

ANNUAL REPORT 2022

ANNUAL REPORT OF THE AGENCY
FOR COMMUNICATION NETWORKS
AND SERVICES OF THE REPUBLIC
OF SLOVENIA FOR THE YEAR 2022





ANNUAL REPORT 2022

The Agency has cooperated with all the relevant ministries and provided them support with the goal of finding solutions and pursuing the solutions that are best for the public interest. Among other projects, it participated in the preparation of the draft for the Plan of developing gigabit infrastructure by 2030. It also regularly cooperated with other relevant national and international bodies, including Broadcasting Council and the Slovenian Committee for Electronic Communications.

Contents

INDEX OF FIGURES	10
INDEX OF TABLES	10
ABBREVIATIONS	11
A) BUSINESS REPORT	14
I INTRODUCTION	15
II SUMMARY: ACHIEVING KEY LONG-TERM OBJECTIVES	18
1 OCCURRENCE OF POTENTIAL UNACCEPTABLE OR UNEXPECTED CONSEQUENCES AND THE ESTIMATE OF THE EFFECTS OF OPERATIONS ON OTHER AREAS	18
2 ASSESSMENT OF THE EFFECTIVENESS AND EFFICIENCY OF OPERATIONS	18
III ABOUT THE AGENCY FOR COMMUNICATION NETWORKS AND SERVICES	19
IV MARKETS IN BASIC NUMBERS	22
V BACKGROUND PAPERS	26
VI MANAGING A LIMITED RESOURCE	29
1 ANNUAL GOALS AND THE STATE OF THE MARKET	29
1.1 RADIO SPECTRUM UTILISATION	31
1.2 NUMBERING SPACE UTILISATION	32
2 ACTIVITIES FOR ACHIEVING THE OBJECTIVES	32
2.1 REGULATION	32
2.2 MOBILE SERVICES	33
2.2.1 Awarding part of the spectrum in the 2300 and 3600 MHz frequency bands for local use, mostly for verticals	33

2.2.2 Awarding BWA in the 28 GHz band for verticals, i.e. awarding them for technological/service neutral local use	33
2.2.3 Awarding frequencies in the 4200–3800 MHz bands for verticals, i.e. awarding them for technological/service neutral local use, and protecting other services	33
2.2.4 The development of infrastructure for critical communication	34
2.2.5 Radio frequencies for public mobile technology available according to WRC19- – Campaign 1: Strategy	34
2.2.6 5G and the switch from DTT to LTE	34
2.2.7 Monitoring the provision of public communication services	35
2.2.8 Other activities	35
2.3 BROADCASTING	35
2.3.1. Radio broadcasting	35
2.3.2 Digital terrestrial radio	36
2.3.3 Digital terrestrial television	36
2.4 OVERVIEW OF STANDARD OPERATIONS	36
2.5 COOPERATION WITH RELEVANT MINISTRIES	37
2.6 INTERNATIONAL COORDINATION AND COOPERATION	37
2.7 NUMBERING SPACE	38
VII REGULATION	39
1 ELECTRONIC COMMUNICATIONS	39
1.1 ANNUAL GOALS AND THE STATE OF THE MARKET	39
1.2 ACTIVITIES AIMED AT ACHIEVING GOALS	49
1.2.1 Regulation of relevant markets	49
Market 2245/2020)1/EU) and Market 3b (710/2014/EU)	50
Market 710/2014) 4/EU) and Market 710/2014) 2/EU)	50
Analysis of retail and wholesale prices of broadband connections	51
1.2.2 The Electronic communications market regulation strategy for promoting regulative predictability	51
1.2.3 International roaming	52
1.2.4 Data collection and reporting – the eAnalitik portal	52

1.2.5 Modernisation and automation of data collection for obligatory reporting	52
1.2.6 Ensuring universal service and monitoring its provision	53
1.2.8 General act on publishing information on valid tariffs	53
1.2.9 Encouraging optimization of investments in infrastructure – AKOS Geoportal	53
1.2.10 Monitoring infrastructure investments	54
1.2.11 Recommendation on operators' actions in the event of discovered abuses in voice call termination	56
1.2.12 Cooperation with state institutions and other stakeholders	56
1.2.13 Cooperation with relevant ministries	56
1.2.14 International cooperation	57
2 ELECTRONIC MEDIA	60
2.1 ANNUAL GOALS AND THE STATE OF THE MARKET	60
2.2 ACTIVITIES FOR ACHIEVING THE GOALS	63
2.2.1 Awarding licenses for digital terrestrial radio dissemination	63
2.2.2 Accessibility of audiovisual media services for disabled persons.	64
2.2.3. Establishing an online contact point related to accessibility of audiovisual media services for disabled persons	65
2.2.4 Protecting children and adolescents and encouraging media literacy	65
2.2.5 Public tender for assigning the rights to disseminate radio programming in digital broadcasting technology	66
2.2.6 Cooperation with relevant ministries and stakeholders	67
2.2.7 International cooperation: ERGA, EPRA, AND CERF in media regulation	67
3 POSTAL SERVICES	68
3.1 ANNUAL GOALS AND THE STATE OF THE MARKET	68
3.2 ACTIVITIES FOR ACHIEVING THE OBJECTIVES	72
3.2.1 Regulation of separate accounting	72
3.2.2 Establishing state of the postal services market	72
3.2.3 Fostering competition in the postal services market	73

3.2.4 Regulation of universal postal service provision	73
3.2.5 Cooperation with relevant ministries	74
3.2.6 International cooperation	74
4 RAILWAY TRANSPORT	76
4.1 ANNUAL GOALS AND THE STATE OF THE MARKET	76
4.2 ACTIVITIES FOR ACHIEVING THE OBJECTIVES	79
4.2.1 Monitoring train path allocation, charging usage fee and performing the efficiency regime	79
4.3.2 Monitoring access to facilities for additional services and the services provided therein	80
4.2.3 Protection of passengers railway passenger transport	81
4.2.4 Cooperation with relevant ministries	81
4.2.5 International cooperation EC DG MOVE and IRG-Rail	81
4.2.6 Other regular tasks	82
VIII SUPERVISION	84
1 SUPERVISION OF ELECTRONIC COMMUNICATIONS	88
2 SUPERVISION OF THE RADIO FREQUENCY SPECTRUM	91
2.1 MONITORING THE QUALITY OF SERVICE OF BROADBAND NETWORKS	92
3 SUPERVISION OF ELECTRONIC MEDIA	93
4 SUPERVISION OF POSTAL SERVICES	96
5 SUPERVISION OF RAILWAY SERVICES	97
6 PARTICIPATION IN THE INSPECTION COUNCIL AND SUPERVISION ACCORDING TO THE INFECTIOUS DISEASES ACT (ZNB)	97
7 COOPERATION WITH RELEVANT MINISTRIES	98
IX DISPUTE RESOLUTION	100
1 USER DISPUTES RELATED TO ELECTRONIC COMMUNICATIONS	100
2 OPERATOR DISPUTES IN ELECTRONIC COMMUNICATIONS	102
3 USER DISPUTES RELATED TO POSTAL SERVICES	102
4 PASSENGER COMPLAINTS IN RAILWAY TRAFFIC	103
5 USER DISPUTES RELATED TO AUDIOVISUAL MEDIA SERVICES	103

X CARE FOR END USERS	104
1 CONSULTATIONS WITH OPERATORS AND CONSUMER ORGANIZATIONS	104
2 PORTAL FOR ACCESS TO OPERATORS' PLANS AND OTHER PORTALS FOR END USERS	104
3 CALL CENTRE	105
4 CLARIFICATIONS TO END USERS	105
5 COOPERATION WITH OTHER BODIES REGARDING END USERS	105
XI LEGISLATIVE AND JUDICIAL PROCEDURES	106
1 REPRESENTING THE AGENCY BEFORE THE COURTS	106
2 NORMATIVE ACTIVITY	107
2.1 ELECTRONIC COMMUNICATIONS ACT (ZEKOM ₂ -)	107
2.2 AUDIOVISUAL MEDIA SERVICES ACT (ZAVMS-B)	108
2.3 COOPERATION WITH RELEVANT MINISTRIES ON PREPARING LEGISLATION	109
2.4 ADOPTED RECOMMENDATION	109
XII INSTITUTIONAL ADMINISTRATION	110
1 ORGANISATION AND NEW HIRINGS AT THE AGENCY	110
2 ENSURING PUBLIC TRANSPARENCY AND INFLUENCE	112
3 SUSTAINABLE ACTIVITIES	113
4 INFORMATION SUPPORT	113
5 OTHER SUPPORT ACTIVITIES	114
6 INTERNAL AUDIT	114
7 SUPPORT FOR THE SLOVENIAN COMMITTEE FOR ELECTRONIC COMMUNICATION AND THE BROADCASTING COUNCIL	114
XIII IMPLEMENTATION OF THE FINANCIAL PLAN	116
1 REVENUE	121
2 EXPENSES	122
2.1 SALARIES AND OTHER LABOUR COST	122
2.2 EXPENSES FOR GOODS AND SERVICES	122
2.3 INVESTMENT EXPENSES	123

XIV DECLARATION REGARDING THE RESULT OF THE PUBLIC FINANCE INTERNAL AUDIT	125
B) FINANCIAL REPORT	128
XV FINANCIAL STATEMENT	129
1 LEGAL FRAMEWORK, FORM AND CONTENT OF THE REPORT	129
2 ACCOUNTING POLICIES	130
2.1 INTANGIBLE ASSETS AND TANGIBLE FIXED ASSETS	130
2.2 AMORTIZATION AND DEPRECIATION	130
2.3 RECEIVABLES	131
2.4 LIABILITIES	131
2.5 REVENUE	131
3 FINANCIAL STATEMENTS WITH NOTES	132
3.1 balance sheet	132
3.1.1 Long-term assets and assets under management	134
Long-term deferred cost and accrued revenue, intangible assets and tangible fixed assets	134
Long-term operating receivables	136
3.1.2 Short-term assets except for inventory and deferred cost and accrued revenue	136
Deposits in banks and other financial institutions	136
Short-term trade receivables	137
Advances and security deposits given	137
Short-term receivables from users of the standard chart of accounts	137
Other short-term receivables	137
Deferred costs and accrued revenue	138
3.1.3 Short-term liabilities and accrued cost and deferred revenue	138
Short-term liabilities for advances and security deposits received	138
Short-term liabilities to employees	138
Short-term liabilities to suppliers	138
Other short-term operating liabilities	138

Short-term liabilities to users of the standard chart of accounts	138
Accrued cost and deferred revenue	138
3.1.4 Own resources and long-term liabilities	139
3.2 STATEMENT OF REVENUE AND EXPENSE	139
3.2.1. Revenue	142
Operating revenue	142
Financial revenue	144
Other revenue and revaluation operating revenue	144
3.2.2 Expenses	144
Labour cost	144
Costs of goods, material and services	145
Cost of office and general supplies and services	145
Cost of special supplies and services	146
Costs of energy, water, utility services and communications	146
Transportation cost and services	146
Costs of business trips	146
Regular maintenance costs	147
Rent and operating lease cost	147
Other operating expenses	147
3.2.3. Realization of the financial plan on the accrual basis	148
Revenue	150
Costs	150
wages and salaries	150
costs of goods, material and services	151
depreciation and amortization	152
revaluation operating expenses	153
4 OTHER DISCLOSURES	153

