can be observed in the long term. The number of parcels and other postal items transported is growing, especially with the increasing volume of goods ordered via the Internet.

### Other postal market indicators

In connection with the increase in the number of postal items, especially parcels containing goods, the number of outlets where postal items are issued to recipients is also increasing. For this method of delivery, postal service operators mainly use the services of contractual partners for whom the issuance of postal items is an additional service to their core business activity. The increase in the number of such outlets is presented in Table 6, while the proportion of outlets (including contractual partners) through which operators offer delivery of postal items is also increasing.

**Table 6: Development of the number of establishments of postal services providers**

Number of establishments	2020	2021	2022	2023
owned	2 721	2 586	2 608	2 212
- of which: Česká pošta	2 543	2 481	2 418	2 055
of contract partners	7 120	11 105 <sup>23</sup>	15 136	19 567
- of which: Česká pošta	2 334	2 749	3 205	4 357
<b>Total</b>	<b>9 841</b>	<b>13 691</b>	<b>17 744</b>	<b>21 779</b>
- of which: Česká pošta	4 877	5 230	5 623	6 412

Since 2021, the number of automated parcel machines (see Table 7), which are used not only for the delivery of postal items, but also for their posting, has been growing quite significantly. The

<sup>23</sup> On the basis of a change in historic data of one operator, the values of this indicator and the total amount accordingly was changed for years 2021 and 2022.

table shows the total number of automated parcel machines used by postal services operators, some of which may be shared by multiple operators. The advantage of this method of delivery is independence from the opening hours of the brick-and-mortar establishment and the recipient can pick up the postal item at any time. It also does not require the presence of an attendant and therefore their installation is possible even in small municipalities where suitable contract partners are not available. Another advantage is the variability in the size of these facilities, where smaller machines with fewer boxes can be installed in small municipalities, while automated parcel machines with a large number of boxes are installed in locations with a higher demand for delivery (e.g. shopping centres). automated parcel machines are also shared among some operators and now, there also exist companies that do not deliver mail themselves, but only offer their automated parcel machines to postal operators to deliver their postal items.

**Table 7: Number of automated parcel machines**

	2020	2021	2022	2023
Number of automated parcel machines	185	2 025	3 934	6 857

The development of the quality of postal services is monitored by the Office according to the development of the number of claims submitted by users of postal services (Table 8). The Office also monitors the relationship of this indicator to the number of postal items carried. The number of claims is very low in relation to the total number of postal items carried, only a few hundredths of a percent.

**Table 8: Number of claims about postal services**

	2020	2021	2022	2023
Number of received complaints	202 385	206 416	293 258	499 674
- of which: justified	36 138	50 898	82 144	133 042
Ratio of complaints to the number of transported postal items	0,039 %	0,033 %	0,041 %	0,091 %

## 2.2 Development of universal postal services in 2023

Section 3 of the Postal Services Act sets out the scope of universal services that must be available in the Czech Republic. The availability of universal services within the scope of the valid postal licence is to be ensured by the postal licence holder. The postal licence holder was Česká pošta in 2023, which was granted a new postal licence from 1 January 2023 for a new period until 31 December 2024. The trade names of the services by which the Česká pošta provides universal services under the granted postal licence are published by the Office on its website at

<https://ctu.gov.cz/en/basic-services>, where more detailed information about the universal services and the currently granted postal licence are also published.

The development in the area of universal services is monitored by the Office through the development of the number of postal items posted on the territory of the Czech Republic within the framework of individual universal services. As Table 9 shows, there has been a long-term decline in the number of such postal items for all universal services.

**Table 9: Universal services provided by Česká pošta in the period 2020–2023 (in thousands of items)**

Indicator	2020	2021	2022	2023
Number of carried postal items up to 2 kg (standard postal items)	164 991	147 675	134 065	105 219
Number of carried postal parcels up to 10 kg (standard postal items)	257	195	153	0
Number of carried postal items up to 7 kg for the visually impaired (standard postal items)	37	47	42	32
Number of carried registered letters up to 2kg	56 196	52 373	45 618	40 201
Number of carried registered postal items up to 7 kg for the visually impaired	11	11	9	9
Number of carried valuable postal items up to 10 kg	1 936	1 827	1 569	1 320
Number of money orders carried	23 970	20 295	16 792	14 375

\* Source: Czech Post

The decline is evident in the case of postal items used to transport documents, as well as in the case of postal parcels and other types of universal services.

In the case of postal items up to 2 kg and registered mail, the decrease is due to the transition to electronic forms of communication such as SMS, e-mails, data mailboxes and others. In the case of registered mail, there was a decrease in 2023, which was caused, among other things, by the obligation to set up a data mailbox for all entities registered in the register of persons, including natural persons carrying out business activities who previously did not have this obligation.

The number of parcels and insured postal items transported within the universal services is declining due to users switching to other, commercially provided services. Due to the sufficient number of alternative products, the postal licence granted from 1 January 2023 did not include an obligation to provide the universal service of delivery of a postal parcel up to 10 kg. Česká pošta stopped offering this service in 2023 and continues to offer its customers other commercially provided postal services with similar parameters.

There has also been a long-term decline in the number of printed matter bags transported, which are mainly used for the international transport of newspapers, magazines and other printed matter. As mentioned above, the Universal Postal Union has decided to exclude the service of delivery of a printed matter bag from the scope of compulsory universal services with effect from 1 January 2025. The provision of this service will therefore not be compulsory for the member

states of the Universal Postal Union, as other postal services, such as postal parcels delivered outside the universal services, may also be used for the transport of printed matter.

There is also a decline in the number of postal orders carried. This is mainly due to the use of cashless payment transactions and online banking. Currently, postal orders are primarily used by public authorities to send financial allowances to natural persons, such as welfare benefits, or to collect certain taxes, especially property taxes.

### Regulation in the area of universal services

Every year, the Office issues a report on the fulfilment of the postal licence holder's obligations, which informs the public about the course of regulation and inspections of the compliance with Česká pošta's obligations in the provision of universal services. The report focuses in particular on whether universal services were available throughout the Czech Republic, every working day and of the required quality in the previous period. The report is available on the Office's website at: <https://ctu.gov.cz/zprava-o-plneni-povinnosti-ceske-posty-sp-v-oblasti-zakladnich-sluzeb>.

In 2023, the maximum number of compulsorily operated post offices set by Government Order No. 178/2015 Coll., on the determination of the minimum number of post offices for the provision of universal services, was adjusted from 3,200 to 2,900. At the same time, Decree No. 464/2012 Coll., on the determination of specifications of individual universal services and basic quality requirements for their provision, was amended to change the maximum distance to the post office from 2 to 3 km in municipalities with a population over 2,500. By modifying the accessibility criteria in these municipalities, the reduction in the number of post offices was reflected in these locations, while their availability in small municipalities has been maintained.

A clear measurable parameter of quality of the universal service provided is the speed of delivery of a postal item. Pursuant to Section 22 of Decree No. 464/2012 Coll., Česká pošta is obliged to measure the delivery times of postal items weighing up to 50 g in accordance with ČSN EN 13850. In 2023, the valid parameter was 92% of priority postal items delivered on the first working day following the day on which the item was posted.

In 2023, Česká pošta met this indicator, achieving a result of 93.11%.

### Prices of universal services in 2023

Česká pošta has increased the basic prices of its universal services in 2023 compared to the basic prices valid as of 31 December 2022 as follows:

For national universal services:

- the basic prices of the universal services of “Ordinary economy letter” and “Ordinary priority letter” by CZK 6,
- the basic prices of the universal services of “Registered economy letter” and “Registered priority letter” and “Insured letter” by CZK 20,
- the basic prices of the national universal services of Money order A including COD order A (cash-account), Money order B (account-cash), Money order C including COD order C (cash-cash), Money order D (cash-cash, D+1) by CZK 3,
- the prices of additional services Delivery Receipt and Personal Delivery to the recipient by CZK 3.

For international universal services:

- the basic prices of the universal service of “Ordinary letter” by CZK 5,
- the basic prices of the universal services of “Registered letter” and “Insured letter” by CZK 15,
- the prices of additional services Delivery Receipt and Personal Delivery to the recipient by CZK 3.

**In its assessment of the level of prices of universal services under the provisions of Section 34a(1) of the Postal Services Act (carried out according to the methodology for assessing the affordability of universal postal services published on the website of the Office), the Office did not find that the prices of universal services became unaffordable for users in 2023.**

In 2023 the Office also prepared and published on its website new methodologies for assessing the [price affordability](#) and [cost orientation of prices \(both documents only in Czech\)](#), which it will use from 2024 onwards.

### **Funding of the universal services**

On 29 August 2023 Česká pošta filed a request for the reimbursement of the net costs representing unfair financial burden for the year 2022 in the maximum possible amount of CZK 1,500,000,000. Total net costs for the year 2022 were quantified by Česká pošta in the amount of CZK 1,831,014,503.

The Office issued a decision on the verification of net costs on 3 November 2023 in the amount of CZK 1,819,968,514. In accordance with the statutory cap limiting the amount of reimbursement, compensation in the amount of CZK 750,000,000 was paid to Česká pošta on 15 November, when the Office took into account the preliminary net costs for the period in question paid to Česká pošta in August 2022 in the amount of CZK 750,000,000.

For illustrative purposes, the Office provides below a summary of the submitted (claimed) and verified (reimbursed) net costs for the postal licence period of 2018-2022, when the European Commission notified their reimbursement in the summer of 2022, and the Office made it successively in 2022 and 2023.

**Table 10: Summary overview of reimbursement of net costs incurred in the period 2018–2022 made as of 31 December 2023 (in CZK)**

<b>Year</b>	<b>Request of Česká pošta</b>	<b>Approved net cost amount</b>	<b>Reimbursement of net costs</b>
<b>2018</b>	2 711 845 862 CZK	2 699 370 809 CZK	1 500 000 000 CZK
<b>2019</b>	2 834 387 630 CZK	2 816 017 750 CZK	1 500 000 000 CZK
<b>2020</b>	1 869 691 252 CZK	1 833 352 237 CZK	1 500 000 000 CZK
<b>2021</b>	1 850 625 159 CZK	1 835 085 826 CZK	1 500 000 000 CZK
<b>2022</b>	1 831 014 503 CZK	1 819 968 514 CZK	1 500 000 000 CZK

### 3 Legal framework

The legal framework for the market of electronic communication networks and services and the market for postal services, and for the exercise of the regulatory and supervisory powers of CTU consists in particular of:

- Act No. 127/2005 Coll., on electronic communications and on amendments to certain related acts (Electronic Communications Act)
- Act No. 29/2000 Coll., on postal services and on amendments to certain acts (Postal Services Act),
- Act No. 194/2017 Coll. on measures to reduce the costs of implementation of high-speed networks of electronic communications and on amendments to certain related acts (hereinafter referred to as “Act No. 194/2017 Coll.”),
- Act No. 480/2004 Coll., on certain information society services and on amendments to certain acts (Act on Certain Information Society Services),
- Act No. 67/2023 Coll., on certain measures against the dissemination of terrorist content online

The following laws and regulations, which had or will have in the future impact on the sector of electronic communication services, postal services or digital economy services, were enacted in 2023.

#### 3.1 Amendments to the Electronic Communications Act

**Act No. 202/2023 Coll. amending Act No. 127/2005 Coll., on electronic communications and on amendment to certain related acts (Electronic Communications Act), as amended, Act No. 231/2001 Coll., on broadcasting and on amendment to other acts, as amended, and other related Acts**, which entered into effect on 1 July 2023.

In particular, the amendment introduced:

- measures to address malicious communication to emergency numbers (Section 33 of the Electronic Communications Act),
- a change in the range of persons eligible for special prices within the universal service and related changes (Section 38 et seq. of the Electronic Communications Act),
- legislative and technical amendments to the Electronic Communications Act,
- changes relating to the development of terrestrial digital radio broadcasting (amendment to Act No. 231/2001 Coll., on broadcasting and on amendment to other acts, as amended),
- streamlining the processes for the coordination of infrastructure construction (amendment to Act No. 194/2017 Coll., on measures to reduce the costs of deploying high-speed electronic communications networks and on the amendment to some other acts, as amended),
- other measures to accelerate the construction of infrastructure (amendment to Act No. 416/2009 Coll., on accelerating the deployment of transport, water and energy infrastructure and electronic communication infrastructure (Line Act), as amended, amendment to Act No. 200/1994 Coll., on surveying and mapping and on amendments to some acts related to its Introduction, as amended).

**Act No. 152/2023 Coll. amending Act No. 283/2021 Coll., the building act, as amended by Act No. 195/2022 Coll., and certain other related acts**, which entered into effect on 1 July 2023.

In addition to the amendments to the Building Act, the Act also contains a partial amendment to the Electronic Communications Act, which brings the terminology used in Section 104a(1) of the Electronic Communications Act into line with the current wording of the Building Act. In the introductory part of Section 104a(1), the words "planning decision or planning consent" are replaced by "planning permission".

### 3.2 Amendment to the Postal Services Act

No amendment to the Postal Services Act having significant impact on the sector of postal services was adopted in 2023. However, some of the implementing legislation for the Act has been updated, details of which are set out in section 3.6 Other laws and regulations.

### 3.3 Amendment to Act No. 194/2017 Coll.

**Act No. 202/2023 Coll. amending Act No. 127/2005 Coll., on electronic communications and on amendment to certain related acts (Electronic Communications Act), as amended, Act No. 231/2001 Coll., on broadcasting and on amendment to other acts, as amended, and other related Acts**, which entered into effect on 1 July 2023.

In addition to the main amendment to the Electronic Communications Act (section 3.1), the Act also contains a partial amendment to Act No. 194/2017 Coll., which streamlines the processes for coordinating infrastructure construction projects (Sections 2a to 2e of the Act).

### 3.4 Amendment to the Act on Certain Information Society Services

**Act No. 58/2023 Coll. amending Act No. 480/2004 Coll., on certain information society services and on amendments to certain acts (Act on Certain Information Society Services), as amended**, which entered into effect on 25 March 2023.

The Act adapts the legal order of the Czech Republic to Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services (the P2B Regulation), which defines business relations between providers of online intermediation services and business users of their services. At the same time, it designates CTU as the authority that exercises control and supervisory powers over the proper implementation of the requirements of the Regulation in the area of online intermediation services.

### 3.5 Act No. 67/2023 Coll.

**Act No. 67/2023 Coll., on certain measures against the dissemination of terrorist content Online**, which entered into effect on 30 March 2023.

The Act adapts the legal order of the Czech Republic to Regulation (EU) 2021/784 of the European Parliament and of the Council of 29 April 2021 on addressing the dissemination of terrorist content online. At the same time, it designates the authorities that ensure the proper implementation of the requirements of the Regulation. One of these authorities is CTU, which,

within its new scope of powers, supervises the implementation of specific measures under Article 5 of the Regulation (i.e. in particular, determining, or withdrawing, the status of an entity operating in the field of hosting services as an "entity exposed to terrorist content", determining appropriate measures to remedy the undesirable situation and imposing possible sanctions for non-compliance with certain obligations under the Regulation).

### 3.6 Other laws and regulations

**Act No. 424/2023 Coll., on accessibility requirements for certain products and services, which will take effect on 28 June 2025.**

The Act is a transposition of European law, namely Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services, which is intended to ensure the removal of barriers to the free market in the area of accessibility requirements for certain products and services for disadvantaged groups of persons, in particular persons with disabilities, the elderly and others (Section 2 of the Act). The Act thus extends the range of conditions and obligations already laid down by the Electronic Communications Act in relation to electronic communications services and in particular emergency communication to the 112 number, which must be newly ensured by the relevant undertakings. This Act grants CTU, as a supervisory authority in the field of electronic communications, new inspection and penalization powers to ensure the proper fulfilment of the obligations under Act No. 424/2023 Coll.

**Act No. 105/2023 Coll. amending Act No. 99/1963 Coll., the Code of Civil Procedure, as amended, which entered into effect on 1 July 2023.**

This Act strengthens the procedural status of specialized bodies that decide on private law matters (including CTU) in subsequent court proceedings under Part Five of the Code of Civil Procedure (Sections 250c and 250j), including the possibility to actively participate in court proceedings. According to the transitional provision, the change in procedural status only applies to court proceedings initiated after the effective date of the amendment.

**Government Order No. 245/2023 Coll., amending Government Order No. 426/2016 Coll., on the assessment of the conformity of radio equipment when placed on the market, as amended by Government Order No. 499/2021 Coll., which comes into force on 28 December 2024 and in part on 28 April 2026.**

The Government Order implements Directive (EU) 2022/2380 of the European Parliament and of the Council of 23 November 2022 amending Directive 2014/53/EU on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment, which ensures interoperability between radio equipment and accessories. Different charging interfaces still exist for certain categories or classes of radio devices that use wired charging, such as mobile phones, tablet PCs, cameras, headphones or headsets. The legislation therefore introduces specifications for the charging of different categories or classes of radio equipment and lays down obligations on importers and distributors as regards the information to be provided or displayed to consumers and other end-users. Importers and distributors are then free to offer bundles that include the radio equipment and its charging device even if the manufacturer

supplies the radio equipment without the charging device, provided that they also offer consumers and other end-users the possibility to purchase the radio equipment without any charging device.

**Government Order No. 29/2023 Coll., on a model advice on the right of withdrawal from contracts concluded remotely or outside the retail premises and a model form for withdrawal from such contracts**, which entered into effect on 18 February 2023.

The Government Order sets out in its annexes a model advice on the right to withdraw from a contract concluded remotely or outside retail premises and a model form for withdrawal from such contracts. At the same time, this Order repeals the existing Government Order No. 363/2013 Coll., on a model advice on the right of withdrawal from contracts concluded remotely or outside the retail premises and a model form for withdrawal from such contracts.

### **Implementing regulations for the Electronic Communications Act**

**Decree No. 109/2023 Coll., on the technical details, scope and method of providing supplementary services**, which entered into effect on 1 July 2023.

The Decree implements the provisions of Section 44(9) of the Electronic Communications Act, as amended by the so-called transposition amendment made by Act No. 374/2021 Coll. It thus newly establishes the technical details, scope and method of providing individual supplementary services pursuant to Section 38(2)(d) of the Act to for the partial universal services pursuant to Section 38(2)(a) and (b) of the Electronic Communications Act, and its adoption repealed and replaced the existing Decree No. 134/2012 Coll., on the determination of the extent of itemized billing.

**Decree No. 196/2023 Coll., on the method of determining the amount of costs effectively incurred in setting up and securing the interface for the connection of the detection tool, the procedure for claiming these costs and the method of their reimbursement**, which entered into effect on 1 July 2023.