Index of figures

Figure 1: 2022 IN NUMBERS	17
Figure 2: THE INSTITUTIONAL ENVIRONMENT OF THE AGENCY FOR COMMUNICATION NETWORKS AND SERVICES OF THE REPUBLIC OF SLOVENIA IN 2022	20
Figure 3: THE ORGANIZATION OF THE AGENCY FOR COMMUNICATION NETWORKS AND SERVICES OF THE REPUBLIC OF SLOVENIA	21
Figure 4: TRENDS IN MARKETS WITHIN THE AGENCY'S COMPETENCIES	23
Figure 5: SHARE OF VALID DECISIONS ON AWARDING RADIO FREQUENCIES AT THE END OF 2022	31
Figure 6: THE SPECTRUM OF MOBILE OPERATORS AT THE END OF 2022	31
Figure 7: THE NUMBER OF ASSIGNED NUMBERING ELEMENTS AT THE END OF 2022	32
Figure 8: MOVEMENTS OF THE NUMBER OF OPERATORS WITH REGISTERED OFFICES ABROAD AS 31 DECEMBER 2022	44
Figure 9: COVERAGE OF SLOVENIA WITH FIXED BROADBAND INFRASTRUCTURE	45
Figure 10: : BROADBAND INTERNET ACCESS BY DATA TRANSFER SPEED	47
Figure 11: SHARES OF FIXED TELEVISION CONNECTIONS BY TECHNOLOGY	48
Figure 12: CONVERGENT SERVICES	49
Figure 13: NUMBER OF CONSTRUCTION PROJECTS PUBLISHED ON AKOS' WEBSITE	55
Figure 14: EXPRESSED INTEREST IN SHARED CONSTRUCTION	55
Figure 15: NUMBER OF INSPECTION AND MINOR OFFENCE PROCEDURES IN 2022 BY SECTORS	88
Figure 16: INSPECTION PROCEDURES IN 2022	89
Figure 17: MINOR OFFENCE PROCEDURES IN 2022	89
Figure 18: INSPECTION PROCEDURES BY SUBJECT	96
Figure 19: INSPECTION PROCEDURES BY TYPE OF MEDIA	96
Figure 20: USER DISPUTES IN TERMS OF HOW THEY WERE RESOLVED	101
Figure 21: RECEIVED CASES BY SUBJECT OF USER DISPUTE	101
Figure 22: POSTAL SERVICES DISPUTES BY OUTCOME	103

Index of tables

Table 1: KEY OBJECTIVE: ENSURING OPTIMUM USE OF A LIMITED RESOURCE	29
Table 2: KEY OBJECTIVES IN THE ELECTRONIC COMMUNICATIONS	39
Table 3: ADDITIONAL TASKS THAT WERE NOT PLANNED IN THE 2022 ACTION PLAN AND FINANCIAL PLAN	41
Table 4: THE NUMBER OF OPERATORS/SERVICE PROVIDERS ENTERED INTO THE OFFICIAL REGISTRY BY SERVICE IN 2022	44
Table 5: KEY GOALS AND THE STATE OF THE MARKET OF ELECTRONIC MEDIA	60
Table 6: KEY OBJECTIVES IN THE ELECTRONIC COMMUNICATIONS	68
Table 7: NUMBER OF POSTAL SERVICE PROVIDERS AS OF 31 DECEMBER 2022	71
Table 8: KEY OBJECTIVES IN RAILWAY TRAFFIC REGULATION	76
Table 9: ADDITIONAL TASKS THAT WERE NOT PLANNED IN 2022	77
Table 10: KEY OBJECTIVES – MARKET SUPERVISION UNDER THE AGENCY'S AUTHORITY	84
Table 11: XII LEGISLATIVE AND JUDICIAL PROCEDURES	106
Table 12: STATEMENT OF REVENUE AND EXPENSE FOR SPECIFIC USERS ON CASH BASIS FROM 1 JANUARY TO 31 DECEMBER 2022, 1ST PART	117
Table 13: STATEMENT OF REVENUE AND EXPENSE FOR SPECIFIC USERS ON CASH BASIS FROM 1 JANUARY TO 31 DECEMBER 2022, 2ND PART	119
Table 14: REVENUE ON CASH BASIS FOR THE PERIOD FROM 1 JANUARY TO 31 DECEMBER 2022	121
Table 15: SURPLUS CALCULATION BY FISCAL RULE	124
Table 16: BALANCE SHEET AS AT 31 DECEMBER 2021	132
Table 17: MAJOR INVESTMENTS IN INTANGIBLE FIXED ASSETS	135
Table 18: MAJOR INVESTMENTS IN TANGIBLE FIXED ASSETS – EQUIPMENT AND SMALL TOOLS	136
Table 19: REVENUE AND EXPENDITURE ACCOUNT FOR THE PERIOD FROM 1 JANUARY 2022 TO 31 DECEMBER 2022	140
Table 20: STATEMENT OF REVENUE AND EXPENSE BY FINANCING SOURCE FOR THE PERIOD FROM 1 JANUARY 2022 TO 31 DECEMBER 2022	142
Table 21: AGENCY'S OPERATING REVENUE	143
Table 22: COST OF GOODS, MATERIALS, AND SERVICES	145
Table 23: REGULAR MAINTENANCE COST REALISATION	147
Table 24: STATEMENT OF REVENUE AND EXPENSE FOR THE PERIOD FROM 1 JANUARY TO 31 DECEMBER 2022	148
Table 25: COMPARISON OF REALIZED AND PLANNED OPERATING REVENUE ON ACCRUAL BASIS	150
Table 26: COMPARISON OF REALIZED AND PLANNED COST OF GOODS, MATERIALS AND SERVICES (ACCRUAL PRINCIPLE)	151

Abbreviations

Abbreviation	Slovenian name or meaning	English name or meaning ¹
AKOS	Agencija za komunikacijska omrežja in storitve Republike Slovenije	Agency for communication networks and services of the Republic of Slovenia
AVMS	Avdiovizualne medijske storitve	Audiovisual media services
BB	Širokopasovni	Broadband
BEREC	Organ evropskih regulatorjev za elektronske komunikacije	The Body of European Regulators for Electronic Communications
BSA	Prenos z bitnim tokom	Bitstream access
BWA	Širokopasovni brezžični dostop	Broadband wireless access
CDMA-PAMR	Kodno porazdeljeni sodostop mobilni radio z zasebnim dostopom Code	Division Multiple Access - Public Access Mobile Radio
CEF		Connectig Europe Facility
CEPT	Evropska konferenca za pošto in telekomunikacije	European Conference of Postal and Telecommunications
COCOM	Odbor za komunikacije	Communications Committee
CRM	Program za upravljanje odnosov s strankami	Customer relationship management
CRS	Centralni register subjektov	
DAB	Digitalna avdio radiodifuzija	Digital audio broadcasting
ČM	Človek mesec	
DG MOVE	Generalni direktorat za mobilnost in promet	Directorate-General for Mobility and Transport
DTT	Digitalna prizemna televizija	Digital terrestrial television
DVB-T	Prizemna digitalna video radiodifuzija	Digital Video Broadcasting Terrestrial
DVB-T2	Prizemna digitalna video radiodifuzija – druga generacija	Digital Video Broadcasting – Second Generation Terrestrial
ECC	Odbor za elektronske komunikacije	Electronic Communications Committee
ECASEC	Evropski pristojni organ za varne elektronske komunikacije	European Competent Authorities for Secure Electronic Communications
EECC	Evropski zakonik o elektronskih komunikacijah	European Electronic Communications Code
EKO	Elektronska komunikacijska omrežja	
EMC	Elektromagnetna združljivost	Electromagnetic compatibility
ENISA	Agencija Evropske unije za varnost omrežij in informacij	European Union Agency for Network and Information Security
ENRRB	Evropska mreža železniških regulativnih organov	European Network of Rail Regulatory Bodies
EPRA	Evropska platforma regulativnih organov	European Platform of regulatory authorities
ERGA	Skupina evropskih regulatorjev za avdiovizualne medijske storitve	European Regulators Group for Audiovisual Media Services
ERGP	Evropsko združenje poštinih regulatorjev	European Regulators Group for Postal Services
ETSI	Evropski inštitut za telekomunikacijske standarde	European Telecommunications Standards Institute
EU	Evropska unija	European Union
EZR	Enotni zakladniški račun	
FM	Frekvenčna modulacija	Frequency modulation
FTTH	Optika do doma	Fibre to the home
FUP	Politika poštene uporabe storitev	Fair usage policy
FWBA	Nadomestek fiksne širokopasovnega interneta	Fixed Wireless Broadband Access
Gbit/s	Gigabit na sekundo	Gigabit per second
GJI	Gospodarska javna infrastruktura	Public infrastructure
GPON	Gigabitno pasivno optično omrežje	Gigabit Passive Optical Network
GURS	Geodetska uprava Republike Slovenije	The surveying and mapping authority of the Republic of Slovenia
HCM	Usklajena metoda za preračun	Harmonised calculation method
HFC	Hibridno koaksialen	Hybrid fiber-coaxial
IKT	Informacijsko – komunikacijska tehnologija	Information and communications technology

¹ Where it pertains.

INEA	Izvajalska agencija za inovacije in omrežja	Innovation and Networks Executive Agency
INV	Investicije	Investments
IoT	Internet stvari	Internet of things
IP	Internetni protokol	Internet protocol
IPTV	Televizija preko internetnega protokola	Internet protocol television
IRG	Skupina neodvisnih regulatorjev	Independent Regulators Group
IRG - Rail	Združenje neodvisnih regulatorjev s področja železniškega prometa	Independent Regulators' Group - Rail
ITU	Mednarodna telekomunikacijska zveza	International Telecommunications Union
JAŽP	Javna agencija za železniški promet	
JŽI	Javna železniška infrastruktura	
LIR	Lokalni internetni register	Local Internet Registry
LMR	Kopenski mobilni radio	
LSA	Licencirani sodostop	
LTE	Dolgoročna evolucija	Long term evolution
MBit/s	Megabit na sekundo	
MHz	Megahertz	
MIMO	Antenska raznolikost	Multiple input, multiple output
MMS	Sistem večpredstavnostnih sporočil	Multimedia messaging service
MMDS	Multimedijski večkanalni distribucijski sistem	Multipoint multichannel distribution system
MiPi	Medijska in informacijska pismenost, Portal AKOS	
M2M	Komunikacija med napravami	Machine to machine
NGA	Dostop naslednje generacije	Next Generation Access
NGA BU	Omrežje naslednje generacije od spodaj navzgor	Next generation access bottom up
NICAM	Nizozemski inštitut za klasifikacijo avdiovizualnih medijev	Netherlands Institute for the Classification of Audiovisual Media
NIS	Skupina za sodelovanje na področju omrežij in informacijskih sistemov	The Network and Information Systems Cooperation Group
NURF	Načrt uporabe radijskih frekvenc	
ODOP	Odmera plačila na podlagi obvestila o zagotavljanju javnih komunikacijskih omrežij	
ODRF	Odločba o dodelitvi radijskih frekvenc	
ODST	Odločba o dodelitvi števila točk	
OPT	Omrežna priključna točka	
OPTM	Operater s pomembno tržno močjo	
OTT	Prenos video in avdio signala preko internetnih storitev	Over the top
PDC	Odbor za poštno direktivo	Postal Directive Committee
PDFN	Program dela in finančni načrt	
PLB	Osebn javljalik lokacije	
PMR	Profesionalni mobilni radio	Professional mobile radio
P-P	Točkatočka	Point to point
PPDR	Javna zaščita in pomoč v nesrečah	Public protection and disaster relief
QoS	Kakovost storitve	Quality of service
QoSBB	Kakovost širokopasovnega dostopa	Broadband Quality of Service
RFC	Evropski tovorni koridorji	Rail Freight Corridors
RF	Radijske frekvence/ radiofrekvenčni	
RLAH	Gostovanje kot doma	Roam like at home
RFC 6349	Okvir za testiranje prepustnosti TCP	Framework for TCP Throughput Testing
RIPE NCC	Regionalni internetni register	Regional Internet Registry
RMMS	Program spremljanja trga storitev v železniškem prometu	Rail Market Monitoring Scheme
RS	Republika Slovenija	
SEK	Svet za elektronske komunikacije	