The Decree implements the provisions of Section 98a(5) of the Electronic Communications Act following the modification of the Military Intelligence Act (Section 16b), which requires undertakings in the field of electronic communications to set up and provide interfaces for connecting detection tools for cyber defence purposes. For the fulfilment of obligations, they are entitled to reimbursement for effectively incurred costs from the Military Intelligence. The Decree establishes the method of determining the amount of these costs, the procedure for claiming them and the method of their reimbursement in cases where an agreement on cooperation pursuant to Section 16b(2) of the Military Intelligence Act cannot be reached and this obligation is implemented on the basis of a decision issued by the Ministry of Defence.

**Government Order No. 203/2023 Coll. amending Government Order No. 500/2021 Coll., on the conditions of the provision of special prices for voice communication services and internet access services to persons with special social needs**, which entered into effect on 1 July 2023.

The Government Order responds to the amendments to the Electronic Communications Act in the area of the so-called universal service (Section 38 et seq.) made effective from 1 July 2023 by Act No. 202/2023 Coll., which redefined the range of persons entitled to use the “special prices” within the universal service.

**Decree No. 246/2023 Coll. amending Decree No. 155/2005 Coll., on the method of creating call signals, identification numbers and codes, on the use thereof, and on the types of radio communication services for which they are required, as amended by Decree No. 103/2018 Coll.,** which entered into effect on 23 August 2023.

The Decree responds to the development in the field of unmanned aerial vehicles (drones), for which it is necessary to modify the rules for providing communication in accordance with European requirements, and establishes the method of creating call signs for this new category of stations intended for communication of remotely piloted unmanned aircrafts. It also takes into account the requirements of international transport regulations and the directly applicable European Union regulation governing the technical specification for interoperability relating to the operation and traffic management subsystem, the maintenance subsystem or the subsystem for the use of telematics in passenger and freight transport (Commission Implementing Regulation (EU) 2019/773 of 16 May 2019).

**Decree No. 247/2023 Coll. amending Decree No. 157/2005 Coll., on the details of application for the examination of special competence for the operation of radio transmission equipment, on the extent of knowledge needed for the different special competence types, on the manner of performing the examination, on the types of special competence certificates and on the duration of their validity, as amended by Decree No. 120/2019 Coll.,** which entered into effect on 23 August 2023.

The Decree, in conjunction with Decree No. 246/2023 Coll., responds to developments in the field of unmanned aerial vehicles (drones), for which it was necessary to modify the rules for ensuring communication, including the demonstration of professional qualification, in accordance with European requirements. In addition, some partial issues relating to licences to operate stations on national waterways, including the possibility to operate coastal radio stations, have been modified.

**Decree No. 356/2023 Coll., on the determination of the scope of billing of the price for services provided according to the type of service,** which takes effect on 1 July 2024.

The Decree implements the provisions of Section 64(13) of the Electronic Communications Act and replaces the existing Decree No. 135/2012 Coll. It is a response to substantive changes to the Electronic Communications Act made by the so-called transposition amendment (Act No. 374/2021 Coll.); the Decree redefines the structure of the billing elements to be reported so that the billing of electronic communications services is a tool to guarantee transparency of billing and enables the service subscriber to control and monitor the level of usage and use of the service received.

**Decree No. 376/2023 Coll., amending Decree No. 117/2007 Coll., on numbering plans for electronic communications networks and services, as amended,** which entered into effect on 1 January 2024.

The Decree defines a so-called long number (+420 720 000 112) for emergency SMS messages in roaming in order to be able to deal with operating system suppliers to activate the sending of AML SMS (localisation of emergency communication) even when sending emergency SMS messages to the defined long number (a necessary solution for in-roamers), the universal international number for free calls is abolished, since this number is not part of the national numbering space and is not allocated by CTU. Number ranges that have not been used for a long time are transferred to the "reserve" mode.

**Decree No. 377/2023 Coll., amending Decree No. 267/2017 Coll., on localization and identification of the caller when calling emergency numbers, as amended by Decree No. 22/2022 Coll.,** which entered into force on 1 January 2024.

The Decree adds to Article 6(2) of Decree No. 267/2017 Coll. the possibility of identification using the International Mobile Subscriber Identifier (IMSI), necessary due to multi-device solutions and the reverse localisation of the device from which the emergency communication was initiated. This is a solution on the side of mobile operators that allows the use of one MSISDN (telephone number) on multiple terminal equipment devices. Examples include smart watches that can integrate an eSIM and make calls/send SMS (i.e. connect independently to a mobile network) without the need for a direct connection to a mobile phone (e.g. via Bluetooth).

**Government Order No. 154/2005 Coll., on the determination of the amount and method of calculation of the charges for using radio frequencies and numbers,** which entered into effect on 1 January 2023.

The government order newly regulates the amount of fees for the use of fixed service radio frequencies, especially in frequency bands that can be used with wider radio channels, which enables signal transmission with higher data capacity and speed. At the same time, some of the disparities in the calculation that were identified in the process have been eliminated.

### **Implementing legislation for the Postal Services Act**

**Government Order No. 108/2023 Coll., amending Government Order No. 178/2015 Coll., on the determination of the minimum number of post offices for the provision of universal services,** which entered into effect on 1 July 2023.

The Government Order newly establishes the minimum number of post offices for the provision of universal services pursuant to Act No. 29/2000 Coll., on postal services and on amendments to certain acts (Postal Services Act), as amended. From the original 3,200 post offices, the minimum number is reduced to 2,900 post offices due to changes and the current situation in the postal services market and behaviour of customers, while maintaining the need to ensure the provision of universal services through a network of post offices to the extent that corresponds to the actual needs of the public while allowing a sustainable concept for the postal licence holder.

**Decree No. 147/2023 Coll. amending Decree No. 464/2012 Coll., on the determination of specifications of individual universal services and basic quality requirements for their provision, as amended by Decree No. 203/2016 Coll.,** which entered into effect on 1 July 2023.

The Decree is issued in connection with the amendment to Government Order No. 178/2015 Coll., on the determination of the minimum number of establishments for the provision of universal

services, implemented by Government Order No. 108/2023 Coll., which reduced the minimum number of post offices for the provision of universal services from 3,200 to 2,900. The government order sets the number of post offices, and the decree sets the requirements for their location through density criteria. Thus, in response to the reduction of the minimum number of post offices for the provision of universal services by 300 post offices, the provisions of Section 14(2)(d) of the Decree are amended to modify the requirement for distance to a post office from any location, except in areas serving exclusively a purpose other than housing, in municipalities having a population of more than 2,500. This distance must now not exceed 3 km as the crow flies instead of the previous 2 km.

**Decree No. 357/2023 Coll., amending Decree No. 434/2012 Coll., establishing a template form for the notification of business in the area of postal services**, which entered into force on 1 January 2024.

The Decree responds to developments in the postal services market, where, in particular as a result of continuing digitisation and the associated rapid development of e-commerce, changes have occurred in the demand and supply of postal services, and where new business models have emerged and postal services are being adapted to the needs of users. It was also necessary to adapt the model form for the notification of business activities in the field of postal services to these changes.

# 02

**Expert and  
administrative  
activities of  
the Office**

## 02 Expert and administrative activities of the Office

### **The area of consumer protection and other activities of the Office in 2023 through the eyes of Council member Lukáš Zelený**

One of our consumer protection priorities in 2023 has been to find an appropriate solution to reduce spoofing. We worked with representatives of the sector to analyse technical and organisational ways to limit its negative impacts. In addition to the self-regulation that mobile operators have gradually started to apply, we have also discussed possible regulatory measures at working meetings. I am pleased that at the end of the year, we could present a proposal for specific measures in the form of addition of new conditions in general measure laying down the conditions for the provision of public communications networks and associated facilities. This activity continues in 2024, when an amendment to the general measure is being finalised, as well as a related amendment to the Electronic Communications Act.

We also continued to monitor compliance with the Electronic Communications Act when contacting subscribers by telephone with marketing offers. However, these inspections were complicated by the fact that companies making "unsolicited" marketing calls often have wholesale cooperation agreements with foreign entities. This makes it very difficult to identify the end caller. However, we dealt with this complication and imposed, among other things, a heavy fine on the foreign entity.

It is undoubtedly worth noting at this point that in 2023 we decided on 30,952 subscriber disputes. At the same time, 20,746 decisions were issued on the relevant matter. I am pleased that we have decided the vast majority of cases within the statutory time limit. In only one percent of cases was the statutory deadline not met, most often due to the need to appoint a guardian during the proceedings. However, we receive not only requests for the initiation of administrative proceedings, but also various questions or complaints. Nearly nine thousand came last year. And we also managed to answer them.

It was absolutely crucial that we prepared intensively for the future takeover of other activities concerning digital services, as on 16 August 2023 the Government stipulated that our Office would take on the role of National Coordinator under the DSA. So, we gradually assembled a team of experts, dealt with setting up related processes, mapped the Czech market of online intermediation service providers and implemented awareness-raising activities. We worked with the Ministry of Industry and Trade to prepare an adaptation law to the DSA and DGA. Despite some delays in its preparation, a comment procedure on the new draft Digital Economy Act was launched at the end of the year. Only the entry into force of this law will allow us to actively exercise our powers and responsibilities as the national Digital Services Coordinator.

The great news is that the interest of centres for the elderly, universities of the third age and low-threshold centres for children and youth in our preventive-educational project Telecommunication Academy is constantly growing. The year 2023 was a record year, we trained more than two thousand participants. Personally, I am pleased that we continue to work with consumer organisations to help people solve their everyday problems. That is why we organised a workshop for them on current consumer protection issues.

## 1 Consumer protection

### 1.1 Independent comparison tool






The Office continued to operate a free independent comparison tool, which was launched in 2021. In 2023, new functionality to the comparison tool was introduced to make it more user-friendly and to respond to changes in consumer behaviour. One of these changes, for example, was the creation of a new "Unlimited" preset consumer profile for mobile services and calls at a fixed location, which allows users to quickly compare offers with unlimited volumes. For services for which the Office, either on the basis of its own investigation or primarily on the basis of suggestions from users of the comparison tool, has a reasonable suspicion that the information provided by the undertaking does not correspond to reality or, more precisely, to the methodology of data collection according to Decree No. 582/2020 Coll., the Office publish a new notice ("disclaimer") about the ongoing examination of the offer. This notice can also be used as a filtering parameter to exclude these offers from the comparison results.

The comparison tool makes it possible to compare and assess publicly available electronic communication services provided to consumers in terms of price and quality for the following services: mobile calls, SMS and data services, mobile internet, calls at a fixed location, internet at a fixed location and pay-TV services. Information on the parameters of individual services must be entered into the comparison tool by their providers, who are responsible for the accuracy of the information provided. The specific scope, form and method of information transfer are regulated by Decree No. 582/2020 Coll.

The comparison tool is available on the Office's website at <https://srovnavac.ctu.cz>. For price comparisons, the comparison tool makes it possible to use parameters with pre-set usage sizes or one can enter their own data on usage of individual services, type of commitment, select the operators whose services are to be included in the comparison, etc. In the case of services provided at a fixed location, users of the comparison tool must also enter the address where the service is to be available. Although the comparison tool is intended for consumers to obtain information on the most suitable offers according to the specified parameters, providers of the compared services can also use the comparison tool to check how competitive their services are. The comparison tool also offers users the possibility to report incorrectly filled in data for specific providers and services to the Office via a form. The Office deals with the complaints received and ensures remedy with the providers concerned.

Vyberte typické množství Vaší spotřeby za kalendářní měsíc pro každý druh služby a získáte přehled nejvýhodnějších nabídek.

Pokud si z předdefinovaných hodnot nevyberete, vyberte Vlastní a zadejte množství přesně podle Vaší spotřeby.

<input type="radio"/>	 Mobilní volání, SMS a data	Neomezeně v ČR	Hodně 600 min	Středně 300 min	Málo 100 min	Vlastní	Vůbec
<input type="radio"/>	 Mobilní internet	Neomezeně v ČR	Hodně 10 GB	Středně 5 GB	Málo 2 GB	Vlastní	Vůbec
<input type="radio"/>	 Volání v pevném místě	Neomezeně v ČR	Hodně 600 min	Středně 300 min	Málo 100 min	Vlastní	Vůbec
<input type="radio"/>	 Internet v pevném místě		Hodně 500 Mbps	Středně 100 Mbps	Málo 20 Mbps	Vlastní	Vůbec
<input type="radio"/>	 Televize		Hodně 130 stanic	Středně 80 stanic	Málo 30 stanic	Vlastní	Vůbec

Typ smlouvy

Určeno pro

Operátoři

Zahrnout nabídky v režimu ověřování

**Zobrazit nejvýhodnější nabídky**

## 1.2 Price barometer

In 2023, the Office also operated the so-called price barometer on its website (available at <https://www.ctu.cz/vyhledavaci-databaze/srovnacni-prehled-cen-a-podminek/cenovy-barometr>).

It shows the development of prices divided into individual intervals by the size of the data limit, for four mobile operators. Its purpose is not to compare the offers of individual providers of electronic communication services, but rather to indicate the development of the retail price level for the most important electronic communication services and is rather intended for professional public.

## 1.3 Subscriber contracts

In 2023, the issue of subscriber contracts in relation to consumers was affected by the amendment to the Civil Code No. 374/2022 Coll. The amendment tightened the conditions for concluding consumer contracts through telephone calls, where it is only possible to contact consumers by telephone with an offer to conclude a contract. The undertaking is then obliged to confirm the telephone offer in text form without undue delay. The consumer's subsequent acceptance of the offer is a condition for the valid conclusion of the contract. The legal regulation of concluding consumer contracts outside the usual business premises has also changed. The

emphasis is on transparent provision of information to consumers. The above appropriately complements the special regulation contained in the Electronic Communications Act, according to which when concluding or modifying a contract using means of remote communication, the undertaking is obliged to provide the end user (consumer or natural person carrying out business activities) with the information required by law in writing without delay. The contract withdrawal period then begins on the day following the date of transmission of this information.

Withdrawal from the contract was influenced by the adoption of Government Order No. 29/2023 Coll., on a model advice on the right of withdrawal from contracts concluded remotely or outside the retail premises and a model form for withdrawal from such contracts. Providers of electronic communications services are obliged to provide a contract withdrawal form as part of the pre-contractual information. However, consumers are not obliged to stick strictly to the form and can withdraw from the contract in other appropriate ways.

From 1 July 2023, the amendment to the Electronic Communications Act implemented by Act No. 202/2023 Coll. came into effect, which regulates the conditions for using the financial contribution for the provision of electronic communications services to persons with special social needs. In addition to the conditions relating to the financial contribution, the amendment introduced a penalty for failure to include the subscriber verification code (OKU) in the contract. The OKU code is required when you change your Internet access service provider or port your phone number.

In the area of subscriber contracts, as in previous years, CTU generally monitored and evaluated complaints and queries from subscribers concerning this scope of activities. The most frequent complaints dealt with by CTU were related to the conclusion and termination of contracts, and as in previous periods, the Office also recorded a number of complaints about unilateral changes to contracts, mainly related to the fulfilment of providers' information obligations. The change in the rules on telephone marketing offers has led to an increase in the number of queries and complaints from the public about this issue.

#### **1.4 Net neutrality –Internet access (open Internet)**

CTU is the competent supervisory body for issues related to Regulation (EU) 2015/2120 of the European Parliament and of the Council laying down measures concerning open internet access and retail prices for the regulated communication within the EU and amending Directive 2002/22/EC and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (hereinafter also referred to as “Regulation”), as amended.

During the period under review, in accordance with Article 5 of the Regulation, the Office prepared and published a report on the results of the monitoring of compliance with the Regulation for the period from 1 May 2022 to 30 April 2023 [https://ctu.gov.cz/sites/default/files/obsah/stranky/956/soubory/zprava\\_o\\_plneni\\_narizeni\\_eu\\_2015\\_2120\\_od\\_1.kvetna\\_2022\\_do\\_30.dubna\\_2023.pdf](https://ctu.gov.cz/sites/default/files/obsah/stranky/956/soubory/zprava_o_plneni_narizeni_eu_2015_2120_od_1.kvetna_2022_do_30.dubna_2023.pdf).

In 2023, the Office found no serious breaches of the conditions set out in the Regulation. On the basis of the findings from practice, the Office initiated an amendment to the Electronic Communications Act, which would provide for an exemption from the prohibition on the use of zero-rating practices for emergency communications made via data flow, in accordance with Section 3(3)(a) of the Regulation. The amendment is still in the legislative process and has not yet been approved.

### 1.5 Telecommunication Academy

In the area of consumer protection, CTU continued its activities in the field of education of users of electronic communications and postal services through the Telecommunication Academy. In the form of expert lectures, CTU informs and educates target groups, mainly the elderly, but also children and youth, so that they can better navigate not only the world of electronic communications. Professionally trained lecturers from among our employees prepare individually for each presentation and always adapt their explanations to the level of knowledge of their audience, using their practical experience.

The interest of senior citizens in new topics is constantly growing, so we actively try to adapt our activities to current trends and the needs of our listeners. In view of the dynamics in the field of electronic and postal services, and based on the wishes of our audience, we have launched a series of lectures focusing on these key topics in 2023. "How to choose the right phone" was one of our lectures, which provided practical advice and recommendations for senior citizens when choosing a mobile device. Another topic, "Beware of fraudulent phone calls", focused on the prevention of phone scams and the protection of personal data. "Contract" and, last but not least, "Comparison Tool" and "NetTest", which dealt with the legal aspects and the possibilities of comparing the offers of different service providers, were also notable topics. In this way, we tried to raise the awareness of our listeners and equip them with the necessary knowledge to successfully navigate in the modern digital environment.

We do not stop filming educational videos either, where a short video of about 3-5 minutes introduces the user to a specific issue, but also explains how to deal with specific issues or how to proceed. The videos are no longer targeted only at the elderly citizens, but also the general public.

In 2023, we succeeded in establishing cooperation with organisations focusing on work with children or adolescents. The lecturers adapted both the choice of topics and the whole concept of the lectures to this cooperation. At the same time, TA's partnerships with a number of entities have been significantly expanded, bringing new opportunities for collaboration and synergistic activities in the field of education and audience support. The newly established cooperation also includes the involvement of the following educational institutions in the educational programmes of the "University of the Third Age": Czech Technical University (Faculty of Electrical Engineering and Faculty of Information Technology), Mendel University of Agriculture and Forestry, Technical University of Ostrava (Faculty of Economics), University of Ostrava (Faculty of Science), University of West Bohemia in Pilsen, University of Pardubice. We have also established cooperation with Senior Point, MAS (Local Action Group) Achát in the Semily and Železný Brod regions, Association of Collection Agencies, Satisfied Senior Citizen - KLAS, the charitable trust SPOLEČNĚ and the Regional Police Directorate of the Region of Moravia-Silesia. These new partnerships enable the sharing of knowledge and experience in the fields of education.



## 2 Activities in the field of digital services

### 2.1 Supervision with national scope

In connection with the performance of the new scope of activities and other obligations arising from Regulation (EU) 2019/1150 of the European Parliament and of the Council and the preparation of the Office for the future takeover of other activities in the area of digital services, a Specialized Agenda Supervision Unit was established on 1 January 2023 within the Dispute Resolution and Consumer Protection Section of the Department for the Region of South Moravia. The department is responsible for ensuring compliance with Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services and supervision of the professional tasks with a national scope (handling complaints and enquiries, inspections and administrative offences), including methodological activities. The unit developed and published on the website of the Office the material entitled "CTU Guide to the Application of the P2B Regulation" <https://ctu.gov.cz/en/online-platforms-and-online-search-engines-p2b>, the purpose of which is to educate the sector of online platform providers and Internet search engines about the new obligations arising from the P2B Regulation. In the month of June and during the summer, the unit conducted several expert consultations with various institutions and a Round Table was organised for representatives of the P2B sector. In the second half of the year, the unit investigated the nature of the activities of 7 entities to determine whether they were providers under the P2B Regulation. There were also 7 inspections initiated, checking compliance with the obligations pursuant to the P2B Regulation, of which 2 were terminated for lack of subject matter jurisdiction and in 5 breach of the P2B Regulation was found. The most frequently violated provisions were Articles 3, 5 and 9 of the P2B Regulation. Of these, 4 cases of misconduct were

found and referred for administrative punishment and 1 case was resolved by a warning with a call for remedy under Section 10b of the Act on certain information society services.

## **2.2 Addressing conceptual issues and challenges arising from new EU digital legislation**

In cooperation with the Ministry of Industry and Trade and the Legislation and Legal Affairs Department of CTU, the unit participated in the development of legislation on the Digital Services Act (DSA), the Data Governance Act (DGA) and the draft Digital Economy Act. Officers of the unit represented the Office in the following international working groups: P2B Co-operation Network, P2B Definitions Subgroup, DSA Expert Group including the Information Sharing System Subgroup, DSA Informal Coordinators Group, DSA Informal Network established on the basis of the European Commission Recommendation on the treatment of illegal content until the DSA comes into force, while the Office also participated in 7 subgroups of this group. In relation to the DGA, the Office represents the Czech Republic in the European Data Innovation Board (EDIB) and participates in the meetings of the Informal Exchange Group. Within the Czech Republic, the unit ensures participation in seminars, workshops, round tables on digital services and working and expert groups that prepare documents for the implementation of European legislation.

The establishment and functioning of a Digital Working Group (DWG) was initiated within the Office, composed of representatives of the Office's management and relevant expert departments, in order to coordinate activities and tasks arising from the new tasks in the area of digital services. Furthermore, a working meeting with representatives of the Council for Media Services of the Slovak Republic focused on sharing experiences from the process of preparing for the role of coordinator under the DSA. In addition, working meetings were held with representatives of the Ministry of Regional Development, the Ministry of the Interior, the Ministry of Justice of the Czech Republic, the Office for Personal Data Protection and other authorities and institutions to define the "cross-cutting" powers and competences of the relevant authorities. The Office presented its future competences to the Subcommittee on ICT, Telecommunication and the Digital Economy.

## **2.3 Ensuring operational, personnel and organisational tasks**

Organisational, personnel and financial arrangements were made for the future performance of the activities of the national Digital Services Coordinator and future supervision under the Digital Economy Act. The personnel and material needs have been incorporated in the explanatory memorandum to the draft Digital Economy Act. At the same time, the personnel requirement was addressed as part of the scheduled change to personnel planning with effect from 1 October 2023, with an increase of one planned position. In the second half of the year, a concept for the possible transfer of service positions within the Office was drawn up, which allowed for an increase in the number of planned positions with effect from 1 January 2024 and the necessary further development of the new scope of tasks, taking into account the new powers and responsibilities of the Office, the introduction of new procedures and the exercise of the DSC's powers (carrying out inspections and launching investigations, receiving complaints, liaising with foreign coordinators, vetting authorised researchers, verifying trusted flaggers, entering data into database programmes, etc.).

## 3 Settlement of subscriber disputes and user complaints

### 3.1 First-instance administrative proceedings

In 2023, CTU decided on 30,592 subscriber disputes, of which 11,335 ongoing administrative proceedings were carried over from 2022 and 19,255 administrative proceedings were newly initiated. In the period under review, a total of 20,746 decisions were issued in the case. The Office decided subscriber disputes over the payment of the price for services (financial claim), 20,637 decisions were issued. CTU issued 109 decisions on objections to a claim settlement about the service provided and on objections to a claim settlement about the billing of the price for the service, 91 of which concerned the agenda of objections to a claim settlement about the billing of the price for the service. The remaining decisions related to another subject of dispute. In 2023, CTU received fewer proposals to initiate so-called subscriber disputes than in the previous year. Most of the proposals received concerned disputes over financial claims.

The overview of subscriber disputes in 2023 are provided in Annex 1.

### 3.2 Second-instance administrative proceedings

Administrative work on decisions on administrative appeals in disputes about the payment of a price for the services of electronic communications (Section 129(1) in conjunction with Section 64(1) of the Electronic Communications Act):

Decisions were made in 2023 on a total of 471 administrative appeals on this scope of agenda. 341 administrative appeals were carried over from the previous period and 175 administrative appeals were new. The trend of a significant decline in the backlog of cases on this scope of agenda continued. As of 31 December 2023, 60 administrative appeals were pending. In a significant part of the decisions on administrative appeals, the Office dealt with objections of service providers to operative parts not satisfying their claims for payment of contractual penalties and similar claims arising from quasi-sanction contractual arrangements (in particular early termination payments) in disputes with consumers.

As regards the ruling history of the general courts on legal actions under Section 244 et seq. of the Code of Civil Procedure, it should be noted that during the period under review, in more than thirty cases of actions brought by providers of electronic communications services for payment of financial compensation for early termination of the contract the general courts confirmed the decision-making practice of the Office and dismissed the actions on the grounds that the claimant was not entitled to financial compensation for early termination of the contract. The general courts have therefore generally agreed with the conclusions of the Office on the invalidity of the contractual arrangement due to its vagueness (for example, see the judgments of the District Court in Ostrava of 19 July 2023, No. 63 C 418/2022-33 or the District Court in Frýdek-Místek of 2 November 2023, No. 40 C 127/2022-46).

Regarding the issue of **factual powers of the Office**, in 2023, too, a special panel of judges established at the Supreme Administrative Court also voiced its opinion several times when it decided in the so-called jurisdiction disputes upon the Office's request. It is undoubtedly worth mentioning in particular the order of the special panel of judges dated 26 October 2023, ref. No. Konf 1/2023-12. In this case, the Supreme Administrative Court stated that the legal qualification of the defendant's claim by the plaintiff as a claim for unjust enrichment does not exclude the dispute, the basis of which is a dispute over the performance of a monetary obligation imposed

by the Electronic Communications Act, from the jurisdiction of the Office, or, more precisely, that the subject matter of this proceeding is directly related to the payment for electronic communications services within the meaning of Section 129 of the Electronic Communications Act.

### 3.3 Disputes in the area of postal services

Since 1 January 2013, CTU has been deciding on objections to a claim settlement about postal services pursuant to Section 6a of the Postal Services Act. This involves administrative proceedings which CTU initiates upon request of the recipient or sender. The launch of the proceedings is conditional upon the fact that the recipient or sender, before submitting a proposal to initiate the proceedings, makes a warranty claim about defects to a provided postal service with the operator of postal services and the warranty claim is not accepted by the operator of postal services or settled at all. In 2023, CTU received 298 new petitions to initiate proceedings concerning objections against a claim settlement about defects of postal service and issued 306 decisions in these proceedings.

In addition to the decision on objections against a claim settlement, CTU checked whether the operators of postal services comply with other legal obligations – for example, timely publication of information on the changes of the postal terms at each post office and also in a manner allowing remote access, information on the opening hours of the post offices, information on mailboxes, etc. In 2023, inspection activities continued across the Czech Republic aimed at verifying compliance with postal secrecy at the so-called parcel pick-up points of selected postal services operators. More details of these inspection activities are provided in the text dealing with the inspection activities of the Office. In the period under review, a total of 1,287 inspections and 217 local investigations were carried out to supervise postal service operators or to investigate specific customer complaints and objections.

Based on suggestions from the general public or findings from the Office's own official activities, in 2023, the Office commenced 67 proceedings concerning administrative offences related to postal services. The result of the proceedings conducted by CTU in 2023 is 81 fines imposed in total amount of CZK 1,104,000. An overview of the inspection and decision-making activities of CTU in the field of postal services is provided in Appendix 4.

### 3.4 Complaints of the subscribers and users of electronic communications services

Within the scope of its powers and responsibilities, the Office also handles complaints of subscribers or users of electronic communications services. But such complaints are not complaints according to Section 175 of the Administrative Procedure Code (complaints about inappropriate conduct of officials or about the actions of an administrative body). In 2023, the Office handled 3,187 written submissions (complaints) in the field of electronic communications services, which represents an increase of approximately 5% in the number of written submissions handled compared to the previous year. The largest category of complaints in 2023 was complaints about the offering of marketing advertising (a total of 1,033 written submissions, representing almost a third of all submissions received). Complaints about the billing of prices for

services (378 complaints, 11.9% of the total number of complaints) and complaints about issues related to subscriber contracts (363 complaints, 11.4% of the total number of complaints) are also traditionally represented. These complaints are addressed by the Office by providing information to the complainant about possible further procedure, about related legislation, or by settling them in administrative proceedings pursuant to Section 129 of the Electronic Communications Act (subscriber disputes) as objections to the handling of a claim about the price for the services provided.

In addition, the Office handled 4,636 enquiries in 2023. Most enquiries were related to the conditions of undertaking business in electronic communications and examinations of professional qualification, and outside the above-mentioned categories the majority of enquiries involved the issue of billing of services, subscriber contracts, and, for example, marketing offers.

As regards universal service, in 2023, the Office handled 95 written submissions and 69 telephone enquiries, with the majority of submissions and enquiries relating to the issue of access by disabled persons to partial services (access to the internet or to voice communication service at a fixed location). The increase in the number of submissions (more than eightfold) in this category was mainly due to the amendment to the Electronic Communications Act No. 202/2023 Coll., which established the rules for use of the financial allowance for the provision of electronic communications services by persons with special social needs. The Office has been increasingly contacted by the public with questions about the conditions and documents that must be provided to obtain a financial allowance and about providers from which it is possible to get the discount.

The overview of complaints of subscribers/users of electronic communications services is provided in Appendix 2.

### **3.5 Complaints of users of postal services**

Within its scope of powers and responsibilities, the Office also deals with complaints relating to postal services. CTU also puts on record complaints concerning non- -postal services; these are not processed by the Office itself, instead they are referred to the competent body authorised to deal with them.

In 2023, the Office registered 511 written complaints relating to postal services, 254 of which related to universal postal services. CTU also registers 142 telephone enquiries concerning postal services.

In the period in question, most complaints concerned the delivery of postal items and the handling of claims, where, as in previous periods, customers encountered the most problems. A table presenting an overview of customer complaints about postal services can be found in Appendix 5.

## **4 Inspection activities**

### **4.1 Inspection of undertakings in electronic communications and postal services**

Pursuant to Section 14 of the Electronic Communications Act, in 2023 the Office issued 64 certificates certifying that the entity intending to carry out business in the area of electronic

communications has fulfilled the obligation pursuant to Section 13 of the same Act and reported this fact to CTU in writing. This is a number almost identical to 2022.

In other 670 cases, undertakings notified the Office of a change in the information provided in the business notification or notified the interruption or termination of their business in electronic communications.

Compared to 2022, this represents a decrease of almost 70% in change notifications. The reason for the decline is the fact that 2022 was an extreme year in terms of the number of notifications of changes due to the impact of Act No. 374/2021 Coll., amending Act No. 127/2005 Coll., on electronic communications and on amendment to certain related acts (Electronic Communications Act), as amended. One of the transitional provisions of this amendment gave rise to an obligation of undertakings that notified their electronic communications business activities before 1 January 2022 to submit an updated notification to the Office using a new electronic form <https://epekform.ctu.cz/>. This obligation should have been fulfilled by the undertakings by 1 July 2022 at the latest.

In 2023, 270 inspections were carried out to verify the activities actually carried out by providers of electronic communications services. Defects were found in 102 cases. The implementation of the inspections in question, together with other activities of the Office, had a positive impact on the refinement and updating of data in the register of undertakings in electronic communications.

In the matter of conducting business activities in electronic communications in violation of Section 8 of the Electronic Communications Act, i.e. conducting business activities without a notification fulfilling the requirements of Section 13 of the same Act, and in the matter of failing to notify a change in the information provided by a legal entity or natural person in a notification of a communication activity, i.e. in violation of Section 13 of the Electronic Communications Act, a total of 19 penalties in total amount of CZK 23,000 were imposed as a final act.

#### **4.2 Inspecting the compliance with legal obligations under the Electronic Communications Act, under the Consumer Protection Act, and under the Postal Services Act**

##### **Inspecting the provision of number portability pursuant to Section 34 of the Electronic Communications Act and Decree No. 58/2022 Coll.**

The inspection focused on compliance with Decree No.58/2022 Coll., on the conditions of number portability and change of Internet access service provider, in particular on compliance with the provisions of Section 11(1). The inspection verified the setup of the process of portability of the Internet access service between operators, as a common inter-operator solution for ensuring the process of transferring the Internet access service does not yet exist. 63 entities – providers of Internet access services – were inspected. In the first phase of the inspection, 16 entities were confirmed to be in full compliance with the provisions of Section 11(1) of Decree No. 58/2022 Coll. In the case of 47 providers, the required data could not be found on the website in a simple way, so the Office called on these entities to provide data for the inspection pursuant to Section 115 of the Electronic Communications Act. On the basis of the information provided, its verification and the adjustments made, most of the entities corrected the minor deficiencies during the inspection process, in particular the proper and clear marking of the required information on the website. In

only one case did the obliged entity fail to provide the requested information and make the required adjustments, so the case was dealt with in proceedings concerning an administrative offence. The inspection also showed that the provisions of Section 34a are used by users of Internet access services only in cases where the transfer of the service is within a single technological platform. In cases where there is a change in the provider of a service provided on different technological platforms, the subscribers do not use the provisions of § 34a of the Electronic Communications Act, but terminate the service on one platform and conclude a new contract on another platform without ensuring the continuity of service provision. The inspection evidence was also used to evaluate the effectiveness of Decree No. 58/2022 Coll.

### **Inspecting the providers' compliance with information obligations**

In the second half of the year, the Office carried out a nationwide inspection of the commercial terms and conditions of electronic communications providers. Providers were verified to provide information according to the template set out in Commission Implementing Regulation (EU) 2019/2243 and the contract summary confirmation process under the transposition amendment to the Electronic Communications Act. The subject of the inspection was also the fulfilment of other contractual obligations by the providers. 50 entities were inspected and in 42 cases violations of the law were found. Fines totalling CZK 2.2 million were imposed in subsequent proceedings concerning administrative offences.

### **Inspecting unsolicited marketing communication**

In 2023, the Office continued in inspections of compliance with the law when contacting subscribers by telephone with marketing offers. A total of 103 inspections were initiated, with the majority of inspections verifying multiple phone calls/phone numbers. These inspections were carried out on the basis of submissions from subscribers contacted with a marketing offer, where it was verified retrospectively whether the telephone call was made, for what reason, where the subscriber's telephone number was obtained and whether the inspected entity may have violated the law by this contact. In the vast majority of submissions, the Office investigated the situation only on the basis of the complainant's submission without any other supporting documents (e.g. audio recording, screenshot of the display, etc.); in these cases, the Office was often unable to prove that a marketing call had been made. In some cases, during the investigation, the Office found that the inspected person had entered into cooperation with another entity that actually carried out the contacting of subscribers with the marketing offer and in order to establish the situation it was necessary to include these entities in the inspection, which led to an actual prolongation of the investigation and inspections. Cases where the inspected entity refused to provide the necessary assistance and cooperation to the Office were no exception. In 40 cases, the Office initiated administrative proceedings concerning an administrative offence due to breach of the rules concerning marketing offers made by telephone or for failure to cooperate with the inspection. By the end of 2023, 36 fines had become final, summing CZK 3,085,000. A total of 29 fines totalling CZK 760,000 were finally imposed for failure to cooperate with the inspection. Seven fines totalling CZK 2,325,000 were finally imposed for breaches of the law in marketing offers.

## 4.3 Inspecting the compliance with legal obligations of postal service operators

### Inspection of parcel pick-up points

In 2023, CTU inspected the parcel pick-up points of postal service operators and whether the parcel pick-up points handle deposited postal items in such a way as to prevent violations of postal secrecy. In 2023, CTU continued to inspect parcel pick-up points such as shops, newsagents, petrol stations, etc., and this year, in addition to the Česká pošta's parcel pick-up points, it also focused on postal service providers other than the postal licence holder and verified whether confidentiality is maintained at these parcel pick-up points regarding the facts relating to the postal service provided or rendered, in particular whether it is ensured that an unauthorised person does not learn information about the sender or recipient. A total of 868 inspections were carried out at 9 postal services operators, and misconduct was found in 74 cases. With regard to the identified deficiencies, CTU will conduct administrative offence proceedings.

### Inspecting the so-called official deliveries

In 2023, a nationwide inspection was carried out focusing on the fulfilment of obligations in official deliveries, in particular whether a notice with instructions is left in the case of unsuccessful reaching of the recipient and whether the agreed disposition and storage period are observed for deposited postal items. The inspection was carried out in two phases. As part of the inspection, 1,198 postal items were analysed. 21 postal items (1.75%) were found to have errors which will be dealt with in the administrative proceedings.

### Inspecting the postal terms and conditions

In 2023, CTU focused on the wording of postal terms and conditions, both for existing operators and for some newly notified operators. Inspections were carried out on a total of 6 entities, all of which were found to be at fault and are being addressed.