SERAC	Odbor za enotno železniško območje EU	Single European Railway Area Committee
SIST	Slovenski inštitut za standardizacijo	Slovenian institute for standardization
SMS	Sistem kratkih sporočil	Short Message Service
SIX	Slovensko stičišče omrežij	Slovenian Internet Exchange
SRD	Naprava kratkega dosega	Short range devices
SRDF	Svet za radiodifuzijo	
TCAM	Odbor za ugotavljanje skladnosti in nadzorovanje telekomunikacijskega trga	Telecommunication Conformity Assessment and Market Surveillance Committee
TETRA	Prizemni snopovni radio	Terrestrial Trunked Radio
TETRAPOL	Standard za potrebe policije in vojske	Digital PMR technology
TK	Telekomunikacije	Telecommunications
TRA-ECS	Prizemni radijski sistemi, ki lahko zagotavljajo elektronske komunikacijske storitve	Terrestrial Radio Applications Capable Of Providing Electronic Communications Services
BIVŠI TRG 1	Dostop do javnega telefonskega omrežja na fiksni lokaciji za rezidenčne in poslovne uporabnike (maloprodajni trg)	Access to the public telephone network at fixed location for residential and non-residential customers
TRG 1	Veleprodajno zaključevanje klicev v posameznih javnih telefonskih omrežjih na fiksni lokaciji (bivši trg 3)	Call termination on individual public telephone networks provided at a fixed location (wholesale level)
TRG 2	Veleprodajno zaključevanje govornih klicev v posameznih mobilnih omrežjih (bivši trg 7)	Voice call termination on individual mobile networks (wholesale level)
TRG 4	Veleprodajni visokokakovostni dostop na fiksni lokaciji (bivši trg 6)	Wholesale high-quality access provided at a fixed location
TSM	Uredba (EU) 2015/2120 Evropskega parlamenta in Sveta z dne 25. novembra 2015 o določitvi ukrepov v zvezi z dostopom do odprtega interneta in spremembi Direktive 2002/22/ES o univerzalni storitvi in pravicah uporabnikov v zvezi z elektronskimi komunikacijskimi omrežji in storitvami ter Uredbe (EU) št. 531/2012 o gostovanju v javnih mobilnih komunikacijskih omrežjih v Uniji	Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union
UHF	Ultra visoke frekvence	Ultra high frequency
UPU	Svetovna poštna zveza	Universal Postal Union
VHF	Zelo visoke frekvence	Very high frequency
VOD	Video na zahtevo	Video on demand
VOIP	telefonija prek internetnega protokola	Voice over internet protocol
WACC	Izračun povprečnega tehtanega stroška kapitala	Weighted average cost of capital
WRC	Svetovna radijska konferenca	World Radio Conference
WSD	Naprave v belem spektru	White space device
5G	Mobilna omrežja pete generacije	5 th generation mobile networks

AKOS / ANNUAL REPORT 2022

BUSINESS REPORT

01 INTRODUCTION

IN 2022 ALL THE AREAS AND THE OPERATION OF THE AGENCY FOR COMMUNICATION NETWORKS AND SERVICES WERE STILL MARKED BY THE COVID-19 EPIDEMIC, THE WAR IN UKRAINE AND THE LACK OF HUMAN RESOURCES. IN THIS YEAR THE AGENCY DIRECTOR'S 5-YEAR TERM EXPIRED.



Tanja Muha, MSc., Director

Reviewing the work performed and the projects completed shows that during this year the Agency completed most of its planned tasks, and also some that were not forecast, but proved essential. Because of all these additional tasks, and especially because of the lack of human resources, the conclusion of a few tasks was moved into early 2023, as the Agency did not have any influence over the causes of these delays. In spite of several repeated job openings for some positions, and in spite of significant endeavours and new approaches that should help to improve its attractiveness with job seekers, it was not successful in the highly

competitive labour market.

A significant impact on the Agency's operations was when the Act on the amendments to the Electronic Communications Act, Audiovisual Media Services Act, and the Media Act came into effect, and when the Electronic Communications Act was adopted. Both introduce numerous new authorities for the Agency, including making sure that persons with disabilities have access audiovisual media services.

In radio frequency spectrum management, the Agency's main priority in 2022 was preparing

the public tender with a public auction for the available radio frequencies for providing public communication services for local use, i.e. verticals. It also continued preparing public tenders for awarding radio frequencies for analogue audio broadcasting. Based on the data from the operators' it published the Report on fulfilling obligations and coverage with mobile service technologies, and the launch of services on new frequency bands in accordance with the terms and conditions. Last year all the decisions for broadcasting locations for the national DVB-T network expired, and the Agency successfully extended them. A

major part of activities was also focused on resolving issues with Italy.

The Agency concluded three public tenders for awarding disseminate radio programming in digital broadcasting technology.

It also prepared an analysis of the effects of regulation on the relevant market "wholesale dedicated capacity", which will be the foundation for the upcoming analysis of the relevant market and a potential draft of future regulatory measures for ensuring competition. The Agency also published the Strategy for encouraging regulatory predictability on the electronic communications market for the 2022-2024 period.

Slovenia has once again progressed on the Digital Economy and Society Index (DESI), as it is now placed 11th among the 27 EU member states. In connectivity, where the Agency has the biggest impact with its operations, Slovenia is even placed one position higher.

In 2022 there was a record number of announced interest for shared construction from network operators. This is a positive development considering shocks to the investment market that followed the significant increases of prices for materials and services following the pandemic and the war in Europe. In 2022 the Agency stepped up its activities related to encouraging shared infrastructure use. In the first half of the year, it prepared the Recommendation regarding shared use of physical infrastructure, which was positively received among stakeholders.

With the aim of a proactive approach to resolving the issues on the market, the Agency also prepared the Recommendation on the procedures for providing mobile network coverage to areas with no or poor coverage and the Recommendation on operators' actions when discovering abuse in voice call termination. The Agency prepared 35 new general acts.

Several visual layers were added to the AKOS Geoportal, providing users with a full overview of telecommunications infrastructure in the Republic of Slovenia. The most important visual layers include the coverage of 5G networks of all operators who have begun using them. AKOS Geoportal was also significantly upgraded with data on DAB+ transmitters and the data on railway infrastructure. This will make it easier for users to access passenger railway traffic services and to check the railway network's capacities.

On 1 July 2022 the new Regulation on roaming in public mobile networks in the EU came into effect, providing EU citizens an even better user experience when roaming in other member states. The Agency provided support to operators in the implementation of this regulation and also performed a series of activities aimed at raising end-user awareness, including about their options for connecting to broadband networks, and how to connect through the universal service. A major topic in 2022 was care for the security and integrity of electronic communication networks and services.

Much attention was focused on ensuring that the quality of the universal postal service is

sufficient. The Agency continued to develop the online portal for media and information literacy MIPI and improved its standing and co-operation with partners.

In the railway transport services market, the Agency regularly monitored the utilisation of assigned train path on the public railway infrastructure, and focused its attention on the protection of passengers in the railway passenger traffic with the aim of improving the passengers' awareness of their rights by preparing a brochure.

The Agency was very active on the international stage and participated in 99 expert working groups, thereby significantly impacting the coordination of future regulatory policies across all areas of its jurisdiction.

The Agency worked on a total of 726 user disputes in 2022. Compared to previous years, the number of disputes between operators has significantly increased.

In 2022 the Agency also held 652 inspection procedures across all areas of its operations, including 82 as part of monitoring the adherence to the measures for mitigating infection and spread of infection with the COVID-19 virus in accordance with the Infectious Disease Act.

The Agency strived to operate transparently, including by making regular posts and informing the public through its website and social networks, and has further increased the number of posts in the past year. With a sustainable focus on the environmental, social and governance level the Agency aims to contribute

towards creating a safer future, and has prepared and published its Environmental, Social and Governance guidelines that also address sustainable regulation.

The Agency has cooperated with all the relevant ministries and provided them support with the goal of finding solutions and pursuing the solutions that are best for the public interest. Among other projects, it participated in the preparation of the draft for the Plan of developing gigabit

infrastructure by 2030. It also regularly cooperated with other relevant national and international bodies, including Broadcasting Council and the Slovenian Committee for Electronic Communications.

These are only the more memorable tasks that marked the Agency's work in 2022, however, we completed a lot of other, no less important tasks. In spite of the epidemic and the lack of human resources, the

Agency completed a lot of work in 2022, even going beyond the plans. This would not have been possible without the participation of the whole managerial team, all of the Agency's employees and everyone's high level of dedication.

The Agency's work in 2022 is presented in more detail below in this document, which consists of the business and the financial reports.

FIGURE 1: 2022 IN NUMBERS



II SUMMARY: ACHIEVING KEY LONG-TERM OBJECTIVES

1 OCCURRENCE OF POTENTIAL UNACCEPTABLE OR UNEXPECTED CONSEQUENCES AND THE ESTIMATE OF THE EFFECTS OF OPERATIONS ON OTHER AREAS

The Agency's work affects the operations of the regulated organizations in telecommunications, radio frequency broadcasting, media, post and railways. The Agency has completed most of the tasks it set out for 2022, and also some additional tasks that were not part of the 2022 Operational and Financial Plan. A part of these also pertained to the measures, related to the COVID-19 epidemic.

The implementation of the Agency's Financial Plan is detailed in chapter 3.2.3 of the Financial Report. It was realized in 105.4% on the revenue side, and 86.5% on the expenditure side.

2 ASSESSMENT OF THE EFFECTIVENESS AND EFFICIENCY OF OPERATIONS

The Agency estimates that, considering the adopted 2022 Operational and Financial Plan, it operated economically and efficiently. Under the given conditions and in the scope of the limitations, it achieved the majority of the goals it set out, as evident from these tables.

The relevant ministry did not provide the Agency with any guidelines regarding the assessment of effectiveness and efficiency.

III ABOUT THE AGENCY FOR COMMUNICATION NETWORKS AND SERVICES

THE AGENCY FOR COMMUNICATION NETWORKS AND SERVICES OF THE REPUBLIC OF SLOVENIA IS AN INDEPENDENT REGULATORY BODY THAT REGULATES AND SUPERVISES THE ELECTRONIC COMMUNICATIONS MARKET, MANAGES AND SUPERVISES THE RADIO FREQUENCY SPECTRUM IN SLOVENIA, PERFORMS TASKS RELATED TO RADIO AND TELEVISION, AND REGULATES AND SUPERVISES POSTAL SERVICES AND RAILWAY TRAFFIC IN SLOVENIA.

Transparency in the Agency's operations is ensured through collaboration with the public, which includes operators and service providers, end users, the general public, as well as NGOs, the Electronic Communications Council, the Broadcasting Council, state bodies, the courts, European institutions and associations of regulatory bodies. With regard to the scopes of the activities under the Agency's authority, its operations coincide with several relevant ministries, namely the Ministry of Infrastructure, the Ministry of Culture, the Ministry of Economic Development and Technology, and the Government Office for Digital Transformation, with the latter two having been transformed following the amendment to the Government of the Republic of Slovenia Act in early 2023 into the Ministry of the Economy, Tourism and Sport, and the Ministry of Digital Transformation.

FIGURE 2: THE INSTITUTIONAL ENVIRONMENT OF THE AGENCY FOR COMMUNICATION NETWORKS AND SERVICES OF THE REPUBLIC OF SLOVENIA IN 2022



In accordance with its strategic objectives, the Agency undertakes to ensure the accessibility and high quality of universal services to all residents of Slovenia at affordable prices and regardless of their geographic location, effective competition in the market, and competitiveness among service providers. The Agency ensures and supervises the efficient utilization of the radio frequency spectrum and numbering space, as well as the just and equitable access to public railway infrastructure. It is also committed to ensuring equal conditions for all radio and television publishers, as well as providers of other audiovisual content, along with ensuring the operation of electronic communications and the use of the radio frequency spectrum for providing services in times of extraordinary circumstances.

In its work the Agency strives to pursue the objective of protecting national interests and the interests of service users. The Agency's objectives also include encouraging the development and introduction of new services and technologies for a higher quality of living, and the development of the economy by ensuring suitable conditions for new investments, and the development and improvement of radio and television programming, and their availability to the public on any device capable of receiving them. The Agency strives to improve the system of governance with the goal of performing its tasks successfully, effectively, and in accordance with valid legislation.

The Agency's bodies are its director and the Council. Individual areas are covered by sectors for regulating telecommunications, managing the radio frequency spectrum, electronic media, regulating the railway services market, regulating and supervising the postal services market, economic analyses, measuring and supervising the radio frequency spectrum, supervising providers, monitoring infrastructure investments, legal affairs, and support activities.

FIGURE 3: THE ORGANIZATION OF THE AGENCY FOR COMMUNICATION NETWORKS AND SERVICES OF THE REPUBLIC OF SLOVENIA

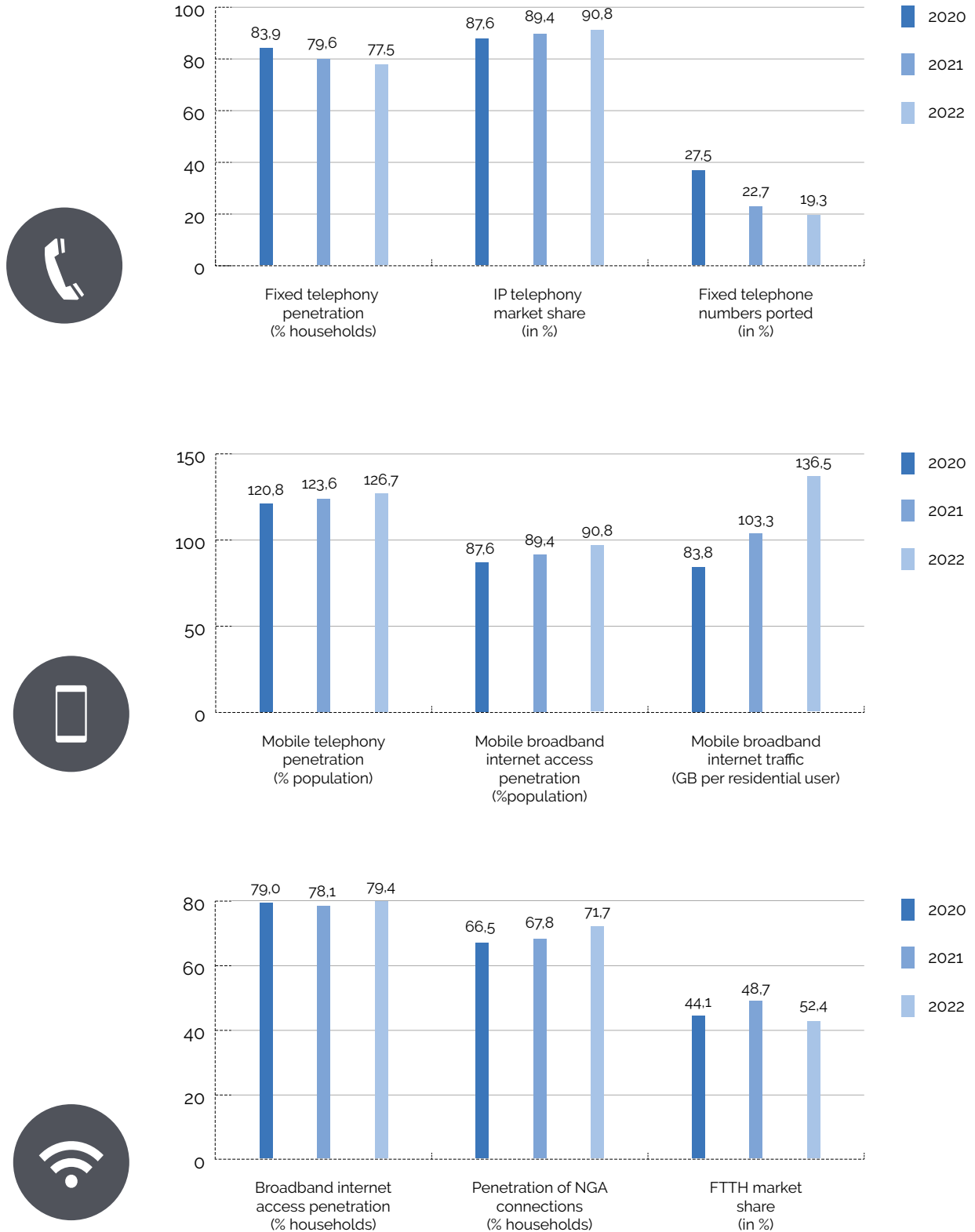


IV MARKETS IN BASIC NUMBERS

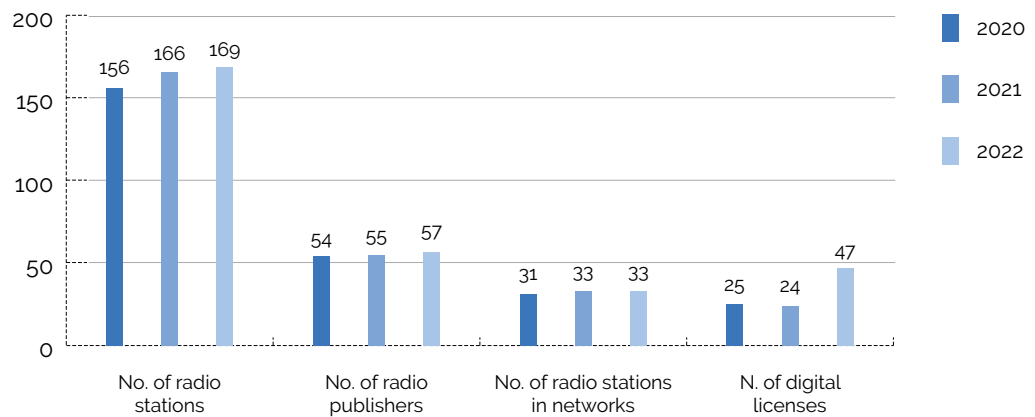
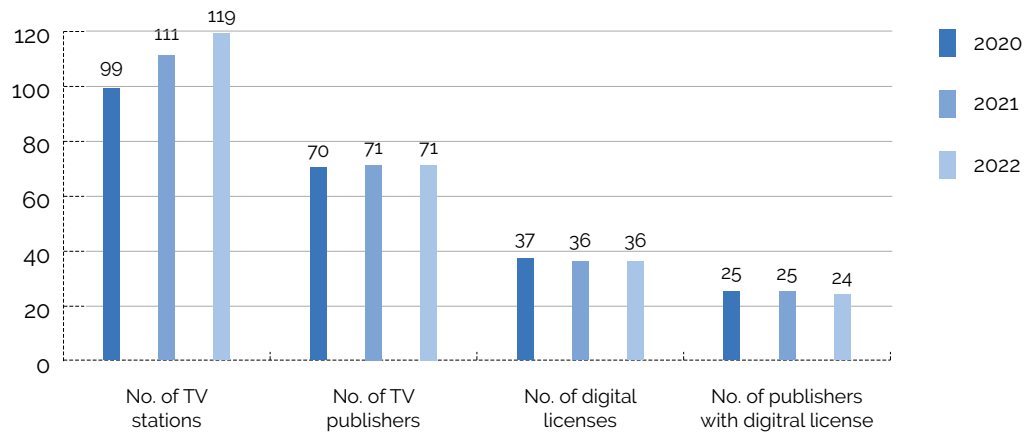
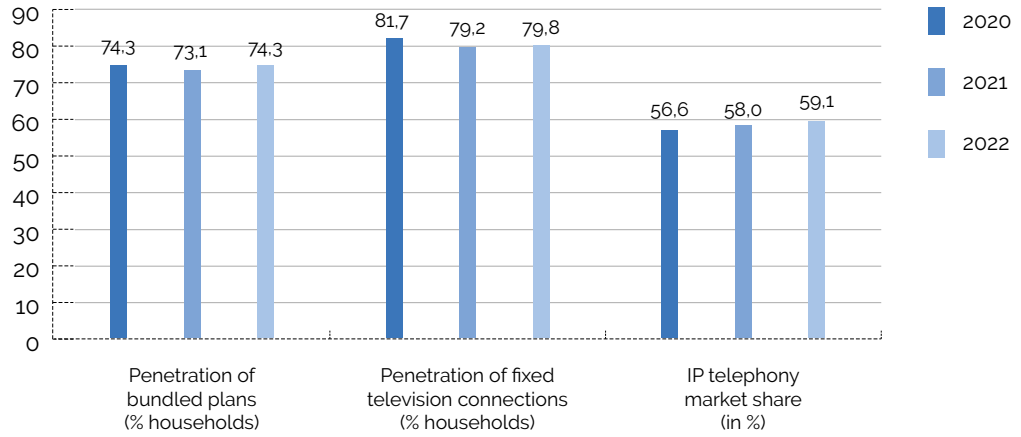
I TRENDS IN MARKETS IN THE AGENCY'S AUTHORITY IN THE PERIOD OF 2020-2022. IT IS UNDERSTOOD THAT:

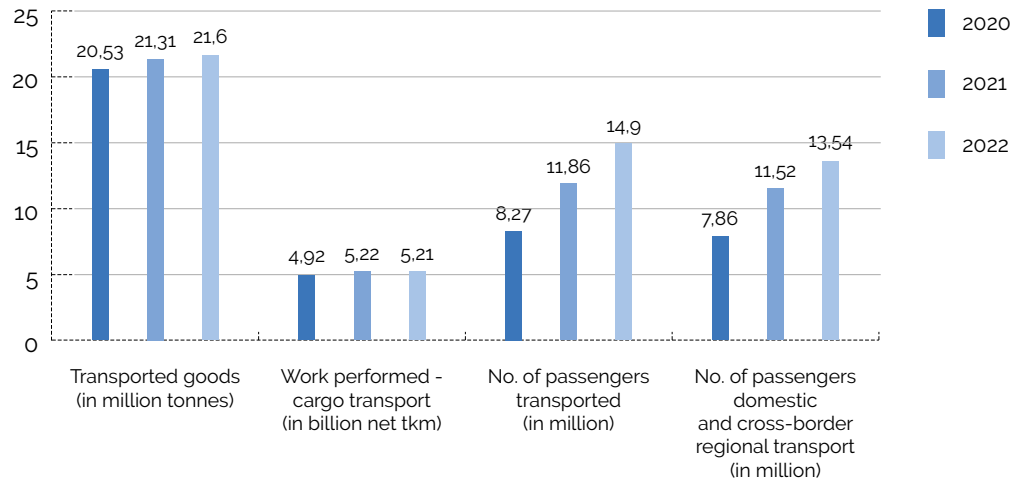
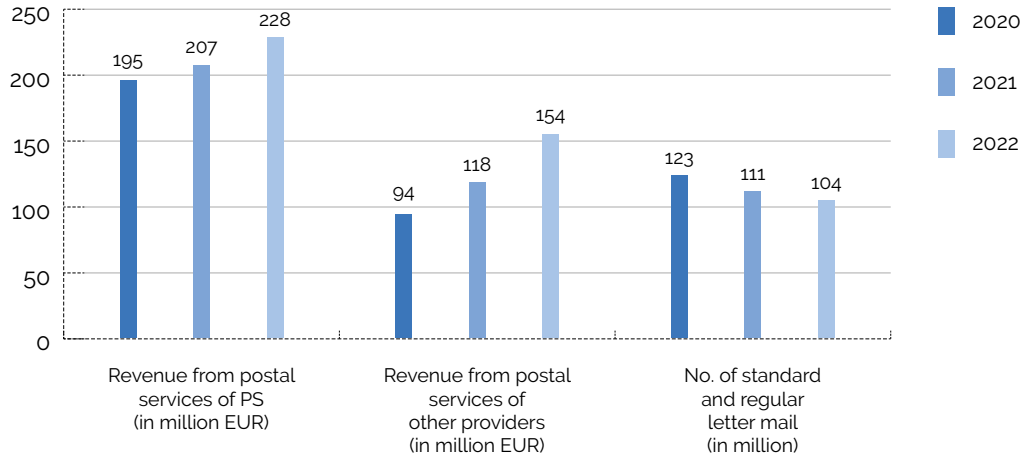
- figures are shown on an annual basis;
- the penetration of individual services is calculated based on the data from the Statistical Office of the Republic of Slovenia, specifically the number of residences from the census, and the number of residents from officially published data for individual periods;
- a user of fixed telephone services is a residential user who uses fixed telephone services. The data pertains to the average amount of calls made by residential users in fixed networks;
- a user of mobile telephone services is a residential user who uses mobile telephone services. The data pertains to the average amount of calls made from mobile networks or text messages sent or mobile broadband internet access data transferred by residential users;
- number porting means the number of ported mobile phone numbers (transactions) to providers in the observed period, which includes all transactions (to various providers and back to the original provider);
- the data for the number of television or radio channels are based on the number of holders of licenses (publishers) for conducting television or radio activities;
- a digital license is a license to perform television and radio activities in a digital format;
- due to subsequent amendments providers made to the data there is the possibility that there could be some deviation from the previously published figures.

FIGURE 4: TRENDS IN MARKETS WITHIN THE AGENCY'S COMPETENCIES²



² In 2021 the Statistical Office of the Republic of Slovenia published new, higher data on the number of households in Slovenia that affect the calculation of penetration in the charts below.





V BACKGROUND PAPERS

BACKGROUND PAPERS IN AREAS THAT FALL WITHIN THE AGENCY'S AUTHORITY ARE COMPRISED OF ACTS ADOPTED BY THE NATIONAL ASSEMBLY, AS WELL AS BY-LAWS THAT THE GOVERNMENT ADOPTS), MINISTRIES (RULES), OR THE AGENCY ITSELF (GENERAL ACTS, RECOMMENDATIONS) ADOPTS.

Because Slovenia is part of the European legal order, sectoral Acts are based on EU directives that have been transposed into Slovenian legal order. In its work the Agency takes into consideration the recommendations and guidelines from the European Commission, as well as international Acts that are valid in the Republic of Slovenia.

ELECTRONIC COMMUNICATIONS:

— Electronic Communications Act – ZEKom-2 (Official Gazette of the Republic of Slovenia no. 130/22), before 10 November 2022: ZEKom-1 (Official Gazette of the RS, no. 109/12, 110/13, 40/14 – ZIN-B, 54/14 – Constitutional Court decision, 81/15, 40/17 and 189/21 – ZDU-1M);

ELECTRONIC MEDIA:

— Media Act – ZMed (Official Gazette of the RS, no. 110/06 – official consolidated text, 36/08 – ZPOmK-1, 77/10 – ZSFCJA, 90/10 – Constitutional Court decision, 87/11 – ZAvMS, 47/12, 47/15 – ZZSDT, 22/16, 39/16, 45/19 – Constitutional Court decision, 67/19 – Constitutional Court decision and 82/21);

— Audiovisual Media Services Act – ZAvMS (Official Gazette of the RS, no. 87/11, 84/15 and 204/21).

POSTAL SERVICES:

— Postal Services Act – ZPSto-2 (Official Gazette of the Republic of Slovenia no. 51/09, 77/10, 40/14 – ZIN-B and 81/15).

RAILWAYS:

— Railway Transport Act – ZZelP (Official Gazette of the RS, no. 99/15 – official consolidated text, 30/18, 82/21, 54/22 – ZUJPP and 18/23 – ZDU-10)

RADIO SPECTRUM:

— Electronic Communications Act – ZEKom-2 (Official Gazette of the Republic of Slovenia no. 130/22), before 10 November 2022: ZEKom-1 (Official Gazette of the RS, no. 109/12, 110/13, 40/14 – ZIN-B, 54/14 – Constitutional Court decision, 81/15, 40/17 and 189/21 – ZDU-1M);

— Radiotelevizija Slovenija Act – ZRTVS-1 (Official Gazette of the RS, no. 96/05, 109/05 – ZDavP-1B, 105/06 – Constitutional Court decision – ZIPRS0809-B, 9/14 and 163/22);

- Act Ratifying the European Transfrontier Television Convention and the Protocol amending the European Transfrontier Television Convention (MEKTC) (Official Gazette of the Republic of Slovenia – International treaties, no. 18/99);
- Act Ratifying the Regional Agreement Relating to the Use of the Band 87,5108 MHz for FM Sound Broadcasting (Region 1 and Part of Region 3) /MOSUPZR/ (Official Gazette of the Republic of Slovenia – International treaties, no. 5/1997);
- Decree ratifying the FINAL ACTS of the Regional Radiocommunication Conference for planning of the digital terrestrial broadcasting service in parts of Regions 1 and 3, in the frequency bands 174–230 MHz and 470–862 MHz (RRC-06) (Official Gazette of the RS – International treaties, no. 6/13);
- Regional Agreement for the European Broadcasting Area concerning the use of frequencies by the broadcasting service in the VHF and UHF bands, signed in Stockholm 23 June 1961 (Act on the Succession of the United Nations Commission for International Trade Law and International Treaties of the International Telecommunications Union (Official Gazette of the RS – International treaties, no. 19/93));
- Act Ratifying the Chester 1997 Multilateral Coordination Agreement relating to Technical Criteria, Coordination Principles and Procedures for the introduction of Terrestrial Digital Video Broadcasting (DVB-T) (MCVUTV) (Official Gazette of the RS – International treaties, no. 12/05).
- Technical Requirements for Products and Conformity Assessment Act (Official Gazette of the Republic of Slovenia No. 17/11 –ZTZPUS-1)

OTHER IMPORTANT ACTS:

- General Administrative Procedure Act – ZUP (Official Gazette of the Republic of Slovenia, no. 24/06 – official consolidated text, 105/06-ZUS-1, 126/07, 65/08, 8/10, 82/13, 175/20 – ZIUOPDVE and 3/22 – ZDeb);
- Inspection Act – ZIN (Official Gazette of the RS 43/07- official consolidated text and 40/14)
- Minor Offences Act – ZP-1 (Official Gazette of the Republic of Slovenia, no. 29/11 – official consolidated text, 21/13, 111/13, 74/14 – Constitutional Court decision, 92/14 – Constitutional Court Decision, 32/16, 15/17 – Constitutional Court decision, 73/19 – Constitutional Court decision, 175/20 – ZIUOPDVE, and 5/21 – Constitutional Court decision);
- Administrative Dispute Act – ZUS-1 (Official Gazette of the Republic of Slovenia, no. 105/06, 107/09 – Constitutional Court Decision, 62/10, 98/11 – Constitutional Court Decision, 109/12 and 10/17 – ZPP-E);
- Public Information Access Act – ZDIJZ (Official Gazette of the Republic of Slovenia, no. 51/06 – official consolidated text, 117/06 – ZDavP-2, 23/14, 50/14 and 19/15 – Constitutional Court decision, 102/15, 7/18 and 141/22);
- Information Commissioner Act – ZInfP (Official Gazette of the Republic of Slovenia, no. 113/05 and 51/07 – ZUstS-A);
- Public Agencies Act – ZJA (Official Gazette of the Republic of Slovenia, no. 52/02, 51/04-EZ-A, 33/11-ZEKom-C);
- State Administration Act – ZDU-1 (Official Gazette of the Republic of Slovenia, no. 113/05 – official consolidated text, 89/07 – Constitutional Court decision, 126/07-ZUP-E, 48/09, 8/10-ZUP-G, 8/12-ZVRS-F, 21/12, 47/13, 12/14, 90/14, 51/16, 36/21, 82/21, 189/21, 153/22 and 18/23);
- Civil Servants Act – ZJU (Official Gazette of the Republic of Slovenia, no. 63/07 – official consolidated text, 65/08, 69/08-ZTFI-A, 69/08-ZZavar-E, 40/12-ZUJF, 158/20 – ZIntPK-C, 203/20 – ZIUPOPDVE, 202/21 – Constitutional Court Decision and 3/22 – ZDeb);
- Protection of Documents and Archives and Archival Institutions Act ZVDAGA (Official Gazette of the Republic of Slovenia, 30/06 and 51/14)
- Public Procurement Act – ZJN-3 (Official Gazette of the RS, no. 91/15, 14/18, 121/21 10/22, 74/22 – Constitutional Court Decision and 100/22 – ZNUZSZS);
- Integrity and Prevention of Corruption Act – ZintPK (Official Gazette of the Republic of Slovenia, no. 69/11 – official consolidated text, and 3/22 – ZDeb);
- Public Finances Act – ZJF (Official Gazette of the RS, no. 11/11 – official consolidated text, 14/13 – correct., 101/13, 55/15 – ZFisP, 96/15 – ZIPRS1617, 13/18, 195/20 – Constitutional Court decision, and 18/23 – ZDU-10);
- Information Security Act (Official Gazette of the Republic of Slovenia, no. 95/21 and 18/23 – ZDU-10);

——— Electronic Commerce Market Act – ZEPT (Official Gazette of the RS, no. 96/09 – official consolidated text, 19/15, 189/21 – ZDU-1M, and 18/23 – ZDU-1O);

Below are the Agency's 5 strategic objectives (1) encouraging competition and market development, (2) protecting the users and ensuring universal service, (3) ensuring the optimum use of a limited public resource, (4) increasing efficiency and decreasing regulatory limitations, and (5) optimization of investments presenting the planned tasks and activities that the Agency planned in its 2021 Operational and Financial Plan for achieving the set goals. Tables 1 through 5 outline key tasks and activities that are planned and that are performed as permanent tasks throughout the whole year (they are repeatable and often depend on outside submissions or reports) or as projects. Because the Agency follows market trends in its activities for fulfilling the set objectives, its activities or priorities of planned activities may change throughout the year, which the Agency then discloses in its Annual Report.