## 4.4 Inspecting the compliance with CTU decisions

### Inspecting the compliance with the conditions of use of frequencies under general authorisations

As part of its inspection activities, the Office carried out a total of 219 inspections of the use of frequencies under the general authorisation (VO-R) in 2023. As a result of the inspections carried out, in 155 cases, i.e. in 70.8%, the use of the frequency was found in violation of the conditions set by the relevant VO-R.

The focus of the inspection activity was on inspections of broadband data transmission devices (RLAN) operated under VO-R/12, of which 176 were carried out. The provision of electronic communications services via RLAN in non-licensed bands is widespread in the Czech Republic and is operated by approximately 1,500 undertakings. Due to this number, the utilisation rate of the bands set out in VO-R/12 is high, and the Office aims to ensure a level playing field and compliance for all spectrum users.

In the case of inspections of RLAN devices operated under VO-R/12, a violation of one of the VO-R conditions was found in 138 cases, i.e. in 78.4%. The most frequent violation of the conditions for the operation of RLAN is the operation of stations outside buildings in those parts of the band where only indoor operation is possible and interference to radiocommunication services on a primary basis – meteorological radars. In this context, in 2023, the Office handled a total of 53 complaints about strong interference to meteorological radars of the Czech Hydrometeorological Institute. In dealing with these complaints, 39 sources of interference were traced, all of which were RLAN devices operated in violation of the conditions of VO-R/12. In the remaining 14 cases, the source of the interference could not be traced, or it was not possible to prove the interference of the meteorological radar. On 27 July 2023, a coordination work meeting was held with representatives of the Czech Meteorological Institute on the current problems of meteorological radar interference, in particular on the issue of MAC addresses of the devices causing interference, their forwarding to the Office and speeding up the whole process.

In 2023, a total of 136 administrative offence proceedings were conducted in respect of breaches of one of the conditions of the general authorisation issued pursuant to Section 10 of the Electronic Communications Act. A total of 134 penalties in total amount of CZK 2,092,700 were imposed as a final act.

### **Inspecting the use of frequencies in bands where frequencies may be used only on the basis of individual authorisations and compliance with the conditions of the decision on the granting of individual authorisation to use radio frequencies**

Compliance with the conditions of individual authorisations to use radio frequencies was also the subject of the Office's inspection and monitoring activities in 2023. 37 inspections were carried out and in 22 cases (i.e. 59.5%) violations of some of the terms and conditions of the individual authorisation were found. More than half of the cases involved non-compliance with the conditions laid down for the operation of VHF FM radio transmitters (13 cases).

As part of the inspection activities focused on the so-called licensed bands, monitoring and subsequent inspections were carried out on the use of frequencies without individual authorisation, or illegal use of frequencies. Inspection activities were carried out in the bands up to 1 GHz for mobile and fixed services, in the bands immediately adjacent to the frequency ranges defined by VO-R/12 and in the microwave bands where RR links are operated. In 2023, 287 inspections were concluded, and in 123 cases the use of the frequency was found in violation of Section 17 of the Electronic Communications Act. The most frequent violations were committed by mobile and fixed service operators (59 cases) and RLAN operators (44 cases), which in the case of RLAN is mainly related to the opening of the 5.2 GHz, 5.8 GHz and 60 GHz bands, where the inappropriate choice of channel and its width leads to illegal use of the licensed bands. In the

microwave bands, the monitoring and subsequent inspection detected the use of frequencies in violation of Section 17 of the Electronic Communications Act in 13 cases.

In the matter of the use of radio frequencies, the use of which requires an authorisation for the use of radio frequencies pursuant to Section 17(1) of the Electronic Communications Act, without such authorisation, as well as in the matter of the use of radio frequencies in violation of such authorisation, or in the matter of the failure to ensure the termination of the operation of transmitting radio stations immediately after the expiry of the authorisation, a total of 164 administrative offence proceedings were conducted in 2023. A total of 163 penalties in total amount of CZK 1,894,000 were imposed as a final act.

#### **Measurement of mobile radio signal coverage in areas where the Office has observed a higher number of complaints and where the Office's predictive calculations indicate limit and sub-limit values**

In 2023, in connection with complaints from representatives of towns and villages about insufficient mobile signal coverage in some localities, control measurements of mobile signals were carried out in the form of drive tests. The measurements were performed in 87 municipalities and problematic basic settlement units, in all cases in locations where the quality of coverage is significantly affected by the ruggedness of the topography and where the number of permanent residents plays a significant role in the economic considerations of operators in relation to signal enhancement. The total number of measurements also included municipalities where the actual state of mobile network coverage was surveyed as part of the subsidy call of the Ministry of Industry and Trade – Development of 5G in rural areas. In most cases, the result of the coverage measurements corresponded to predictive calculations of the coverage status in the respective municipality or basic settlement unit. Measurement results are available on VPortal. Areas with insufficient signal availability are also included in the overview of so-called "white areas" and are applied as potential intervention areas for both current and future subsidy calls.

#### **4.5 Handling complaints about problems with digital terrestrial television broadcasting reception (DVB-T2)**

##### **Monitoring the availability and quality of DVB-T2 reception based on TV viewers' complaints and identifying the real causes of poor reception quality**

In 2023, 1,315 concluded cases of complaints about poor-quality TV signal reception were evaluated. In all cases, the Office conducted local investigations to objectively determine the cause of the poor-quality reception. Compared to the results of previous years, the results show that the structure of the causes of poor reception quality remains the same in the long term and is not related to the transition from DVB-T to DVB-T2. The most common cause of a problem with

TV signal reception is a fault on the receiving side of the TV viewer – currently 48.6% of all cases dealt with (639 cases in total). In this context, the most common fault on the viewer's receiving device was also surveyed. It is a defective antenna or its improper placement or direction. In 86 cases (6.5%), the investigation found insufficient TV signal at the reception site. The Office's inspection procedures in handling complaints about poor-quality DVB-T2 reception were the subject of an independent audit carried out by VUT Brno. The results of the audit report confirmed that the Office's procedures for handling complaints about poor-quality TV reception are objective and that the causes of poor reception are not directly related to the transition to DVB-T2 and SFN networks. The results of the independent audit were presented at the workshop on the issue of handling complaints about poor-quality DVB-T2 reception held on 14 April 2023.

In 2023, the Office also handled 12 complaints from mayors about insufficient coverage of their municipalities with DVB-T2 signal. These were the municipalities of Čenkovice, district of Ústí nad Orlicí, Všesulov, district of Rakovník, Hluboké, district of Třebíč, Pozlovice, district of Zlín, Františkov nad Ploučnicí, district of Děčín and the municipalities of Dolní Zimoř, Liběchov, Medonosy, Tupadly, Vidim, Vysoká and Želízy in the district of Mělník. On the basis of these complaints, signal coverage was measured in all municipalities in cooperation with local government representatives. In most of the measured municipalities, limit and possibly sub-limit signal levels were detected due to the location of the municipality in rugged topography. In two cases (the municipalities of Všesulov and Čenkovice), the Office informed the TV network operators of the measurement results after the measurements had been performed and also asked them to provide additional coverage. The operators (Czech Television, ČRa, CDG and Digital Broadcasting) informed the Office that they do not plan to continue covering the above-mentioned areas, referring to their legal obligations to ensure the availability of public service multiplexes to more than 95% of the population and to ensure the availability of commercial multiplexes to more than 75% of the population. The main aspect of this attitude, according to the operators, is the disproportionate cost of operating additional local transmitters for extended coverage.

In the municipality of Všesulov, at the request of the mayor, measurements of signal parameters were also carried out directly at individual TV viewers, while the technical condition of the receiving equipment was also assessed. As a result, it was found that in most cases the poor reception was due to a fault in the receiving equipment, as the TV signal at their location was sufficient. However, measurements have shown that in about 50% of the area of the municipality, the signal shows limit parameters, which may cause reception outages if the reception conditions deteriorate. Even in this case, however, the TV network operators did not consider further strengthening of the signal.

### **Effect of LTE/5G mobile radio network operation in the 700 and 800 MHz bands on DVB-T2 terrestrial TV reception**

In 2023, the Office received a total of 1,222 complaints and concluded 1,315 digital terrestrial TV interference complaints (including cases carried over from the end of 2022). A mobile base station in the 700 or 800 MHz band was identified as a source of interference in 257 cases, i.e. 19.5% (16% in 2022). In all 257 cases, the interference to the TV viewer was removed by the mobile operator on the basis of the Office's decision. Through the ASMKS APV, the process of information transfer between CTU and operators about interference cases and their elimination

was ensured on the basis of daily information exchange. As of 31 December 2023, mobile operators operated 1,858 base stations in the 700 MHz band in pilot operation and 6,736 stations in permanent operation, and 455 stations in the 800 MHz band in pilot operation and 17,248 stations in permanent operation. In total, 26,297 LTE and 5G base stations were active, so the addition for the year 2023 is 4,770 base stations. The development of the situation with the interference to television signal reception from mobile networks is monitored and evaluated on an ongoing basis, and the general public was informed about the situation on a monthly basis in the form of monthly monitoring reports.

As part of the information campaign, 870 affected municipalities were informed in 2023 in connection with the launch of the pilot operation of mobile network base stations with instructions on what to do in the event of a sudden deterioration in TV signal reception due to the mobile network. As of 31 December 2023, this information has been sent to a total of 6,276 municipalities and urban districts. In Monthly Monitoring Report 10/2023, the Office published an article with information on the real impact of 5G mobile networks on digital terrestrial TV reception to date at <https://ctu.gov.cz/sites/default/files/obsah/ctu/monitorovaci-zprava-c-10/2023/obrazky/mz-2023-10.pdf>.

A meeting of the coordination working group was held in February 2023 on the issue of the impact of mobile network operations on terrestrial TV reception. The meeting reviewed the development of the impact of mobile network operation in the 700 MHz band on terrestrial television reception. It was confirmed by all stakeholders that the measures taken are functional and sufficient and there is no reason to change them. In all cases where the mobile operator's base station was identified as the source of the interference, the interference was eliminated, and the reception problems were completely eliminated at the mobile operator's costs within a period of days. On the basis of these facts, the Office can therefore conclude that the mobile radio networks do not cause any permanent deterioration in the quality of television signal reception and that their negative impact could be completely eliminated.

#### **4.6 Cooperation with Czech Trade Inspection Authority**

The Office worked with the Czech Trade Inspection Authority according to the "Agreement on cooperation between Czech Telecommunication Office and Czech Trade Inspection Authority. The cooperation was ensured by regional units of the Inspection department. The cooperation consisted in particular of participation of the CTU employees in the inspections of telecommunication terminal and radio equipment and RC models. In 2023, 8 joint inspections took place, including a large-scale inspection at the Chvalovice – Hatě border crossing. Defects were found in 2 cases and were resolved under the competence of the Czech Trade Inspection Authority. The number of inspections carried out is limited by the capacity of the Czech Trade Inspection Authority.

## 5 Frequency spectrum monitoring and measuring system of electronic communication

### 5.1 ASMKS

An integral part of efficient radio spectrum management is the continuous monitoring of the use of radio frequencies and compliance with the set conditions for their use and the search for sources of unwanted interference. These activities were carried out by the Office using the Automated Frequency Spectrum Monitoring System (hereinafter "ASMKS") operated pursuant to Section 15(11) of the Electronic Communications Act. In 2023, 5,066 tasks were assigned and solved through the ASMKS system, of which:

- 3,027 requirements for monitoring radio spectrum utilisation and measuring the parameters of the frequencies used,
- 524 requirements for inspections of radio and electrical equipment, electronic equipment, networks and services
- 1,515 requirements for investigation of the interference with the radiocommunication services

A total of 4,851 cases were closed (including 494 cases carried over from the end of the previous year) of which:

- 2,770 requirements for monitoring radio spectrum utilisation and measuring the parameters of the frequencies used
- 470 inspections of radio and electrical equipment, electronic equipment, networks and services
- 1,611 cases of investigations of interference with radiocommunication services – a more detailed breakdown of closed interference cases is provided in Annex No. 3 to this Report.

The technical development of new communication technologies increases the demands for increasingly sophisticated measuring instruments and monitoring technologies. Therefore, the Office proceeded already in 2022 to the modernisation of the mobile part of the ASMKS, which will be completed in 2024, while the modernisation of the stationary part of the ASMKS will start in 2024 and is expected to be completed in 2026. The total cost of modernising the system is expected to exceed CZK 250 million.

### 5.2 MSEK

The inspection and monitoring of the parameters of data networks and services were ensured through the MSEK information system. In 2023, the system was further extended with some important functionalities. The system consists of two parts, it is a calibrated measurement tool for accurate measurement of data parameters of telecommunication networks and data service parameters and is used for the performance of inspection activities of the Office and is also part of MSEK. To ensure higher reliability and security of MSEK, a new BGP router and new powerful servers were implemented in 2023.

## NetTest

The certified measurement tool for the public, referred to as NetTest <https://nettest.ctu.gov.cz/en/> was supplemented in 2023 with a new NetTest mobile application for the iOS operating system. After testing the measurement and functional features, the application was modified and optimized and was launched and made available in the App Store for use by the general public from 1 August 2023. Approximately 680 thousand users have already used the NetTest tool. The number of tests performed is almost 1.15 million, with approximately 15,000 certified measurements, 62% of all tests were performed via the web interface. Today, the tool provides users/consumers with the opportunity to check the quality of the Internet access service, compare the result with the declared parameters in the contract with the operator and, if necessary, submit a claim with the operator about poor quality of service based on the certified measurement. If the user is unsuccessful with his/her claim, he/she may submit an objection to the Office to its handling and attach the results of the certified measurements as evidence.



The CTU-NetTest tool, operated by Czech Telecommunication Office, provides information to users on the current quality of their IAS in the form of **actually achieved speed** of download, upload and roundtrip delay (ping). It offers the possibility of **certified measurement** that will carry out fully automated process of measurement with result provided in PDF document that the user can use for possible claim against the quality of IAS at a fixed location. If you want to submit a claim against IAS at a fixed location (so called 'fixed internet'), you must always use the certified measurement mode, while the only appropriate means of measurement is connecting your end device (PC, laptop) directly to the terminal equipment device (router or modem) or to the network termination point (if it allows a direct connection of end device without the necessity of conversion) through a cable (not through Wi-Fi) under further defined conditions.

Please, have on mind that the performance of your end device as well as the operation system have significant impact on the measured values of the actual speed.

<p><b>Start test</b> &gt;</p> <p>Carry out one measurement by NetTest tool</p>	<p><b>Loop mode</b> &gt;</p> <p>Carry out repeated measurement by customized settings</p>	<p><b>Certified measurement</b> &gt;</p> <p>Carry out certified measurement process to submit a claim</p>	<p><b>Open data</b> &gt;</p> <p>Measurement results are available as open data</p>
<p><b>Map</b> &gt;</p> <p>View results on a map (VPortal)</p>	<p><b>Mobile application</b> &gt;</p> <p>Download application for Android and iOS</p>		

## VPortal

In connection with the new functionalities of the measuring system of electronic communication, a new "fixed services" module was launched on the VPortal visualisation tool from 1 December 2023, where information on the availability of Internet access services in relation to a specific address location was made available to the public, including the display of user measurement results via the NetTest tool.





**VPortal** Home page CZ

HOME MOBILE SERVICES FIXED SERVICES RADIO SERVICES TELEVISION SERVICES DEVELOPMENT CRITERIA

## Visualization Portal of telecommunications services

VPortal offers a comprehensive visualization tool which helps users to compare the quality of telecommunications services in the Czech republic. The portal is divided into individual modules according to the type of services. It contains data obtained from measurements carried out by CTU staff in the field and other type of data, e.g. results of coverage simulations based on the data obtained on the parameters of transmitting stations, base stations in trial operation, transmitters, overview of the fulfilment of the development criteria, etc. The user can also download the selected available data in the selected format and coordinate system.

### Portal modules

 <p><b>Mobile Services</b> &gt; GSM, LTE, 5G</p> <p>Coverage simulation and evaluation, measurement data and base stations in trial operation.</p>	 <p><b>Fixed Services</b> &gt; xDSL, FTTx, WiFi...</p> <p>Measurement data and information about connections for fixed site Internet access services.</p>	 <p><b>Radio Services</b> &gt; DAB+</p> <p>Coverage simulation, digital radio transmitters DAB+.</p>
 <p><b>Television Services</b> &gt; DVB-T2, DVB-T</p> <p>Coverage simulation and evaluation, digital television transmitters DVB-T2 and DVB-T, complaints about signal reception</p>	 <p><b>Development criteria</b> &gt; LTE, 5G</p> <p>Progress in meeting development criteria based on tender conditions.</p>	

## 6 Frequency spectrum management

*The Ministry and the Office contribute to the development of the internal market of the European Union, in particular by acting in a predictable and consistent manner when granting, renewing, modifying, limiting or withdrawing rights to use the radio spectrum in order to promote long-term investment (Section 5(2d) of the Electronic Communications Act).*

### 6.1 Decisions on radio frequency block allocations

On the basis of the approval of the CTU Council Chairman, the block allocation of radio frequencies for the provision of the public electronic communications network in the 3400–3480 MHz radio frequency band was transferred from incrate s.r.o. to the acquirer, T-Mobile.

In the context of the approaching expiry of O2's and T-Mobile's radio frequency block allocations, the Office has commenced a review in 2023 of whether there are still grounds for limiting the

number of rights to use radio frequencies in the 880–915/925–960 MHz and 1710–1785/1805–1880 MHz frequency bands. A public consultation on the conclusions of the spectrum review and valuation took place in the period of November–December 2023, but given the comments received, the public consultation will need to be repeated. The review process will therefore continue in 2024.

The completion of the international coordination of the group allocations listed in the Annex to the Radio Spectrum Utilisation Plan No. PV-P/21/08.2022-17 for the frequency band 174–380 MHz has enabled the intensive preparation of the tender for the granting of the rights to use radio frequencies for the provision of electronic communications networks for the provision of terrestrial digital radio broadcasting and multimedia applications. In preparation for the tender, the Office prepared draft terms and conditions for the tender, which were published for consultation on 30 January 2023 but were subsequently withdrawn on 2 February 2023 by decision of the new Council Chairman.

The draft document was discussed at the next round table on 15 February 2023. Following the comments made, a decision was made to implement the auction part of the tender procedure in the form of an electronic auction for greater transparency. New tender conditions were prepared and published on 27 April 2023 for consultation under Section 130 of the Electronic Communications Act and then on 29 June 2023 the Office published a table with the settlement of comments. A call for tenders was then issued on 1 August 2023. Nine entities applied by the deadline for submission of bids, but one entity withdrew during the administrative procedure (before the auction phase). Following the training of auction participants and a test auction, the auction phase of the tender commenced on 23 October 2023 and was completed on 4 January 2024. The Office then de-anonymised the auction participants, published a notice of the end of the auction and informed about the auction block allocation to the auction winners. The auction succeeded in auctioning off all the blocks offered, with each bidder receiving at least one block allocation. The total value of the block allocations was almost CZK 80 million. After all the additional payments of the total price were paid, in February, the block allocations were gradually issued to the individual winners of the auction by decision of the Chairman of the Council of the Czech Telecommunication Office.

## 6.2 Decisions on authorizations to use radio frequencies

Compared to the previous year, there was a slight decrease in the total number of individual authorisations issued, which is due to fewer authorisations in the fixed service. However, as in previous years, it is still the radio communications service (point-to-point links) with the highest number of individual authorisations issued, which are necessary for the provision of the public electronic communications service, consisting mainly of wireless access to high-speed data services (e.g. access to the Internet) or serving for radio interconnection of mobile operators' base stations or their own electronic communications network infrastructure. The continued high number of fixed radio links is mainly due to their flexibility and the fast time availability of radio infrastructure, although the operators of these broadcasting networks and other operators continue to focus on the construction of an optic fibre network in view of the expected increase in transmission capacity. At the same time, however, it is necessary to distinguish that many existing fixed point-to-point radio links undergo changes in their technical parameters in the course of their operation (usually in order to increase capacity), which, in the event of a change in the existing individual authorisation for the use of radio frequencies, on the basis of which the fixed radio link is operated, leads to the issuance of a new individual authorisation in accordance with the Electronic Communications Act. Thus, the number of new individual authorisations does

not necessarily represent the number of new fixed radio links being built. On the other hand, the number of authorisations issued in the land mobile service is increasing, where the Office has received a greater number of applications for the use of frequencies for Wireless Local Information Systems in municipalities, as well as many applications in the context of upgrades to existing radio networks.

In 2023, in line with their commitments and development plans, radio frequency block allocation holders continued to expand their coverage of the territory and population with high-speed networks. Information on the extent of radio signal coverage of public high-speed networks in the 700 MHz, 800 MHz, 1800 MHz, 2100 MHz and 2600 MHz bands can be found on the website of the telecommunications services visualisation portal – VPortal. Here is a clear navigation with information on the coverage of the population by digital radio, TV and 4G and 5G public broadband mobile networks. A detailed overview of the number of authorisations issued and withdrawn in each radiocommunication service can be found in Appendix 6.

### **6.3 Testing of professional competence**

Section 26(1) of the Electronic Communications Act lays down the cases in which professional competence is required to operate transmitting radio equipment. Under Section 26(2) of the Electronic Communications Act, only a person having a valid professional competence certificate for the relevant radio equipment may operate that equipment. The CTU examination committees test the professional competence of the candidates for an aeronautical mobile service radio operator certificate, nautical mobile service certificates and certificates for HAREC and NOVICE amateur radio service station operators.

In 2023, the Office issued a total of 1,919 new professional competence certificates (including duplicates and changes to certificates) and extended the validity period of 3,471 certificates (including certificates issued within one year of their validity period) on the basis of an exam or recognition of professional competence acquired in another EU Member State. The work concerning professional competence certificates has been growing steadily in recent years, especially in the case of exams relating to SRC certificates, which are required at sea for the operation of radio stations equipped with GMDSS system elements (e.g. DSC functions), which are now standard equipment for shipboard radio stations. The number of extensions of validity also increases each year in line with the number of certificates issued. A detailed overview of the number of radiotelephonist/radio operator licences issued in each radiocommunication service can be found in Table 11.

**Table 11: Overview of the fees collected in 2023 for the use of radio frequencies by particular radio communication services**

Radio communication service	Collected fees [CZK]
Land mobile service	836 928 880,00
Fixed line service	245 620 252,00
Broadcasting service	83 498 887,00
Aeronautical service	1 923 234,00
Maritime service	633 883,00
Satellite service	3 503 368,00
Other (radiolocation / Radio navigation)	4 010 304,00

#### 6.4 Fees for the use of radio frequencies

In accordance with Government Order No. 154/2005 Coll., on Determination of the Amount and Method of Calculation of the Fees for the Use of Radio Frequencies and Numbers, as amended, the amount of fees for the use of radio frequencies collected in 2023 is CZK 1,087,399,184.67.

This is a slight increase compared to 2022, driven by higher amount of collected fees for the use of radio frequencies in the terrestrial mobile service following the continued development of higher generation public broadband networks in new frequency bands, but also by the higher amount of collected fees for the use of radio frequencies in other services.

At the same time, the above selection takes into account the amendment to the above-mentioned government order, which was made effective as of 1 January 2023.

#### 7 Number management

Throughout 2023, the Office decided, pursuant to Section 30 et seq. of the Electronic Communications Act, on requests of undertakings for an authorisation to use numbers, number series and codes, addresses and names (hereinafter referred to as “numbers”) or on requests of undertakings for a change, extension of the validity period, and revocation of the authorisations from the numbering plans. In this area the Office issued 253 decisions, of which 51 decisions on granting an authorisation to use numbers, 11 decisions on a change of an authorisation, 151 decisions on extension of validity period of an authorisation, 30 decisions on revocation of an authorisation, and 10 decisions on termination of administrative proceedings.

#### 8 Dispute settlement between entities carrying out communication activities

In the area of settlement of disputes between persons carrying out communication activities under Section 127 of the Electronic Communications Act, there were 4 new dispute-related administrative proceedings initiated in 2023, which is one of the lowest numbers year-on-year since 2014, but it is comparable to the number of initiated administrative proceedings initiated in 2022. In addition to the newly initiated administrative proceedings, the administrative authority continued to deal with 4 administrative proceedings initiated in 2022.

In terms of the subject matter of the dispute, it can be noted that, compared to the previous periods, no proceedings were initiated in the period under review in the dispute over the imposition of an obligation to conclude an access or interconnection agreement or an addendum thereto, the imposition of an obligation to properly perform an access or interconnection agreement already concluded, or in the dispute over the conclusion of an agreement pursuant to Section 72a et seq. of the Electronic Communications Act between a radio and television broadcasting operator and an undertaking providing this electronic communications service or an undertaking providing networks used for the public dissemination of radio or television broadcasting, or in a dispute concerning number portability (so-called “contractual disputes”). All 8 administrative proceedings concerned motions for a decision in disputes concerning the payment of monetary consideration owed for electronic communications services provided, or the payment of contractual penalties for late payment of the consideration.

In 6 cases, the administrative proceedings were finally terminated in the period under review, 2 administrative proceedings could not be concluded by the end of 2023, as it was necessary to complete the supporting documents for issuing a decision. The proceedings will thus be completed at the beginning of 2024.

Although, as in previous years, no dispute administrative proceedings were initiated in 2023 between an undertaking providing the service of transmission of radio and TV broadcasting and a radio and television broadcasting operator about the conclusion of a contract for the provision of this service (Section 72a of the Electronic Communications Act), given the further development of terrestrial digital radio broadcasting (the granting of radio frequencies for DAB+), such disputes cannot be ruled out in the following period of 2024 and should be taken into account.

Final decisions issued in administrative proceedings under Section 127 of the Electronic Communications Act in disputes between persons carrying out communications activities are available on the website of the Office: <https://ctu.gov.cz/en/decisions-disputes-under-act-no-1272005-coll-section-127> .

## **9 Dispute settlement between postal service operators**

In the area of dispute settlement between a postal license holder and another operator of postal services concerning access to postal infrastructure elements and special services related to the operation of the postal infrastructure pursuant to Section 34 of the Postal Services Act, no administrative proceeding concerning a dispute was heard in 2023.

Final decisions issued in administrative proceedings under Section 34 of the Postal Services Act in disputes about access to the postal infrastructure are available on the website of the Office: <https://ctu.gov.cz/en/resolution-disputes-under-act-no-92000-coll-section-34>.

## **10 Dispute settlement pursuant to Sections 5, 9, 10 and 14 of Act No. 194/2017 Coll.**

In the area of settlement of disputes concerning access to physical infrastructure (Section 5), on-site survey (Section 9), coordination of construction works (Section 10) or access to physical infrastructure inside a building (Section 14) under Act No. 194/2017 Coll., on measures to reduce the costs of deploying high-speed electronic communications networks, only one new dispute administrative proceeding was initiated in 2023. According to the proposal, it was supposed to be an administrative proceeding for the conclusion of a contract for access to infrastructure and

infrastructure inside the building, but in fact it was a proposal for the conclusion of a contract for the consent of the unit owners and co-owners of the building, represented by the homeowners' association, to the implementation and operation of a new electronic communications network. This was therefore an exercise of the applicant's right to use someone else's property under Section 104(1) and (2) of the Electronic Communications Act. The regulation of the relations between the undertaking in electronic communications and the owner of the property concerning the right of the undertaking in electronic communications to use someone else's property for the placement and operation of the electronic communications network does not fall within the factual jurisdiction of CTU, so the application had to be set aside in part and rejected in part, as the time limit (foreclosure period) for filing a petition for a decision on the dispute was missed.

Further disputes in this area can be expected in the future, as the processes of deployment of electronic communications networks for 5G services continue, as well as ongoing changes to the legal regulation both in the area of building permit procedures and Act No. 194/2017 Coll., in order to ensure the widest and simplest possible access to physical infrastructure. Last but not least, the adoption of the Regulation of the European Parliament and of the Council on measures to reduce the cost of building gigabit electronic communications networks and repealing Directive 2014/61 EU (Gigabit Infrastructure Act) (the so-called GIA) may also have an impact on the state of the dispute activity, which will require changes to existing national legislation. The GIA should replace or, more precisely, its adoption should repeal Directive 2014/61/EU of the European Parliament and of the Council on measures to reduce the cost of deploying high-speed electronic communications networks, the transposition of which is represented by Act No. 194/2017 Coll.

Final decisions issued in administrative proceedings under Section 5, 9, 10 and 14 of Act No, 194/2017 Coll are available on the Office's website, sorted by the individual subjects of disputes: <https://ctu.gov.cz/en/decisions-disputes-according-act-no-1942017-coll>.

## **11 Crisis management and security, combating terrorist content online**

The CTU's scope of powers and responsibilities also includes activities related to crisis management and security, confidentiality and integrity of public electronic communications networks. In 2023, the enforcement of the security, confidentiality, integrity and resilience of public electronic communications networks focused on compliance with Sections 88 and 99 of the Electronic Communications Act and relevant implementing decrees.

On the basis of the approved Inspection Plan for 2023, physical inspections of compliance with the obligations to protect traffic and location data and the confidentiality of communications pursuant to Section 88 of the Electronic Communications Act and the security, integrity and resilience of the provision of services in crisis situations pursuant to Section 99 the Electronic Communications Act were performed in CETIN a.s., Nordic Telecom 5G a.s., Telco Pro Services, a.s.

Pursuant to Section 98(4) and 98(5) of the Electronic Communications Act, CTU is also responsible for collecting information on material breaches of security and loss of network integrity from entities that provide a public communication network or a publicly available service. In 2023, CTU received a total of 5 reports from business entities on the occurrence of a serious breach in the public electronic communications networks of T-Mobile Czech Republic a.s., O2 Czech Republic a.s., and 1 report of an outage of Over-The-Top services of Google Ireland Limited and Google Cloud EMEA Limited. A summary report on the number of major breaches in public

electronic communications networks and regular quarterly reports are submitted to the European Network and Information Security Agency (ENISA).

In January 2023, the Government of the Czech Republic approved Act No. 67/2023 Coll., on certain measures against the dissemination of terrorist content online, which adapts the requirements of Regulation (EU) 2021/784 of the European Parliament and of the Council of 29 April 2021 on addressing the dissemination of terrorist content online. The Act came into effect on 30 March 2023 and extends the CTU's remit to include administrative supervision of preventive measures implemented by hosting service providers, while also dealing with administrative offences. CTU works in close cooperation with the Police of the Czech Republic, the National Centre against Terrorism, Extremism and Cybercrime (NCTEKK) of the Criminal Investigation and Police Service, whose tasks include assessing whether terrorist content is involved and ordering its removal, and the Ministry of the Interior, which reviews cross-border removal orders. The following contact email has been set up for contact with the relevant authorities and hosting service providers: [tco@ctu.cz](mailto:tco@ctu.cz). CTU collects from the Police of the Czech Republic, NCTEKK, Ministry of the Interior and hosting service providers information on the measures taken by the relevant authorities and hosting service providers in the previous calendar year in accordance with Regulation of the European Parliament and of the Council (EU) 2021/784, and transmits this information to the European Commission. At the same time, the Office, in cooperation with the Police of the Czech Republic, NCTEKK and the Ministry of the Interior, prepares and publishes an annual report on the transparency of its activities in the area of combating the dissemination of terrorist content online.

## 12 International activities

In accordance with the Government Resolution No. 507/2011 of 29 June 2011 and the fulfilment of the tasks arising from the Electronic Communications Act, in 2023, the Office was ensuring participation in Commission advisory committees, working groups of BEREC, RSPG, ERGP, ENISA and of international organizations (ITU, CEPT, OECD, ETSI and NATO), as well as in the framework of direct cooperation between regulators.

In 2023, four regular plenary meetings of the Body of European Regulators for Electronic Communications (BEREC) and the Independent Regulators Group (IRG) were held at a top level. Chairs of the regulators approved a number of documents here, including an update of the Guidelines for Very High Capacity Networks (Criterion 3) and a number of expert reports on topics such as 2G and 3G mobile network switch-off; NI-ICS interoperability; the impact of the use of AI in the telecoms sector on regulation; permanent roaming; and environmental sustainability indicators for the digital sector. Here, a set of selected indicators was adopted by the European Commission for a subsequent study of its own. BEREC has also prepared procedures for the involvement of new members from countries with Association Agreements in the EU, which will allow the regulators of Georgia, Moldova and Ukraine to participate in BEREC's activities.

Two plenary meetings of the European Regulators Group for Postal Services (ERGP) were also held. The Group continued to stress the need to amend Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of postal services and the improvement of quality of service. In 2023, the ERGP also worked on input to the European Commission in the preparation of its forward-looking study to assess the possible evolution of the postal sector, which should be one of the sources for the decision on whether to revise the Directive.

As part of its participation in the activities of the Eastern Partnership Electronic Communications Regulators Network (EaPeReg), CTU hosted a meeting of the Spectrum Experts Working Group (SEWG) in 2023. A number of important topics were discussed here, including positions for the ITU WRC-23 meeting. The CTU also organised an expert workshop for the Armenian regulator PSRC. The workshop focused mainly on the implementation of the directive to reduce the costs of deployment high-speed electronic communications networks (BCRD) and on issues related to the regulation of the mobile market and conditions for virtual network operators. At the end of the year, an expert online workshop on DAB+ was held for colleagues from the Azerbaijani regulator.

Within the framework of regional cooperation in frequency spectrum management, the Office continued to implement and share experiences under existing agreements and representatives of the Office provided coordination of radio frequencies through bilateral and multilateral negotiations with the administrations of neighbouring countries.

In 2023, once it became clear that the Office would be entrusted with the role of Digital Services Coordinator under the DSA, representatives of CTU were heavily involved in the newly formed informal working groups of future coordinators, which began preparations for the start of implementation of the Digital Services Act in February 2024, including the preparation of inputs to the Commission on the implementing regulations that the DSA mandates it to issue.

In November 2023, CTU organised two rounds of internships for experts from regulators from non-EU partner countries, namely Albania, Montenegro, Georgia and Moldova. In doing so, CTU fulfilled the pledge made by the Czech Republic at the last Executive Assembly of the Development Sector of the International Telecommunication Union (ITU-D) – World Telecommunication Development Conference (WTDC-22) held in June 2022 in Kigali, Rwanda. The "Partner2Connect" (P2C) initiative is currently embodied in an ITU portal, where an overview of all pledges can be viewed. The Czech Republic is represented by the Office in the P2C project.

From 20 November to 15 December 2023, CTU participated in the Czech Republic delegation to the ITU World Radiocommunication Conference (WRC-23), where ITU members met to discuss the conditions for the use of the radio spectrum and orbital paths. The result is the Preliminary Final Acts containing an update of the international treaty Radiocommunication Regulations. Among the topics discussed were the identification of bands for IMT (5G/6G), the modification of conditions for geostationary and non-geostationary satellites, the use of satellite technologies for connectivity in remote areas of the planet, frequencies for scientific programmes and the revision of the UHF band, for which the conference confirmed long-term conditions for terrestrial TV broadcasting. As part of the preparation of the European region for this key conference of the radio communications sector, CTU has been heavily involved in the CEPT working groups.

## 13 Communication activities

As part of its media activities, the Office prepared and published press releases, answered questions from the professional public and journalists, coordinated its web presence, published the Telecommunication and Postal Bulletins, prepared regular Monitoring Reports together with specialist departments, and engaged in social media activities.

### 13.1 Communication with the media

Regular meetings with the press were resumed in 2023. On the commencement of Marek Ebert's duties as Chairman of the CTU Council, a press conference was held on 1 February 2023 in the presence of the Minister of Industry and Trade Jozef Sikela and amid great media interest. The next meeting was an informal breakfast with representatives of press held on 28 June 2023,

where they covered the topics of VPortal, the Comparison Tool, DAB+ and unsolicited marketing calls. An informal breakfast with press was also organised at the end of the year to discuss the results of the “Mobile Market in the Eyes of the Consumer” survey, which took place on 1 November 2023.

In the past year, 36 press releases were issued. In addition to the regular monthly press release that accompanies the release of the monitoring report, we covered important topics such as the auction of frequencies for DAB networks, signal improvements on trains, the upcoming role of CTU as the national Digital Services Coordinator and news on our VPortal. In addition, the Office issues a monthly Monitoring Report, the content of which is discussed and approved by the CTU Council. The report serves to inform about the activities of the Office and its recipients are both the professional sector and the media (it is sent to a selected group of journalists every month), and is available on the Office's website and to the general public. In 2023, for the sake of greater transparency of the Office's activities, a section ‘A selection of planned items on the agenda of the Council meeting’ was included in the Monitoring Report. In the past year, a total of 56 articles was published in our monitoring reports (smaller technical texts are not included in this issue), 25 of which focused on consumers. The media reported on CTU's activities in 4,530 instances last year. Compared to previous years, there was a significant increase in media interest.