VI MANAGING A LIMITED RESOURCE

1 ANNUAL GOALS AND THE STATE OF THE MARKET

TABLE 1: KEY OBJECTIVE: ENSURING OPTIMUM USE OF A LIMITED RESOURCE

Key objective: Ensuring optimum use of a limited resource					
Task/Project	Activities	Objectives	KPI	Result	Comment
Radio frequency spectrum management strategy	Monitoring the implementation of the strategy and preparing an analysis.	Verifying goal realisation.	Performing the analysis by 31 December 2022.	■	The Analysis of strategy implementation was published on the website on 21 December 2022.
Public tenders for radio frequencies for public mobile communication services	Public tender with a public auction for a part of the 2300 MHz and 3400–3420 MHz frequency bands – for local use	In accordance with the Radio frequency spectrum management strategy to award the frequencies in 2022, thereby paving the way for the construction of new networks for local use and support to verticals.	The beginning of the procedure in the second half of 2021, with the decisions to be issued in the first half of 2022.	■	Because of a delay in awarding the frequencies at the multi-frequency auction, which was to be followed by this tender, the procedure is behind schedule. It was launched in early 2022, and on 26 August 2022 the Draft tender documentation was published on the website, and the second public discussion is planned for early 2023.
	In the event of a request launch the Public tender with a public auction or award radio frequencies in accordance with ZEKom-2 for local use in the following bands: 3800–4200 MHz, 28 GHz and 32 GHz for verticals or for a technological/ service neutral award for local use with protection of other services in accordance with EC/CEPT.		If the request comes, the Agency will conduct a survey of the demand for spectrum for the public tender, planned for Q3 of 2022.	■	The survey of the demand for the amount of spectrum for the public tender was published on the website on 30 September 2021, however, there has been no interest as of today.

Key objective: Ensuring optimum use of a limited resource

Task/Project	Activities	Objectives	KPI	Result	Comment
5G and convergence of public mobile and radio broadcasting services in the UHF band, and a switch from DTT to LTE/5G	Preparing the spectrum for implementing 4G/5G for the video vertical and other advanced services, the spectrum for switching from DTT to 4G/5G	Preparations for WRC-23 AI 1.5, monitoring CPG and CPG-PTD	Preparing the questionnaire for WRC-23 planned for Q2 of 2022	■	The questionnaire for WRC-23 was published on the website on 13 January 2023 due to lack of human resources and the priority given to preparing the draft tender documentation.
Public tenders for radio frequencies for audio broadcasting	Public tender for assigning FM frequencies.	Ensuring that listeners have a diverse and interesting range of available radio stations.	Holding up to two public tenders by the end of 2022.	■	One public tender was completed, while the other is still in preparation because of other tasks and the lack of human resources.
	Public tender for awarding frequencies for DAB+.	If there is interest, holding a tender for new DAB+ frequencies.	If there is interest, holding a tender by 31 December 2022.	■	There was no interest for tendering new DAB+ frequencies.
Establishing the system for verifying the existence of danger of exhausting the numbering elements	Establishing a background paper (general act) and setting the measures for assessing the capability of managing numbering elements and the danger of exhausting the numbering elements.	Establish the danger of exhausting the numbering elements and setting the measures for rejecting a decision on awarding numbering elements, if the party requesting them is not an operator, does not exhibit the capability of managing numbering elements.	Adopting the general act and establishing the internal system for verifying the existence of danger of exhausting the numbering elements by 31 December 2022.	■	ZEKom-2 came into effect in November 2022, and consequently it was not possible to adopt the general act by the end of the year, which would have been the basis for the analysis and for verifying the existence of the danger of exhausting numbering elements.
Amending the General act on the frequency utilization plan (NURF).	Preparing the amended NURF.	Amending the NURF in accordance with the new EU and CEPT regulations.	Issuing amended NURF by 31 December 2022.	■	The amended NURF-4-d was prepared and published, and after ZEKom-2 was adopted, NURF-5 was prepared, and will be published in the Official Gazette of RS after all the approvals are granted.

RESULT



According to plan



Partly according to plan

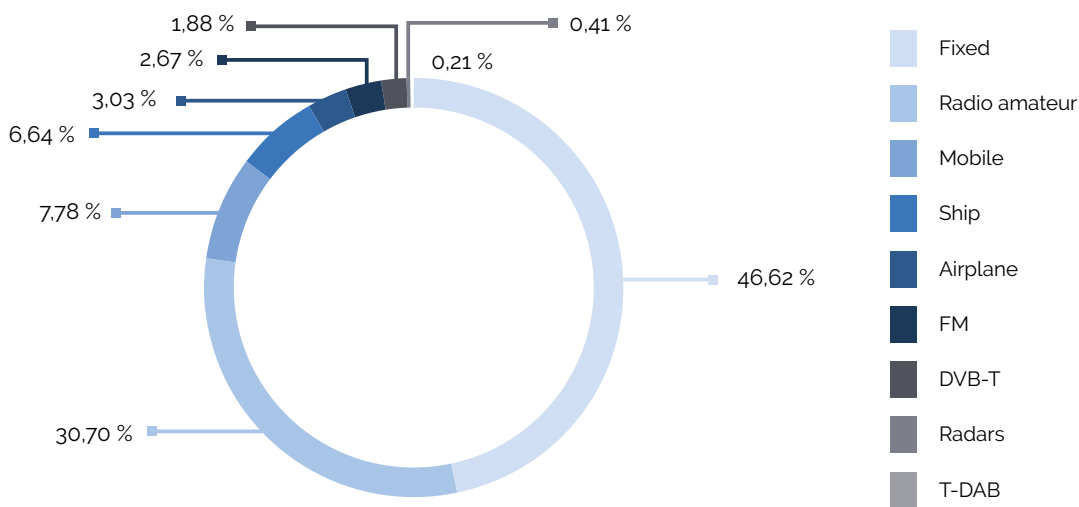


Not to plan

1.1 RADIO SPECTRUM UTILISATION

At the end of 2022 there were 372 decisions on awarding radio frequencies for audio broadcasting, 262 decisions for DVB-T, 30 decisions for T-DAB, 6506 decisions for microwave connections, 8 for telemetrics, 11 for satellite system communications, 57 for radars, 926 for mobile cameras, 762 for ships and 423 for airplanes, 1086 decisions for mobile connections, and 4284 amateur radio licenses in force. In 2022 there was a total of 1379 active holders of decisions on awarding radio frequencies or licences for ships and airplanes, as well as 4627 radio amateurs.

FIGURE 5 SHARE OF VALID DECISIONS ON AWARDING RADIO FREQUENCIES AT THE END OF 2022

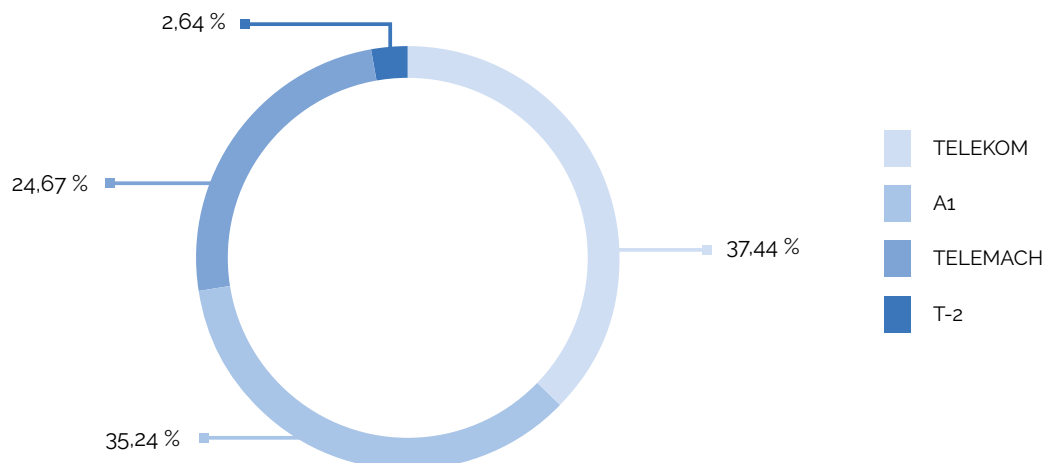


At the end of 2022 two T-DAB+ networks with national coverage were operational, multiplex R1 with no available capacities and multiplex R2. Multiplex R3 covers the area of Ljubljana. All three networks are managed by RTV Slovenija.

The operator of both national DVB-T networks is also RTV Slovenija. Multiplex A is intended for national channels and regional channels with the status of special significance, while multiplex C has two free to air channels and nine pay TV channels. There are also two local multiplexes operating, one for the area of Litija, and the second one for the area between Ravne na Koroškem and Celje.

The state of spectrum in public communication services has not changed in 2022, as no new frequencies were awarded.