### **13.2 Communication with the professional public**

The Electronic Communications Act (in Section 126) requires the Office to publish the Telecommunication Bulletin and the Postal Services Act (in Section 40) requires it to publish the Postal Bulletin. In the past year, 7 issues of the Telecommunication Bulletin and 12 issues of the Postal Bulletin were published. The bulletins issued are available (in Czech only) on the [website of the Office](#) and on the [public administration portal](#). To communicate with the professional public, the Office uses articles and information included in the Monitoring Reports or information published on the CTU website. Another way of communicating with the professional public is to organise working meetings and workshops where there is room for discussion on relevant topics.

### 13.3 CTU workshops

In 2023, the Czech Telecommunication Office held a number of meetings, workshops and roundtables where it communicated with representatives of undertakings, the professional sector, consumer organisations, etc. In the spirit of transparency, openness and maximum communication, discussions were held at these events on issues such as the DAB auction, anti-spoofing measures, P2B Regulation, spectrum management issues and others.

In February, the Office held a workshop to discuss the **terms of the tender for DAB+ networks** with stakeholders, whose goal, which was later successfully implemented, was to allocate radio frequencies in the 174–230 MHz band to bidders to provide 2 nationwide and 27 regional DAB+ broadcasting networks. The workshop took place after the Chairman of the Council withdrew the tender proposal from public consultation for the sake of greater transparency.

In March, the Office organised a meeting of the renewed inter-ministerial working group on spectrum, at which radio frequency users addressed the issue of **development and strategy of radio frequency use**. The group discussed the status of 5G studies, conditions in the 26 GHz and 6 GHz bands, proposals for the upcoming spectrum management strategy and other issues.

In accordance with its powers and responsibilities under the law, the Czech Telecommunication Office regularly addresses complaints from citizens / television viewers about problems with the reception of digital terrestrial television. In April, it organised a workshop on the evaluation of these complaints with representatives of the Ministry of Industry and Trade, the Senate of the Czech Republic and other stakeholders. The workshop presented an **evaluation of complaints with an emphasis on the last two years 2021 and 2022, the Office's procedures for dealing with them**, and explained related issues.

A meeting of the sub-working group for the upper-6 GHz (6425–7125 MHz) was held in May.

In June, the Office organised a meeting of the National WRC Preparation Working Group, where both the **European positions for the WRC**, which had been already adopted and the proposals still under negotiation at CEPT and EU level, were presented in detail. Next was a roundtable on the issue of regulation on promoting fairness and transparency for business users of online intermediation services. The Guide to the Application of EU Regulation 2019/1150 (P2B) was presented at the meeting. There was also a discussion on the implications of the obligations under P2B. Last but not least, a workshop was also held where the Office led a discussion on the most appropriate **measures to prevent the negative impact of spoofing** (i.e. manipulation of caller identification) in the Czech Republic. A series of workshops later led to specific proposed measures to be implemented in 2024.

In the same month, a round table was also held **to deal with comments on the draft tender for DAB+ networks**.

In the second half of the year, the Office convened a meeting of the **Expert Working Group for the 470–694 MHz band**. Among other things, the meeting consulted on the newly published draft

"RSPG Opinion on Strategy on the future use of the frequency band 470–694 MHz beyond 2030 in the EU".

In September, the Office organised a meeting of the Spectrum Working Group, where it **presented the CTU Study on the 6425–7125 MHz band** <https://ctu.gov.cz/en/study-spectrum> (study in Czech only) and the sector study on the use of the potential of the 6 GHz band in the Czech Republic. The next steps of the Czech Republic in terms of international harmonisation were presented. In September, a workshop was held aimed at introducing the upcoming subsidy call from the National Recovery and Resilience Plan, "Technical Devices for 5G in Railway Coaches". The purpose of the meeting was to get acquainted with the basic background information and principles of the upcoming call.

In October a meeting of **representatives of the Czech delegation nominated for the WRC-23 conference** took place. The meeting focused on management issues related to the coordination of representatives of the Czech Republic, cooperation with individual ministries, including the representation of the Czech Republic abroad.

In November, the CTU headquarters hosted **an evaluation meeting with representatives of the professional sector**, where we recapitulated the activities of the Office in the previous year and discussed expectations for the coming year. On the same day, another in a series of workshops dedicated to the process of **addressing the mitigation of the impact of spoofing** in the Czech Republic took place.

The last workshop last year was organised for consumer organisations – an information workshop focused on current **consumer protection issues in the field of telecommunications services and postal services**, including the topic of marketing calls.

#### 13.4 Communication with the public

In 2023, the CTU's website at <https://ctu.gov.cz/> received a total of 313,329 visits. CTU regularly updates information for consumers, businesses and professionals. It informs about the most current topics through a separate section. It also carries out communication activities towards the public on the social media Facebook and Twitter. On the one hand, the Office uses these channels to communicate information published on the website to the general and professional public, and at the same time they serve as an interactive tool for direct communication, most often between consumers and CTU.

In 2023, CTU recorded approximately 35,500 social media interactions. On average, approximately 200 relevant CTU-related posts were published per month. The overwhelming majority of them were neutral (70%). The share of positive mentions gradually increased in line with CTU's communication activities (15.3% on average), especially in Q4 (18.7% in the last three months).

A video detailing the use of VPortal and a video introducing the benefits and use of the Price and Quality of Service Comparison Tool were produced for the public. The videos are published on social media and are also available on the CTU's [YouTube channel](#). CTU website now also has a tab Information leaflets and brochures (in Czech only) <https://ctu.gov.cz/informacni-letaky-brozury-ke-stazeni>, where we publish information materials for the general public.

# 03

**Information on the  
need to pass new  
regulations or  
amend the existing  
regulations**

## **03 Information on the need to pass new regulations or amend the existing regulations**

### **1 Electronic communications**

#### **1.1 The need for an amendment to the Electronic Communications Act**

On 1 January 2022, an amendment to the Electronic Communications Act implemented by Act No. 374/2021 Coll. came into effect, which transposed Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code into Czech law.

As this was a large amendment, the need for a so-called technical amendment was identified in 2022, which would eliminate the inaccuracies of this transposition identified by application. Although some amendments were part of Act No. 202/2023 Coll. amending Act No. 127/2005 Coll., on electronic communications and on amendment to certain related acts (Electronic Communications Act), as amended, Act No. 231/2001 Coll., on broadcasting and on amendment to other acts, as amended, and other related Act, and which entered into effect on 1 July 2023, some necessary modifications were not part of the Act and are set out in a separate bill, the so-called Technical Amendment II. An inter-ministerial comment procedure has been initiated for this bill by the end of 2023, so it is necessary to complete this process in the following period of 2024.

#### **1.2 The need to issue implementing regulations for the Electronic Communications Act**

It is expected that there will be a need to amend or issue new implementing legislation to the Electronic Communications Act in connection with the adoption of an amendment to the Act in 2024, the so-called Technical Amendment II, (for example, to implement Section 26 – Professional Qualification, Section 97 – Operation and Location Data and other).

#### **1.3 Act No. 194/2017 Coll., on measures to reduce the costs of deploying high-speed electronic communications networks**

At the European level, the process of adopting the Regulation of the European Parliament and of the Council on measures to reduce the cost of deploying gigabit electronic communications networks and repealing EU Directive 2014/61 (Gigabit Infrastructure Act) (also known as the GIA) is being finalised. The existing national legislation will therefore need to be adapted to the requirements of the Regulation. This need will undoubtedly also apply to Act No. 194/2017 Coll., which was issued to transpose Directive 2014/61/EU of the European Parliament and of the Council of 15 May 2014 on measures to reduce the cost of deploying high-speed electronic communications networks, and which should be replaced or repealed by the GIA.

## 2 Postal services

### 2.1 The need for an amendment to the Postal Services Act

In the course of 2023, a draft law amending Act No. 29/2000 Coll., on postal services and on amendments to certain acts (Postal Services Act), as amended, was prepared within an expert working group at the Ministry of Industry and Trade. The proposal mainly affects the area of consumer protection, it introduces partial modifications in the area of universal services, the dispute-related activities or business activity notification, while others respond to deficiencies identified through application or case law. An inter-ministerial comment procedure has been initiated for this bill by the end of 2023, so it is necessary to complete this process in the following period of 2024.

### 2.2 The need to issue implementing regulations for the Postal Services Act

It is expected that the implementing legislation for the Postal Services Act will need to be modified in connection with the adoption of amendments to the Postal Services Act in 2024 (for example, to implement Section 34 – Funding of net costs representing an unfair financial burden, or others).

## 3 Digital economy

In the course of 2023, the following regulations or amendments thereto were adopted at European level in the field of the digital economy:

- Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a single market for digital services and amending Directive 2000/31/EC (Digital Services Act) (also known as the DSA) – the Regulation applies from 17 February 2024.
- Regulation (EU) 2022/868 of the European Parliament and of the Council of 30 May 2022 on European data governance and amending Regulation (EU) 2018/1724 (Data Governance Act) (also known as the DGA) – the Regulation applies from 24 September 2023.

In its Resolution No. 590 of 16 August 2023 on the information on the solution of the conceptual institutional anchoring of the EU digital legislation, the Government agreed with the proposal that CTU should be the so-called Digital Services Coordinator (DSA) under the relevant adaptation law and thus newly ensure the tasks related to this position.

In 2023, the Ministry of Industry and Trade started to prepare the adaptation of the legal order to these regulations by preparing a new digital economy act,

- in conjunction with Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services (the so-called P2B Regulation) – the Regulation will apply from 12 June 2020, so its adaptation is based on the amendments already made to Act No. 480/2004 Coll., on certain information society services and on amendments to certain acts (Act on Certain Information Society Services), as amended, but which should be replaced by this new Act, and
- in conjunction with Regulation (EU) 2023/988 of the European Parliament and of the Council

of 10 May 2023 on general product safety, amending Regulation (EU) No 1025/2012 of the European Parliament and of the Council and Directive (EU) 2020/1828 of the European Parliament and the Council, and repealing Directive 2001/95/EC of the European Parliament and of the Council and Council Directive 87/357/EEC (also known as the GPSR) – the Regulation applies from 13 December 2024.

Given that the necessary legislation has not been adopted by the end of 2023, it is necessary to complete this process as soon as possible in the following period of 2024, also taking into account the deadlines for application set for the above-mentioned Regulations.

Before the end of 2023, Regulation (EU) 2023/2854 of the European Parliament and of the Council of 13 December 2023 on harmonised rules on fair access to and use of data and amending Regulation (EU) 2017/2394 and Directive (EU) 2020/1828 (Data Act) was adopted at European level, and further legislation with an impact on the digital economy and the scope of CTU's powers and responsibilities in this area is expected to be adopted in 2024.

# 04

## Organization and operation of the Office

## 04 Organization and operation of the Office

### 1 Financial results of the Office

The binding indicators of Chapter 328 – CTU – ensue from Act No. 449/2022 Coll., on the State Budget of the Czech Republic for 2023, as amended. An overview of the fulfilment of these indicators is given in Appendix No. 7; at the same time, Appendix No. 8 provides an overview of the binding indicators for 2024 (an obligation established by the Electronic Communications Act). Complete information on CTU's financials is contained in the CTU's Final Accounts.

**Table 12: Overview of income and expenditure in 2023**

	Approved budget	Adjusted budget	Final budget	Reality
Income	1 065 230,00	1 197 131,72		1 230 050,59
Expenditure	2 222 277,14	2 350 509,73	2 608 528,97	1 534 283,21

### 2 Management of non-budgetary funds

#### 2.1 Radiocommunication Account

The obligation to set up a Radiocommunication Account, which is managed by CTU, has arisen for the CTU from the Electronic Communications Act. The account was established at the Czech National Bank (CNB), Prague Branch, as a foreign funds account with the extended prefix number "26016". The radiocommunication account is created according to Government Order No. 153/2005 Coll., on the determination of the method of providing funds to the radio communication account, the amount thereof, and the method of fund withdrawal, at 6% of the fees collected for the use of radio frequencies. Money is transferred to the account on a quarterly basis (invariably after the quarter having passed).

The funds are used for to cover the effectively and practically spent costs incurred by the holders of individual authorisations to use radio frequencies who incurred these costs as a result of the changes in the radio spectrum utilisation for reasons due to the Electronic Communications Act. They can be also used for covering the expenses associated with the fulfilment of the obligation of CTU within the radio spectrum management. In 2023, CTU paid from the radiocommunication account expenses in total amount of CZK 35,327,732.15.

**Table 13: Radiocommunication account**

<b>Account balance as of 1 January 2023</b>	<b>1 285 098 484,91</b>
Budgeting for the year 2023	68 642 028,00
Drawing for the year 2023	70 496 759,85
<b>Account balance as of 31 December 2023</b>	<b>1 283 243 753,06</b>

### 3 Results of external audits

Two external audits were carried out at CTU in 2023.

In June, the Department for the Region of South Moravia carried out an audit of the administration of administrative fees pursuant to Act No. 634/2004 Coll., on administrative fees, as amended, carried out by the Tax Office for the Region of South Moravia. The audit found no deficiencies.

In August, the Department for the East Bohemian Region also carried out an audit of the administration of administrative fees pursuant to Act No. 634/2004 Coll., on administrative fees, as amended, carried out by the Tax Office for the Region of Hradec Králové. Here, too, the audit found no serious deficiencies.

### 4 Human resources

#### 4.1 Number of systemised positions

There was a total of 596 systemised positions in the Office as of 1 January 2023 and as a result of changes to the establishment during the year, this number has been reduced to 589 as of 31 December 2023. For 2024, the total number of systemised posts is 587.

The independence of decision making from regulated entities and parties to disputes is guaranteed by the current organisational and personnel structure of the Office under the terms of Act No. 234/2014 Coll., on the civil service, as amended, and the remuneration system. As part of the systemisation of positions, the Office is subject to approval by the Government, which, however, has not yet been problematic in the annual approval process.

**Table 14: Headcount (for 2023 in comparison to 2021 and 2022)**

Indicator / Period	2021	2022	2023
Systemized number of employees	596	596	589
Average FTEs	564	556	549
Number of newly hired employees	46	55	39
Number of terminated civil service/employment contracts	51	53	58
Number of employees in post-productive age as of 31 December	37	33	34

#### 4.2 Employee training

Employee training was carried out in accordance with Act No. 234/2014 Coll., on civil service, as amended, Act No. 262/2006 Coll., labour code, as amended, and the binding guideline of CTU No. 15/2016 which lays down the procedures for improvement and increasing of education of CTU employees.

22 employees passed the civil servant exam, 14 of them passed the test in field No. 36 Electronic communications and postal services.

Language training was provided to employees in the form of group and individual courses in English and French.

Selected employees attended courses to concern the development of personal skills (e.g. how to improve performance and concentration at work, how to deal with negative people, continuing education lecture).

The costs on the account of Training and education services as of 31 December 2023 were CZK 2,921,513 and on the account of Participant fees for conferences CZK 393,620.

**Table 15: Number of employees who have completed training in 2023**

<b>Type of training</b>	<b>Number of employees</b>
Initial training	31
Initial follow-up training	0
Continuous training	1194
Training of senior officers	41
Language training	176

#### **4.3 Funds for the salaries of CTU employees**

The budget of funds for the salaries of civil servants without EU projects for the year 2023 was CZK 312,788,008. The actual average gross salary of an employee of the Office in 2023 was CZK 46,704.

#### **4.4 Remuneration of the members and chairman of the CTU Council**

Effective from 1 January 2022, Section 107 of the Electronic Communications Act regulates the remuneration of the members of the CTU Council and its chairman to reflect the independence of the Office, with the remuneration and reimbursement being derived from that applicable to the President and members of the Supreme Audit Office, similar to that applicable to other regulatory bodies.



# 05

**Mandatory parts  
of the annual  
report**

## 05 Mandatory parts of the annual report

### 1 Annual Report on the universal service

The Office prepares an annual report on the Universal Service in accordance with Section 50 of the Electronic Communications Act. In addition to information on the scope of services provided under the universal service, this report also contains information on the method of funding the universal service referred to in Electronic Communications Act for the assessment period 2023.

#### 1.1 Imposed partial services

##### Specialty equipped terminal equipment devices

On 20 December 2022, following a tender, the Office decided to impose an obligation to provide a service consisting of access by people with disabilities to partial services under Section 38(2)(a) and (b) provided not only at a fixed location, equivalent to access enjoyed by other consumers, in particular through specially equipped terminal equipment (Section 38(2)(c) of the Electronic Communications Act). The obligation to sell or lease one specially equipped telecommunications terminal equipment device to disabled persons at the price of a standard terminal equipment device was imposed on O2 with effect from 1 January 2023 to 31 December 2025.

##### Special prices

On December 13, 2022, the Office issued a decision based on a tender to impose an obligation under Sections 44 and 45 of the Electronic Communications Act to allow persons with special social needs to select prices or pricing plans that differ from pricing plans provided under normal commercial terms and conditions so that such persons may access and use partial services pursuant to Section 38(2)(a) and (b) of the Electronic Communications Act, not only at a fixed location (section 38(3) of the Electronic Communications Act) The obligation to provide a price discount of no more than CZK 200 per calendar month for electronic communications services to persons with special social needs (disabled persons and persons with low income) was imposed on O2, T-Mobile, Vodafone and PODA with effect from 1 January 2023 to 31 December 2025.

#### 1.2 Review of universal service partial services

The Office has monitored the commercial provision of services corresponding to the non-imposed universal service for 2022 and the first half of 2023.

Specifically, it involved the following partial services:

- a) reasonable access to the Internet at a fixed location, including the connection necessary to use the service (Section 38(2)(a) of the Electronic Communications Act),
- b) access to a voice communication service at a fixed location, including the connection necessary to use the service (Section 38(2)(b) of the Electronic Communications Act),
- c) additional services to the partial services referred to in Section 38(2)(a) and (b) (Section 38(2)(d) of the Electronic Communications Act), which are:
  1. a detailed breakdown of the bills,

2. free selective blocking of outgoing calls, text messages or multimedia messages or, where technically feasible, other similar premium rate applications,
3. subscription systems,
4. payment of the connection price in instalments,
5. special measures for non-payment of bills,
6. advice on rates,
7. cost control,
8. deactivation of third-party billing.

In the monitoring performed, the Office concluded that the provision of these services was sufficiently ensured on a commercial basis in 2022 and the first half of 2023 and that there were no changes that would mean that these services were unavailable. These services were provided in sufficient quality, were affordable and met the reasonable needs of consumers throughout the Czech Republic in accordance with the requirements laid down for the provision of universal service. The Office no longer found it necessary to impose an obligation to provide these services.