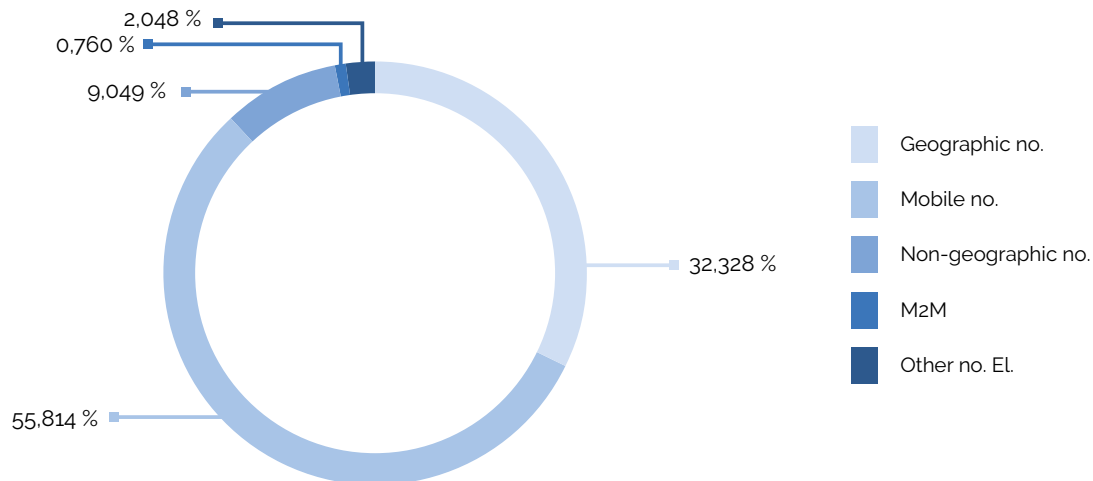
FIGURE 6: THE SPECTRUM OF MOBILE OPERATORS AT THE END OF 2022



1.2 NUMBERING SPACE UTILISATION

As at 31 December 2022 the Agency's official registry included 25 operators and 9 other providers who were assigned various numbering elements. At the end of 2022 there were a total of 381 issued and valid decisions on assigning numbering elements, while the number of assigned numbering elements was 14,476,531.

FIGURE 7: THE NUMBER OF ASSIGNED NUMBERING ELEMENTS AT THE END OF 2022



Compared to the state of the assigned numbering elements at the end of 2021, there were some changes in assigned elements for the following types of numbering: the scope of geographic numbers decreased by 0.06%, the scope of non-geographic numbers for VoIP services decreased by 0.76%, the scope of mobile numbers increased by 0.37%, and the scope of M2M numbers remained unchanged. The scope of numbers for toll-free services increased by 3.44%, the scope of number for premium services increased by 7.05%, the scope of national signalisation points codes (DPC) decreased by 2.94%, the scope of numbers for access to special networks decreased by 10%, the scope of national destination codes (NDC) increased by 2.04%, and the scope of mobile network codes increased by 11.11%, while the scope of routing codes decreased by 3.57%.

The number of numbers ported in 2022 increased by 8.4%, compared to the previous year. There was a total of 164,746 numbers ported in 2022, of which 132,799 were mobile, and 31,947 were fixed. Since the introduction of number porting in 2006 a total of 2,568,873 numbers have been ported. The total number of ported numbers as of 31 December 2022 was 1,383,627, of which 878,849 were mobile, and 503,732 were fixed. A large number of ported numbers (estimated at more than 33% of active mobile and more than 50% of active fixed numbers) points to the fact that the option of number porting makes end users' decisions to switch providers easier, thereby contributing to competitive conditions in the retail market. The Agency receives the data on number porting through the updated website of the administrator of the central database of ported numbers.

2 ACTIVITIES FOR ACHIEVING THE OBJECTIVES

2.1 REGULATION

Based on the Electronic Communications Act and in accordance with the strategic guidelines from the Ministry of Public Administration of 14 April 2020, the Agency began preparing the Radio frequency spectrum management strategy for the 2021–2023 period in 2020. At the end of 2020 it was sent for approval to the Government of the Republic of Slovenia. Through inter-departmental coordination the Agency somewhat amended the Radio frequency spectrum management strategy for the 2021-2023 period which the Government of the Republic of

Slovenia then approved, and the Agency published the strategy. In 2022 it was the guideline for administering the radio frequency spectrum. The Agency followed the set goals and planned projects. At the end of the year, it prepared an analysis of the strategy's realisation, and published it on its website in January 2023.

After the new Electronic Communications Act (ZEKom-2) was adopted at the end of 2022, the Agency began amending general acts. It published the General act on the method of calculating fees for the use of radio frequencies, and submitted several executive acts to public discussion, including the one on the method of calculating fees for the use of radio frequencies, which for the first time introduces the fee for issuing, changing or extending a radio amateur license with the year 2023. Information about the review of all the executive acts that follow the adoption of ZEKom-2 is collected in chapter XI 2.1 Electronic Communications Act (ZEKom-2).

With the objective of encouraging local communities and operators to find solutions in a proactive manner that can contribute to improved mobile network coverage of Slovenia and thereby ensuring a higher quality of communication services, the Agency prepared the Report on the procedures for ensuring mobile network coverage of areas with no coverage or poor coverage.

2.2 MOBILE SERVICES

2.2.1 AWARDING PART OF THE SPECTRUM IN THE 2300 AND 3600 MHZ FREQUENCY BANDS FOR LOCAL USE, MOSTLY FOR VERTICALS

In 2022 the Agency's main priority in radio frequency spectrum management was preparing the public tender with a public auction for the available radio frequencies for providing public communication services for local use, i.e. verticals. This is a public tender with a public auction of available radio frequencies for providing wireless broadband electronic communication services, mostly for verticals and/or PMSE for local use in the scope of which 40 MHz of the frequency spectrum are to be awarded.

In August 2022 the Agency published the Draft tender documentation for the public tender with a public auction for awarding radio frequencies in the 2300 MHz and 3600 MHz radio frequency bands for local use, and in October it published the opinions and comments from stakeholders to the Draft tender documentation. Based on the received comments it somewhat amended the content of the draft of this public tender. The final version of the Draft tender documentation was again published for consultations in the start of 2023. The Agency published its explanation regarding preparing the responses to the draft tender documentation on its website at the end of 2022.

2.2.2 AWARDING BWA IN THE 28 GHZ BAND FOR VERTICALS, I.E. AWARDING THEM FOR TECHNOLOGICAL/SERVICE NEUTRAL LOCAL USE

Based on identified demand for frequency spectrum in the 2300 MHz, 3600 MHz, 3800–4200 MHz and 28 GHz frequency bands, the Agency began preparing technical basis for the 28 GHz band in 2022.

It conducted inquiries with equipment vendors on the availability of 5G BWA equipment for the European market and established that the equipment from all three vendors supports use in the 26.5–29.5 GHz part of the spectrum, and that end-user devices (phones and CPE) are also available.

In 2023 the Agency plans to continue with the procedure and based on the obtained information again survey the stakeholders on their interest, and if there is some, launch the procedure for awarding the frequencies.

2.2.3 AWARDING FREQUENCIES IN THE 3800–4200 MHZ BANDS FOR VERTICALS, I.E. AWARDING THEM FOR TECHNOLOGICAL/SERVICE NEUTRAL LOCAL USE, AND PROTECTING OTHER SERVICES

Based on identified demand for frequency spectrum in the 2300 MHz, 3600 MHz, 3800-4200 MHz and 28 GHz frequency bands, the Agency in 2022 participated in the ECC PT1 correspondence group, which is preparing regulations for the 3800–4200 MHz band³. It is expected to be adopted at the level of the Conference of Postal and Telecommunications Administrations (CEPT) at the end of 2023 or in early 2024, and the EU implementing decision is expected to follow.

2.2.4 THE DEVELOPMENT OF INFRASTRUCTURE FOR CRITICAL COMMUNICATION

In relation to awarding radio frequencies in the 410–430 MHz band for verticals or for technological/service neutral local use for the territory of the Republic of Slovenia, and the planned assistance to relevant bodies (if there is a request) in awarding the spectrum for public protection and disaster relief (PPDR) services in the 450 MHz and the 700 MHz bands, the Agency continued with endeavours for adopting multilateral agreements for the 400 MHz bands for broadband services among the countries participating in the HCM agreement. The HCM agreement is an agreement between 17 Central European countries for coordinating fixed and mobile connections in the 39.5 MHz to 43.5 MHz bands⁴. However, it did not receive and requests from the relevant ministries for awarding the frequencies.

In 2022 the Agency submitted proposals of bilateral agreements for the 410–430 MHz and the 450–470 MHz bands to Croatia and Hungary. Based on an agreement with Germany, it submitted a new proposal of agreements with the plan of preferred channels for all members of the HCM agreement to Germany, Hungary and Croatia, and in January 2023 also to France. In 2022 the Agency continued moving narrowband systems from the following subbands 410–417 MHz/420–427 MHz and 450–457.5/460–467.5 MHz to the remaining part of the radio frequency bands 440–450 MHz, 450–470 MHz and 410–430 MHz in accordance with the valid General act on the radio frequency utilization plan (NURF).

2.2.5 RADIO FREQUENCIES FOR PUBLIC MOBILE TECHNOLOGY AVAILABLE ACCORDING TO WRC-19 – CAMPAIGN 1: STRATEGY

At the World Radio Conference 19 (WRC-19) certain bands were assigned for mobile connections and international mobile telecommunications (IMT) with the objective of ensuring access to broadband mobile services for all citizens in the shortest time and at the lowest costs possible.

At the multi-frequency auction that followed the Implementing decision of the European Commission (EU) 2020/590 and the Implementing decision of the European Commission 2019/784, the upper 1 GHz of the spectrum in the 24.5–27.5 GHz frequency band (i.e. 26.5–27.5 GHz) was awarded in 2021. Other parts of the spectrum in this band, which is not intended for state use, will also become available in accordance with NURF: 25,053–26,50 GHz, parts of the 25,053–25,500 GHz and 26,061–26,500 GHz will be able to be used for fixed P-P links in accordance with the ECC Report 303.

The European Commission has given mandate to CEPT to prepare minimum technical requirements for harmonised use for terrestrial systems that can provide wireless broadband electronic communication services in the 40.5–43.5 GHz radio-frequency band. At the CEPT level coordinated technical conditions were adopted for the 42 GHz band in the CEPT Report 82 and ECC DEC(22)06. It is expected that the implementing decision with coordinated technical conditions for the 42 GHz band will be adopted in 2023. After it will be adopted, the Agency plans to verify demand for market interest, and if there is some, to award the 42 GHz band and the remainder of the 26 GHz band (25.1–26.5 GHz).

2.2.6 5G AND THE SWITCH FROM DTT TO LTE

A review of the use of the 470–960 MHz radio frequency band in Region 1 and the introduction of potential new regulatory measures for the 470–694 MHz band in Region 1, which would allow the introduction of IMT in this band, are on the agenda of the upcoming WRC-23.

According to the Agency's information, EBU is already testing Evolved Multimedia Broadcast Multicast

³ <https://www.cept.org/ecc/groups/ecc/ecc-pt1/client/meeting-documents/?fid=30664>

⁴ http://www.hcm-agreement.eu/http/englisch/verwaltung/index_europakarte.htm

(eMBMS) in Europe, as well as broadcasting over the 5G vertical. In 2022 the Agency awarded the decision for finding and testing new hybrid scenarios for using 5G Broadcasting technology.

In the scope of its authority the Agency provided support to other interested stakeholders and consortia for testing and future use of 5G technology. It made available all of the free spectrum for mobile technologies which is suitable for 5G. In 2022 the Agency once again awarded test frequencies in accordance with the legislation and the calls to limited geographical areas and for a limited duration.

2.2.7 MONITORING THE PROVISION OF PUBLIC COMMUNICATION SERVICES

The Agency published the Report on fulfilling obligations and coverage with mobile service technologies and the start of providing services in the 700 MHz and 3600 MHz frequency bands based on the operators' data from July 2022. The Agency finds that all the holders of decisions on awarding radio frequencies (i.e. A1 Slovenija, Telekom Slovenije and Telemach) had begun using the frequencies also in the 700 MHz and 3600 MHz bands, and that they are already providing broadband services to end users through these frequencies in at least one major city, thereby fulfilling the coverage requirements from their decisions on awarding frequencies.