### 1.3 Financing of the universal service

The financing of the universal service in the past years was carried out under Act No. 151/2000 Coll., on telecommunications and on amendments to other acts, as amended, for the years 2001 to 2005 and part of 2006, and subsequently under the Electronic Communications Act for the years 2006 to 2009 from the universal service account. The administrative proceedings for the years 2004 to 2008, which were repeatedly reviewed following court judgments, were finally closed in 2023.

### Funding pursuant to the Electronic Communications Act

#### NET COSTS FOR THE PERIOD 2010-2022

The reimbursement of the net costs determined by the final decisions of the Office for the individual years of provision of the universal service to the defined extent was fully made from the state budget to O2, a company which provided this service in the period from 2010.

**The accounting of the net costs of providing universal service in the years 2021 and 2022 was not submitted by O2 and the company thus did not claim them.**

### 1.4 Loss from the provision of the universal service of “Special prices”

The loss from the mandatory provision of the universal service of “Special prices” (pursuant to Section 38(3) the Electronic Communications Act) for the year 2022 was compensated in 2023.

On 24 July 2023, O2 filed a request for the coverage of loss on the provision of special prices in 2022. The Office reviewed the data submitted and no deficiencies were found. On 16 October 2023 CTU issued a decision on determination of the loss from the provision of special prices within the universal service in the amount of CZK 51,898 511.49. The recognized loss was reimbursed to O2 from the state budget.

**Table 16: Overview of reimbursements for the loss of O2 from the provision of special prices**

	Presented loss	Recognized loss
<b>Fixed network of O2</b>	36 333 202	36 333 202
<b>Mobil network of O2</b>	15 565 309	15 565 309
<b>Total O2</b>	51 898 511	51 898 511

## **2 Annual report of the Czech Telecommunication Office on the provision of information under Act No. 106/1999 Coll., on free access to information, as amended, for the year 2023**

The Office publishes this Annual Report on the Provision of Information in the Year 2023, prepared according to Section 18 of Act No. 106/1999 Coll., on free access to information, as amended (hereinafter “Act No. 106/1999 Coll.”).

Pursuant to Section 3 of the Electronic Communications Act (in force since 1 May 2005), CTU is the central administrative authority for the exercise of state administration in matters provided for in this Act, including market regulation and setting conditions for business in the field of electronic communications and postal services. Within its scope of powers and responsibilities laid down by the Electronic Communications Act, i.e. as the body of state administration, it supervises compliance with legal regulations in electronic communications and postal services and also compliance with the obligations in the above-mentioned areas aimed at consumer protection, as set by Act No. 634/1992 Coll., on consumer protection, as amended, as well as compliance with the obligations laid down by Act No. 194/2017 Coll., on measures to reduce the costs of implementation of high-speed networks of electronic communications and on amendment of some related acts, as amended, and Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services.

Basic information on the organisation structure and activity of CTU is available to the general public at the website <https://ctu.gov.cz/>, including its electronic notice board, and on the notice-board placed on the information panel in the lobby of the CTU headquarters. Information on the handling of life situations according to Decree No. 515/2020 Coll., on the structure of information published about the obliged entity and on the outline of the description of tasks performed within the administrative activity is also available through the public administration portal ([www.portal.gov.cz](http://www.portal.gov.cz)).

CTU publishes the following data according to Section 18(1) of Act No. 106/1999 Coll.:

### a) Number of requests for information submitted

In 2023, 69 written requests for information were submitted and registered with CTU, 64 of which related to the CTU’s remit. The requests for information were generally focused in particular on:

- »the provision of electronic communications and postal services and the granting of rights to use radio frequencies (10 requests),
- » general administrative activities of CTU or decisions issued by CTU both in the area of electronic communications and postal services (33 requests).
- » inspections carried out (13 requests),
- » economic management of CTU and internal organisation matters and activities of CTU and human resources (8 requests),

b) Number of decisions on the rejection of a request

30 decisions on the rejection of a request were issued in 2023, 22 of which concerning the rejection of a part of the request where information was provided in part.

c) Number of suspended requests for information with notification of the requesting party within the meaning of Section 14(5)(c) of Act No. 106/1999 Coll. (on the grounds that it is information that does not fall within the remit of the obliged entity)

In 2023, CTU postponed a request for information in 5 cases on the grounds that the requesting party requested information not related to the scope of powers and responsibilities of CTU.

d) Number of appeals (administrative appeals) raised against a decision

5 administrative appeals were submitted in 2023 against a decision to reject a request and no administrative appeal was submitted against decisions to postpone a request for information.

e) Copies of the substantial parts of the court decisions (Section 16(6) of Act No. 106/1999 Coll.)

In 2023, the court decided **2** cases of refusal of a request for information by CTU, in **1** of which it found the action to be justified and therefore annulled the decision of CTU and returned the case for further proceedings, and in **1** case it decided on a cassation complaint submitted by CTU, which it dismissed.

In the case where the action was found to be justified (file No. 5 A 180/2019), the plaintiff requested information in its application concerning the notification of the net cost reimbursement for the period 2018 to 2022 between CTU and the European Commission (hereinafter referred to as the "Commission") in the form of a statement from the Commission regarding access to documents relating to the state aid proceedings. CTU handled this request by providing the Commission's statement partially anonymised (to the extent of personal data and information on the file number of the particular proceeding) and partially refusing it on the grounds of anonymisation to the remaining extent, stating in the refusal decision that disclosure of the anonymised data would undermine the protection of the purpose of the proceeding pursuant to the third indent of Article 4(2) of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (hereinafter referred to as "Regulation No. 1049/2001"). The superior administrative authority, the Chairman of the CTU Council, rejected the

administrative appeal and upheld the contested decision. In its action, the plaintiff submitted that CTU should not have applied Regulation No. 1049/2001 and, as a cause of action, submitted that the decision on the administrative appeal was unlawful and it sought to annul the decision in its entirety. According to the court's conclusions, CTU should have proceeded in accordance with Section 11(2) of Act No. 106/1999 Coll., according to which the obliged entity shall not provide information in the case of information created without the use of public funds, which was provided by a person to whom such an obligation is not imposed by law, unless they has communicated that they consent to the provision of the information, as this provision is fully applicable to the case under review, and not according to Regulation No. 1049/2001. For this reason, the court annulled the contested decision for unlawfulness and remanded it to CTU for further proceedings.

In a case where the Supreme Administrative Court decided on a cassation complaint filed by CTU, finding no grounds for the cassation complaint (File No. 9 As 24/2023), CTU requested that the judgment of the Municipal Court in Prague (hereinafter referred to as the "Municipal Court") be set aside and the case be remanded for further proceedings on the grounds that the decision was unlawful because the Municipal Court incorrectly assessed the legal issue in concluding in the contested decision that CTU had failed to comply with the requirements for the statement of reasons for the decision it had issued, in that it had not defined and properly justified, in terms of kind or type, what data or information from the cost and revenue records were to fulfil the conceptual characteristics of the trade secrets of Česká pošta, s.p. The Municipal Court considered such statement of reasons of the decision of CTU to be completely insufficient and unreviewable, and therefore annulled the decision of CTU for unreviewability and remanded it to CTU for further proceedings. The Supreme Administrative Court agreed with the arguments of the Municipal Court and dismissed the cassation complaint.

f) Number of complaints submitted pursuant to Section 16a of Act No. 106/1999 Coll., reasons for submitting them, and brief description of the processing

In 2023, CTU **did not handle any** complaints against the actions of CTU as an obligated entity in handling requests for the provision of information.

g) Number of review proceedings pursuant to Section 16b of Act No. 106/1999 Coll. conducted by the Office for Personal Data Protection (hereinafter "Office for Personal Data Protection")

**In 2023, the Office for Personal Data Protection did not review any decisions of CTU.**

h) List of exclusive licences provided, including reasoning for the need to provide an exclusive licence (Section 14a of Act No. 106/1999 Coll.)

In 2023, CTU **did not provide any** exclusive licence.

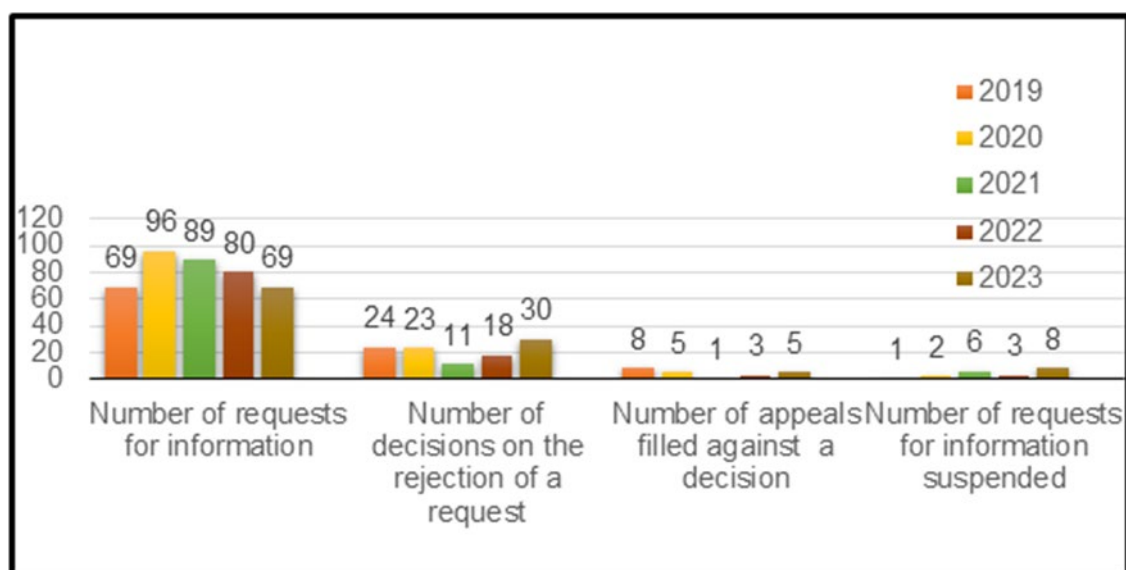
i) Other information relating to the application of Act No. 106/1999 Coll.

In 2023, CTU collected CZK 4,788 as a reimbursement of costs associated with the provision of information pursuant to Section 17 of Act No. 106/1999 Coll. The written requests for the provision of information included in the 2023 records were handled in accordance with the law and the internal regulations at CTU. Requests for information submitted by telephone were not recorded by CTU and, given their quantity and nature, were dealt with promptly in the same manner. The

information provided is published by CTU on its website in accordance with Act No. 106/1999 Coll.

An overview of the settled written requests for the provision of information in 2023 in comparison with the previous years, starting from 2019, is shown in following chart:

**Chart 17: Provision of information pursuant to the Act No. 106/1999 Coll., on free access to information, as amended, for the period 2019–2023**



\* Note: This Annual Report was published on 12 February 2024 in a manner allowing remote access, i.e., on the website of the Office ([www.ctu.cz](http://www.ctu.cz)).

**Table 17: Provision of information pursuant to the Act No. 106/1999 Coll., on free access to information, as amended, for the period 2019–2023**

	<b>Number of requests for information</b>	<b>Number of decisions on the rejection of a request</b>	<b>Number of appeals filed against the decision</b>	<b>Number of requests for information suspended</b>
2019	69	24	8	1
2020	96	23	5	2
2021	89	11	1	6
2022	80	18	3	3
2023	69	30	5	8

### **3 Annual report of the Czech Telecommunication Office on out-of-court settlement of disputes (Section 20k (4) and (5) of the Consumer Protection Act**

The legal framework for the out-of-court settlement of consumer disputes in the field of electronic communications and postal services in 2023 consisted mainly of the Electronic Communications Act and of the Postal Services Act, including regulations issued to implement the same. The procedural actions of the Office within out-of-court settlement of consumer disputes is regulated by Act No. 500/2004 Coll., the administrative procedure code, as amended.

General obligations of the Office, as the out-of-court consumer dispute resolution body, in particular the disclosure and notification obligation, are regulated in Act No. 634/1992 Coll., on consumer protection, as amended.

Pursuant to Section 20k(4) of Act No. 634/1992 Coll., on consumer protection, as amended, the Office as an out-of-court consumer dispute resolution body, reported the following information to the Ministry of Industry and Trade:

a) number of disputes submitted to it and the types of suggestions related to it;

In 2023 the Office received 1,316 requests regarding a dispute between the consumer and provider of electronic communication services or operator of postal services. Of these, 235 were dealt within the administrative proceedings, a decrease of approximately 8% on the previous year. The requests were related to the dispute proceedings regarding an objection to a claim settlement about the billing, claim about the electronic communication service, disputes about non-pecuniary supply, and concerning an objection to a claim settlement about the defects of postal services, including disputes over compensation for damage to or loss of the contents of a postal item.

In addition to disputes dealt with in administrative proceedings, the Office deals with disputes in the context of advisory services. In 2023, 1,081 cases were handled in this way under the Electronic Communications Act and the Postal Services Act. The disputes concerned consumer rights in the field of electronic communications and postal services in general, the quality of

electronic communications services, including the quality of Internet access services, billing for electronic communications services and the handling of claims in postal services.

b) on the percentage of out-of-court settlements of consumer disputes which were suspended or rejected without finding a solution, and the percentage of the reasons for the suspension or rejection, if known;

In 2023, 35 cases were discontinued, accounting for 13.78% of the 254 cases dealt with (235 new requests and 19 requests pending in 2022). The proportion of discontinued proceedings fell by 21% compared to 2022.

**Table 18: Overview of the applicants share according to the reason for suspension of the proceedings**

Reason for suspension of the proceeding	% share
Requesting party failed to pay the administrative fee *	62,86%
Requesting party withdrew the request	20,00%
Requesting party failed to rectify substantial defects of the request	5,71%
For another reason	11,43%

\* A frequent reason for non-payment of the administrative fee in 2023 was the low value of the dispute or compliance with the claimant by the provider even before the start of the proceedings.

c) on the average time necessary for the settlement of the dispute;

The average time necessary for the settlement of the dispute within of the out-of-court settlement of consumer disputes was 86 days.

The average time taken to settle a dispute under consumer dispute advice was less than 30 days.

d) on the degree of compliance with the outcome of the out-of-court settlement of consumer disputes, if known;

Decisions issued by the Office in administrative proceedings are binding on both parties to the dispute and are enforceable once they become final. Failure to comply with the obligation imposed may lead to enforcement of the decision.

Agreements or promises secured in the context of advisory services are not legally enforceable, however, remedies are usually obtained during the investigation of the submission. This is mainly due to the fact that the cases dealt with in the framework of advisory services are always directed by the Office towards clarification and reaching the maximum possible amicable solution.

e) on system or serious problems which occur frequently and lead to disputes between consumers and vendors;

Main causes of disputes between consumers and providers include failure to comply with legal obligations, in particular the service providers' disclosure obligation related to the provision of information prior to the conclusion of a contract, termination of the contract in the case of unilateral changes consisting e.g. in an increase of the price for the agreed services, in the change of the tariff or, as the case may be, a change in parameters of the agreed service of electronic

communications. Insufficient consumer awareness and non-compliance with information obligations by smaller and regional providers in particular was also detected by the Office in the context of inspection activities aimed at the protection of consumer rights. From the point of view of consumers, especially elderly consumers, the information about the unilateral change of the contract, which was not done in a clear and comprehensible way, and the fact that the contractual documentation was available only in the so-called "self-service" shops, were perceived negatively.

Disputes relating to the poor quality of internet access service, in particular low or inadequate internet speeds, also account for a significant proportion. In relation to portability, the Office has encountered cases where a subscriber is dealing with a problem with obtaining an OKU verification code needed for the process of porting a telephone number or changing the Internet access service provider.

There were also submissions containing a complaint about the procedure in the course of conclusion of contracts at the provider's branch, where the complainants were not allowed to get thoroughly acquainted with the content of the concluded contract or have not been given all the necessary information. Other causes of disputes are the conclusion or modification of a contract on the basis of a telephone offer, where the billing subsequently issued did not correspond to the agreement made during the telephone call, or where an unsolicited service was activated or duplicate services were provided to the consumer.

Often, the Office encounters insufficient awareness of consumers about the rights and obligations arising from the contract, or inaccurate or outright incorrect interpretation of contractual provisions by consumers.

In addition to insufficient information provided to the consumers prior to the conclusion and during the term of the contract, providers of electronic communications services as well as operators of postal services often provide insufficient justification for claims rejected by them and the consumer is then often prevented from verifying the reasonability of the rejection of the claim by the provider or operator.

In the area of postal services, the most frequent causes of disputes were damage to the contents of a postal item or the loss of a postal item and related right to compensation for damages, or, for example, failure to deliver the postal item in accordance with the concluded contract, where the agreed directions or supplemental services are not complied with, unjustified return of the postal item to sender or failure to make an attempt to deliver the postal item.

A major reason is the insufficient awareness of consumers about the postal terms, including but not limited to packaging of the postal item, method of calculation of the damages, and permitted content of a postal item with respect to the service chosen as well as the handling of claims by the postal services operator where the process is inadequately explained and often ambiguous and repetitive. In connection with the gradually expanding range of postal service operators, the number of disputes concerning (in addition to Česká pošta) other operators is increasing. Newly, consumers have directed their complaints towards delivery to so-called "parcel pick-up boxes".

f) on cooperation, if any, of the subjects within a network of subjects of the out-of-court settlement of consumer disputes facilitating cross-border disputes and assessment of the effectiveness of this cooperation, if any;

In 2023, CTU did not receive any request related to a cross-border dispute.

g) on professional training of individuals for performing the out-of-court settlement of consumer disputes;

Employees in charge of the out-of-court settlement of consumer disputes are university-educated, and their further education in the field of ADR is supplemented by regular training in the field of law (civil and administrative law; as well as training on amendments to legislation directly related to the issue at hand, i.e. the Electronic Communications Act, the Postal Services Act and the Consumer Protection Act) and in communication skills.

h) on assessment of the effectiveness of the out-of-court settlement of consumer disputes and on potential improvement thereof;

The Office considers the resolution of consumer disputes within the scope of its powers and responsibilities to be sufficiently effective.

CTU raised its proposals and opinions leading to the improvement of the functioning and greater efficiency of out-of-court settlement of consumer disputes in the framework of the analysis of out-of-court settlement of consumer disputes prepared under the auspices of the Ministry of Industry and Trade in September-December 2023. The Office also prepared a statement on the framework position on ADR and ODR in connection with the proposed revision of Directive 2013/11/EU of the European Parliament and of the Council on alternative dispute resolution for consumer disputes.

## **4 Information on handling complaints about the activities of CTU for the year 2023**

In 2023, CTU handled a total of 21 submissions which, taking into account their nature and content, were assessed as complaints pursuant to Section 175 of Act No. 500/2004 Coll., the administrative procedure code, as amended.

In all 21 cases, the complaints were directed against the procedures of the administrative body; no complaint was directed against inappropriate behaviour of officials. The case-by-case investigation thus found 19 complaints to be unfounded and 2 complaints to be substantiated, 1 of which was found to be partially substantiated.

In the case where CTU found the complainant's complaint to be justified after investigation, the complainant expressed his disagreement with CTU's conduct in the proceedings concerning unsolicited telemarketing, in which there was an unreasonable delay between the steps leading to the discovery of who had made the unsolicited telemarketing call and to whose order. CTU dealt with the complaint by sending an apology to the complainant for the delays in dealing with their complaint and taking measures to resolve it expeditiously by rebuking the authorised official

who, in the present case, had failed to observe the principle of speed or the time limit laid down in the Administrative Procedure Code.

In another case, where CTU investigated the complaint and found it partially justified, the complainant expressed their dissatisfaction with CTU's conduct during the investigation of the disagreement with the bill issued. CTU informed the complainant that the complaint was found to be partially justified, as due to an error the document "communication to the complainant" was not sent to the complainant and took measures to remedy the deficiency in the form of an interview with an authorised official.

In all the other nineteen cases CTU investigated the complaints and found them unfounded. In four cases, the same complainant objected to CTU's conduct in the administrative proceedings and described it as bullying. In four other cases, the same complainant objected to CTU's inaction and failure to initiate proceedings ex officio regarding unilateral changes to the content of the subscriber contract, in one of which the complaint was found to be partially justified. In three cases, the same complainant objected to CTU's practice of treating information concerning companies as trade secrets. In three other cases, the same complainant objected to CTU's inaction regarding claims about defective provision of telecommunications services. In two cases in the area of inspection, the complainants objected to the administrative authority's actions in identifying the source of interference in the event of poor-quality reception of television signals and to the administrative authority's actions and speed in removing interference to radio signals. In all of the other four cases, the complainants alleged misuse of official authority with an accompanying motion to initiate a review of the powers of the officials concerned, the administrative authority's conduct in using the Electronic Data Collection information system following the notification of the closure of its business activities, the administrative authority's compliance with the Code of Administrative Procedure, specifically in maintaining the administrative file, and discrimination against consumers and suspected anticompetitive collusion by operators, specifically the inadequate provision of Internet access service.

No remedial actions were adopted in the case of complaints about incorrect conduct of the administrative authority assessed as unjustified.

An overview of the number of complaints submitted in 2023 is presented in Table 19 at the end of this Report.

No anonymous submissions were delivered to CTU in addition to receiving and dealing with the complaints specified above, neither did CTU consider any other complaint in 2023 within the meaning of this Report.

In 2023, CTU received three petitions.

In two petitions, the petitioners pointed to insufficient mobile network signal coverage, namely in the municipality of Vysoký Újezd – local district of Větrov and in the municipality of Bečov nad Teplou – local district of Krásný Jez, stating that insufficient signal quality makes it significantly more difficult to reach emergency telephone numbers and also has a negative impact on the business environment in these areas. For this reason, the petitioners asked CTU to improve the coverage with radio signal of mobile networks in those municipalities. CTU informed the authors

of all petitions about its scope of powers and responsibilities under the Electronic Communications Act, stating that the coverage with radio signal which is provided by mobile operators is primarily their responsibility and depends on their business and economic considerations and goals.

In another petition the petitioners demanded the preservation of the two towers of the transmitter Liblice u Českého Brodu used in the past because of their uniqueness. CTU also informed the petitioners about its scope of powers and responsibilities under the Electronic Communications Act, stating that in order to achieve the goal of the petition it was necessary to address primarily the owner of the transmitter masts in question, and could therefore only promise assistance in the communication, if any, with other recipients of the petition.

In spite of the foregoing, however, CTU wishes to support as much as possible successful fulfilment of requests expressed in the petitions, and thus also ensure compliance with the principle laid down in Section 4(4) of the Administrative Procedure Code, i.e. to allow the persons in question to exercise their rights and legitimate interests. In view of the above, CTU implemented the following measures in the case of petitions pointing to insufficient mobile network signal coverage:

First of all, it sent a letter to the operators concerned in the case of the municipality of Bečov nad Teplou – the local district of Krásný Jez and drew their attention to the situation.

In addition, CTU carried out technical measurements to verify the real coverage of these areas by the mobile networks of individual operators in all municipalities. The results of the measurements were provided on a case-by-case basis to the petitioners. CTU is prepared to participate in the specific discussions to resolve the situation. The petitioners were informed in writing about all of the above-mentioned measures.

CTU also has on record all submissions announced or delivered to it in the matter of suspicion of corruption or fraud by any of its employees. It checks and regularly assesses these within its remit as part of an analysis of the complaints handled based on the provisions of Section 175 of the Administrative Procedure Code.

In 2023 CTU did not receive any report of suspected corrupt conduct by an employee of CTU.

As for the messages received at the anti-corruption e-mail address [korupce@ctu.cz](mailto:korupce@ctu.cz), which was put into operation on 10 July 2007 and terminated on 31 July 2023 and [whistleblowing@ctu.cz](mailto:whistleblowing@ctu.cz) put into operation on 1 August 2023, they are handled in a special manner within CTU in terms of the regular monitoring and responsible evaluation thereof, since the anti-corruption e-mail address could serve as a potential source of information on potential corrupt conduct by CTU employees, although CTU excludes accepting notifications from a person who does not perform work or other similar activity for CTU. CTU is therefore ready to respond promptly and actively to such submissions in accordance with internal regulations and based on generally applicable regulation.

The anti-corruption e-mail address also serves for submitting notifications and is part of internal notification system pursuant to Act No. 171/2023 Coll., on the protection of whistleblowers, which would be handled under the regime of this Act. For the sake of completeness, it should be noted that the [korupce@ctu.cz](mailto:korupce@ctu.cz) address was exceptionally used by the public for submitting complaints when they suspected illegal conduct on the part of undertakings in electronic communications or postal services, i.e., for submissions of a nature other than what it is supposed to serve. Such

submissions are nevertheless referred to the relevant department of CTU for processing within the relevant legal framework.

**Table 19: List of complaints by 31 December 2023 (Section 175 of the Act No. 500/2004 Coll., Administrative Procedure Code)**

	Type	Number of submissions					
		Received	From previous period	Settled	Justified	Unfounded	Carried over to subsequent period
1.	Petition*) *)	3	0	3	3	0	0
2.	Complaint* **)	21	0	21	2	19	0
3.	Notice**)	0	0	0	0	0	0
4.	Initiative **)	0	0	0	0	0	0

\*) Act No. 85/1990 Sb. on petition right.

\*\*\*) Act No. 500/2004 Sb., administrative procedure code, as amended, Section 17

06

ANNEXES IN 2023

## 06 ANNEXES IN 2023

### 1 OVERVIEW OF SUBSCRIBER DISPUTES IN ELECTRONIC COMMUNICATIONS SERVICES IN 2023

Type of activity	Commenced administrative proceedings	Issued decisions	Decided in a favour of		Other
			subscriber	provider	
<b>Decision on subscriber disputes</b>	19 255	20 746	275	18 942	1 529
a. objections against settlement of complaints on provided service	11	12	1	7	4
b. on objections against settlement of complaint on billing statement for services	108	91	26	21	44
c. on payment of the price for services (financial claim)	19134	20637	246	18913	1478
d. other	2	6	2	1	2

### 2 SUBSCRIBER / USER COMPLAINTS ON ELECTROCOMMUNICATIONS SERVICE IN 2023

Subject-matter of complaint	I.Q	II.Q	III.Q	IV. Q	TOTAL
<b>1. Electronic communications services</b>	242	233	200	180	855
<b>2. Telephone number portability in mobile network</b>	16	9	11	8	44
<b>3. Telephone number portability in fixed network</b>	1	3	1	0	5
<b>4. Change of internet access service provider</b>	6	7	7	3	23
<b>5. Consumer protection</b>	10	11	8	6	35
<b>6. Universal service</b>	61	14	13	7	95
<b>7. Radiocommunications service</b>	31	39	28	27	125
<b>8. Communication networks, protection zones and use of another person's property</b>	24	17	26	16	83
<b>9. Other</b>	714	418	400	390	1 922
<b>TOTAL</b>	<b>1 105</b>	<b>751</b>	<b>694</b>	<b>637</b>	<b>3 187</b>

### 3 SOURCES OF INTERFERENCE OF ELECTRONIC COMMUNICATIONS EQUIPMENT AND NETWORKS – 2023

Equipment or service where there is interference	Number of concluded cases
Television reception	1315
Radio reception	31
Satellite reception	29
Mobile networks (GSM, LTE, 5G; base stations and terminals)	102
Meteorological radars of Czech Hydrometeorological Institute	53
Short-range devices (mainly locking cars and doors, EMS sensors)	31
Wifi (RLAN)	15
Land mobile service (IZS, PCO, radio networks, personal radio stations)	19
Other	16

#### 4 OVERVIEW OF CONTROL ACTIVITIES POSTAL SERVICES AND SUBSCRIBER DISPUTES FOR 2023

Type of activity		Number		Number of local investigations		Number of Initiated administrative proceedings	Number of issued decision*	Decided to the benefit of the		Other	Imposed fines	
		total	of which	total	of which			subscriber	provider		number	amount in CZK
<b>1.</b>	<b>Compliance with Postal Services Act</b>	1285		208		66	82				80	1084000
	a Compliance with postal conditions according to Section 6 of Postal Services Act		131		0	2	3				3	51000
	b Compliance with other provisions of the Postal Services Act		1040		10	55	67				66	927000
	c Compliance with the conditions of quality requirements according to Decree No. 464/2012 Coll.		113		198	6	6				5	20000
	d Compliance with ZOS		1		0	3	6				6	86000
<b>2.</b>	<b>Decisions on objections to the handling of a complaint acc. to Section 6a of Postal Services Act</b>	2		7		298	306	91	124	91		
<b>3.</b>	<b>Failure to provide information acc. to Section 32a of Postal Services Act</b>					0	0				0	0
<b>4.</b>	<b>Other</b>	0		2		1	1				1	20000
<b>CELKEM</b>		<b>1287</b>		<b>217</b>		<b>365</b>	<b>389</b>	<b>91</b>	<b>124</b>	<b>91</b>	<b>81</b>	<b>1104000</b>

## 5 INQUIRIES, COMPLAINTS AND TELEPHONE INQUIRIES IN POSTAL SERVICES FOR 2023

Subject		Telephone inquiries	Number of submissions processed	Total
a		b	d	e
<b>1</b>	<b>Complaints and inquiries about postal services</b>			
2	Long waiting times	0	0	0
3	Lost office opening hours	0	1	1
4	Change in storage post office	1	13	14
	a Basic postal service	1	7	8
	b Commercial postal service	0	6	6
	c Not specified	0	0	0
<b>5</b>	<b>Service of delivery of a postal parcel</b>	<b>53</b>	<b>318</b>	<b>371</b>
	a Basic postal services	26	167	193
	b Commercial postal service	13	113	126
	c Not specified	14	38	52
<b>6</b>	<b>Processing complaint</b>	<b>84</b>	<b>174</b>	<b>258</b>
	a Basic postal service	18	79	97
	b Commercial postal service	25	60	85
	c Not specified	41	35	76
<b>7</b>	<b>Breach of postal secrecy</b>	<b>4</b>	<b>5</b>	<b>9</b>
	a Basic postal service	0	1	1
	b Commercial postal service	0	0	0
	c Not specified	4	4	8
<b>TOTAL</b>		<b>142</b>	<b>511</b>	<b>653</b>

## 6 MEASURES OF GENERAL NATURE (OOP) ACC. TO THE ELECTRONIC COMMUNICATIONS ACT ISSUED IN 2023

### OOP – Others

No	Registration number	Title	Date	Number of the Telecommunication Bulletin (TB)	Effective from
1.	OOP/1/05.2021-5	Measure of General Nature laying down the relevant markets in the electronic communications sector, including criteria for assessment of significant market power according to Section 52, Art. 1	25.07.2023	3/2023 dated 26.7.2023	15th day after publication on TB
2.	OOP/4/11.2023-7	Measure of General Nature laying down a special classification of cost and revenues methodology and their assignment and designating the structure of the reported information according to Section 86 Art 3	07.11.2023	6/2023 dated 10.11.2023	01.01.2024

### OOP - Measure of General Nature

No	Registration number	Title	Date	Number of the Telecommunication Bulletin (TB)	Effective from
3.	VO-R/17/03.2023-1	General Authorisation for the use of radio frequencies and for the operation of CTU-standard cordless telephones according to Section 9 Art 2	21.03.2023	2/2023 dated 27.3.2023	15.04.2023
4.	VO-R/7/07.2023-4	General Authorisation for the use of radio frequencies and for the operation of civil radio stations in the 27 MHz band according to Section 9 Art 2	18.07.2023	3/2023 dated 26.7.2023	15.08.2023
5.	VO-R/24/08.2023-6	General Authorisation to operate infrastructure equipment for the propagation of radio signals inside tunnels, buildings and trains according to Section 9 Art 2	22.08.2023	5/2023 dated 23.8.2023	01.10.2023

### OOP – Market Analysis

No	Registration number	Title	Date	Number of the Telecommunication Bulletin (TB)	Effective from
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6. A/1/07.2023-2	Wholesale local access provided at a fixed location (corresponds to the former relevant market no 3a) 18.07.2023	3/2023 dated 26.7.2023	15th day after publication on TB
7. A/3b/07.2023-3	Wholesale central access provided at a fixed location for mass-market products 18.07.2023	3/2023 dated 26.7.2023	15th day after publication on TB

## 7 FULFILMENT OF BINDING INDICATORS OF STATE BUDGET IN 2023

In thousands  
of CZK

Indicators	Budget		Final budget	Actual budget as of 31. 12. 2023	% achievement (5/4)
	approved	amended			
1	2	3	4	5	6
<b>AGGREGATE INDICATORS</b>					
Total income	1 065 230,00	1 197 131,72	0,00	1 230 050,59	102,75 %
Total expense	2 222 277,14	2 350 509,73	2 608 528,97	1 534 283,21	58,82 %
<b>SPECIFIC INDICATORS - INCOME</b>					
Tax income	30 000,00	30 000,00	0,00	24 032,43	80,11 %
Total non-tax income, capital income and transfer receivables	1 035 230,00	1 167 131,72	0,00	1 206 018,16	103,33 %
Including: Total income from the European Union budget excl. Common Agricultural Policy	0,00	131 901,72	0,00	0,00	0,00 %
Total other non-tax income, capital income and transfer receivables	1 035 230,00	1 035 230,00	0,00	1 206 018,16	116,50 %
<b>SPECIFIC INDICATORS - EXPENCE</b>					
Expenses on securing the achievement of the Czech Telecommunication Office tasks	2 222 277,14	2 350 509,73	2 608 528,97	1 534 283,21	58,82 %
Including: Expenses covering loss from the provision of universal service - special prices	100 000,00	100 000,00	100 000,00	51 898,51	51,90 %
Expenses covering loss from the provision on of universal service - net costs	220,00	220,00	220,00	0,00	0,00 %
Net costs representing unfair financial burden of postal licence holders	1 500 000,00	1 500 000,00	1 500 000,00	750 000,00	50,00 %
Expenses connected with the performance of the Czech EU Presidency	0,00	0,00	0,00	0,00	0,00 %
Other expenses on securing the achievement of the Czech Telecommunication Office tasks	622 057,14	750 289,73	1 008 308,97	732 384,70	72,63 %
<b>CROSS-SECTIONAL INDICATORS</b>					
Salaries of employees and other payments for work	330 706,03	330 878,51	330 727,43	319 925,69	96,73 %

Mandatory insurance paid by employer	111 778,64	108 173,91	110 532,27	108 789,09	98,42 %
Transfer of culture and social needs fund	6 332,95	6 336,40	158,60 <sup>6</sup>	6 158,60	100,00 %
Salaries of employees in work service except employees in civil service	0,00	0,00	0,00	0,00	0,00 %
Salaries of employees in civil service acc. to the Civil Service Act	316 647,45	316 819,93	312 788,01	307 873,43	98,43 %
Ensuring readiness for crisis situations according to Act No. 240/2000 Coll.	0,00	0,00	0,00	0,00	0,00 %
Total costs jointly financed by the European Union budget without CAP	0,00	159 320,89	159 320,89	106 675,83	66,96 %
Including: from the state budget	0,00	27 419,17	27 419,17	18 473,34	67,37 %
share of the European Union budget	0,00	131 901,72	131 901,72	88 202,49	66,87 %
Total costs kept in EDS/SMVS information system of program financing	37 250,00	171 541,49	326 944,27	145 447,64	44,49 %

## 8 CHAPTER INDICATORS – BUDGET OVERVIEW FOR 2024

in thousands  
CZK

<b>SUMMARY INDICATORS</b>		
Total Income		3 102 650
Total Expense		2 433 439
<b>PECIFIC INDICATORS – INCOME</b>		
Tax income <sup>5)</sup>		28 000
Total non-tax income, capital income and transfer receivables		3 074 650
including: Total income from the European Union budget excl. Common Agricultural Policy		39 420
Other non-tax income, capital income and transfer receivables		3 035 230
<b>SPECIFIC INDICATORS - EXPENSES</b>		
Expenses on securing the achievement of the Czech Telecommunication Office tasks		2 433 439
including: Expenses covering loss from the provision of universal service - special prices		250 000
Expenses covering loss from the provision of universal service - net costs		50 000
Net costs representing unfair financial burden of postal licence holders		1 500 000
Expenses connected with the performance of the Czech EU Presidency		0
Other expenses on securing the achievement of the Czech Telecommunication Office tasks		633 439
<b>CROSS-SECTIONAL INDICATORS</b>		
Salaries of employees and other payments for work		325 754
Mandatory insurance paid by employer <sup>1)</sup>		92 857
Transfer of culture and social needs fund		3 117
Salaries of employees in work service except employees in civil service		0
Salaries of employees in civil service acc. to the Civil Service Act		311 695
Ensuring readiness for crisis situations according to Act No. 240/2000 Col		0
Total costs jointly financed by the European Union budget without CAP		47 308
Including: from the state budget		7 888
share of the European Union budget		39 420
Total costs kept in EDS/SMVS information system of program financing		94 760

<sup>1)</sup> compulsory social security contributions and contributions to the state employment policy and public health insurance contributions

<sup>5)</sup> without income from compulsory social security contributions and contributions to state employment policy

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