This year the Agency submitted for public consultation the draft Recommendation on the procedures for providing mobile network coverage to areas with no or poor coverage, which it began preparing in 2021. Final version of the recommendations was published in May. The report includes activities through which the Agency aims to encourage local communities and operators to find solutions in a proactive manner that can contribute to improved mobile network coverage of Slovenia and thereby ensuring a higher quality of communication services to end users. It also includes measures for improving communication between the operators and the local community.

2.2.8 OTHER ACTIVITIES

In order to ensure uninterrupted use of these radio frequencies, the Agency coordinated the HCM agreement with neighbouring countries. This ensures the conditions for uninterrupted use of these radio frequencies.

In the scope of CEPT the Agency participated in 2022 in the preparation of the draft report and recommendation for cross-border coordination in the 1900–1910 MHz bands. The report and the recommendation are expected to be ready in the first half of 2023. The only issue not yet settled is the default synchronisation scheme.

In 2023 the Agency plans to issue the decision on awarding radio frequencies for the frequency bands 874.4–880 MHz/919.4–925 MHz and to rearrange radio frequencies in the 450–470 MHz band.

In 2022 the Agency regularly and actively participated in CEPT and European Commission working groups and entered all the new compatible coordinated technological developments into NURF, thereby supporting exact and predictable use of unlicensed radio spectrum, and with it the competitiveness of our economy.

It also made sure that the radio equipment in use is compliant with the currently valid NURF and the Rules on radio equipment and telecommunication terminal equipment, which are amended in accordance with the of new technologies and the EU requirements for coordination of radio frequency use in the scope of the TCAM working group⁵.

2.3 BROADCASTING

2.3.1. RADIO BROADCASTING

In the start of 2022 the Agency formed a proposal of conditions and the measures for the public tender for awarding radio frequencies for analogue audio broadcasting – general 2022/1, in which it tendered nine radio frequencies for analogue audio broadcasting of radio programming, joined in a total of six subjects of the

⁵ TCAM is an European Commission working group, which reviews and submits proposal for the use of unlicensed radio spectrum in which Slovenia is an active participant.

public tender, namely Izola 5 88.9 MHz; Skalnica 107.5 MHz; Idrija 1 98.0 MHz and Idrija 2 101.6 MHz; Kočevje 2 103.6 MHz; Kočevje 3 102.5 MHz and Ribnica 107.0 MHz; Kočevje 93.7 MHz and Kočevje 3 88.7 MHz. The proposal was discussed at the April meeting of the Broadcasting Council which gave a positive preliminary opinion to the terms and measures, and in May 2022 the Ministry of Culture also provided its approval. The public tender was launched when the decision was published in mid 2022, and by the deadline for submission 37 offers were received. The commission for managing the public tender completed reviewing and assessing the offers by the end of 2022, and its report was included in the December meeting of the Broadcasting Council, where it submitted its proposed selection with explanations. The Agency will complete its decision in the administrative procedure in the start of 2023, and issue the decisions on awarding radio frequencies. At the end of 2022 the Agency began preparing a new public tender, which will be published in the first half of 2023.

2.3.2 DIGITAL TERRESTRIAL RADIO

At the end of 2022 two T-DAB+ network with national coverage were operational, multiplex R1 and multiplex R2 (divided into two regions: east and west), and multiplex R3 with local coverage of the city of Ljubljana. The capacity of multiplex R1 has been fully occupied, while the multiplex R2 still has room for at least 5 stations, both in east and in west. At the end of 2022 the R2 network hosted 17 stations, while the R3 network hosted 2 stations. Nearly all the stations that have been so far available in analogue radio broadcasting, are now present in these two networks with a higher level of quality and without interference, especially in the territory of western Slovenia. The multiplex R3 is still nearly empty, as it currently only hosts 2 stations. All three networks are managed by RTV Slovenija. In 2022 two additional transmission locations were issued for the R1 multiplex, for Kum and for Vogel. In 2022 the Agency continued informing the public and cooperating with radio stations and other media to help improve the profile of digital radio among end users.

The Agency added the data of transmitter locations for terrestrial digital audio broadcasting T-DAB+, and the results of the measurements of the signal quality for all DAB+ multiplexes, R1, R2 and R2, to AKOS Geoportal.

2.3.3 DIGITAL TERRESTRIAL TELEVISION

At the end of 2022 there were two national DVB-T networks operational. The operator of both is the public institution RTV Slovenija. Multiplex A is intended for national channels and regional channels with the status of special significance. Because of the decline in demand for terrestrial television broadcasting multiplex C now only hosts two free to air channels, while most of the available capacity of multiplex C is occupied with pay TV. There are also two local multiplexes, one for the area of Litija, and the second one for the area between Ravne na Koroškem and Celje.

In 2022 the Agency extended the decision for multiplex C with all 90 accompanying decisions for transmission location for a period of three years. It extended 35 decisions for transmission locations for multiplex A. Because the Republic of Italy stopped transmitting on Slovenian channels, it amended the decisions on awarding radio frequencies to optimise the use of multiplex A. It also extended two local multiplexes (ATV Babnik & CO and VTV Studio), however, it did not extend the validity of the decisions for two other local multiplexes (Prak d.o.o. and Domates), because it did not receive appropriate applications.

2.4 OVERVIEW OF STANDARD OPERATIONS

In radio frequency spectrum management, the Agency issued 2823 decisions on awarding radio frequencies (DARF), 2756 decisions on ascertaining points (DAP), 1512 collective decisions on the payment for the use of a limited natural resource for 9678 DARFs, 107 coordinations and 36 other administrative acts. In 2022 the Agency issued 18 new decisions for frequencies for satellite news gathering/occasional use (SNG/OB). The decisions were issued relating to major events and sport matches. In 2022 the Agency processed 2135 decisions for fixed connections (microwave connections), and issued 1200 new decisions on awarding radio frequencies. License holders were mainly expanding their existing backbone networks or increasing the capacities of their already existing focused links. The Agency issued 242 CEPT amateur radio licenses for the requirements of

amateur radio activities. The Agency issued 67 decisions for radio licenses for aircraft in 2022, and 182 for ships. In mobile radio systems the Agency received 114 new requests in 2022, and resolved 92 new ones, while 22 were transferred from the previous years, thereby resolving a total of 99 requests. It issued 251 decisions on awarding radio frequencies; for new mobile radio systems and for extending the validity of existing decisions and testing.

In 2022 the Agency continued with the activities for handling requests for the allocation of call signs for personal locator beacons (PLB). The database can provide help in handling information when a PLB holder requests help in the event of an accident.

As the Directive on radio equipment came into effect, it abolished the so-called one stop notification (OSN) system for notifying EU member states on technical parameters of radio equipment; however, the new notification system has yet to be established. The European Commission is establishing a centralised system in which vendors will be able to register the required information on radio equipment, and the system will be available to individual bodies of member states. Currently the vendors are sending the Agency the technical information on their equipment, so that it may approve, limit or even prohibit the operation of radio equipment in accordance with the valid Radio frequency utilization plan (NURF), if it fails to meet the technical conditions for operation. In order to ensure better supervision of using and also possibly prohibiting individual equipment that has not been standardised in Europe, the Agency obtained information at meetings with the Ministry of Economic Development and Technology and the Market Inspector of the Republic of Slovenia, as well as through reports of working groups.

In 2022 the Agency handled 359 cases related to radio broadcasting spectrum management, of which 267 were started at the party's request, and 267 ex-officio. It issued a total of: 193 decisions on awarding radio frequencies (DARF), 102 decisions on appointing the number of points (ODŠT) and 69 fees based on the notification for providing public communication network or providing public communication services (ODOP).

2.5 COOPERATION WITH RELEVANT MINISTRIES

In radio frequency spectrum management, the Agency cooperated with the Government Office for Digital Transformation (SDP) in the preparation of ZEKom-2. Together with SDP and the Ministry of Internal Affairs is collaborating in the working group to resolve the issues of interference with the Republic of Italy.

Under the authority of the Ministry of Economic Development and Technology it participated in working group of the European Commission TCAM and EG RE working on amending the Decision 2006/771/EC with new developments in the coordination of technical conditions in the utilisation of radio frequency spectrum for short range devices (SRD). The Agency has submitted proposals and comments to the changes in the use of Class 1 radio equipment, which utilise harmonised radio spectrum in the EU and is implementing these changes into the Slovenian legal order through NURF, which is essential for the economy that relies on these devices. The Agency also gave its approval to the proposals for harmonised standards related to the use of radio spectrum as part of its participation in SIST.

2.6 INTERNATIONAL COORDINATION AND COOPERATION

Along with regular participation in 32 working groups in the scope of the European Union (RSPG, BEREC, RSC, TCAM), NATO, CEPT ITU and HCM, the Agency coordinated the use of radio frequencies that affect other countries in accordance with international agreements. In analogue broadcasting the Agency resolved a total of 32 cases.

In digital broadcasting the Agency resolved a total of 16 cases. It reviewed a total of 23 entries in the register with the International Telecommunications Union (ITU). In relation to coordination of mobile service it received 32 new cases, resolved 37, of which 32 were from 2022, and 5 carried over from past years. There were 17 new

cases for satellite and fixed connections.

The Agency also actively participated in and showcased its work at two international conferences, namely at "Current and future regulatory challenges and coordination with the European regulatory framework", and the "9th Latin America Spectrum Management Conference", contributing to the recognition of the Agency's work both in Slovenia and internationally.

2.7 NUMBERING SPACE

In the scope of ensuring an optimum utilization of limited resources one of the Agency's still significant tasks for 2022 was once again efficiently managing the multitude of numbering elements in the Republic of Slovenia with the goal of ensuring their efficient structuring and utilisation, and administering the official record of operators. The activities included entries into and deletions from the official record of operators, providing explanations and instructions to domestic stakeholders, and especially to foreign legal entities before they enter the Slovenian market. Because the electronic communications market is continuously developing, the Agency needed to obtain new information and prepare positions in concrete cases of new registrations, and in processing applications for assigning or returning numbering elements.

In 2022 the Agency issued 12 decisions on assigning the numbering elements were issued, and 4 on the annulment, expiration, or partial expiration of decisions. In two cases negative decisions were issued in the procedure, because the applicant was not able to justify the requested amount or type of numbering elements. 62 decisions for the payment for using numbering elements were issued ex officio.

Based on line 6 of paragraph 1 of Article 206 of ZEKom-1, the Agency issued an approval to the transfer of the right to use numbering elements to an operator which requested to be stricken from the operator registry to another operator, and consequently issued new decisions on awarding numbering elements.

The Agency responded to 22 questions related to numbering space posed by citizens, operators, journalists and other members of the public.

In the second half of the year the Agency hosted several meetings between the administrator of the central database of ported numbers and operators' representatives, where stakeholders drafted the agreement on cooperation for the next 5 years.

With regard to the adoption of the Electronic Communications Act (ZEKom-2), the Agency submitted to public consultation the General act on number porting and replacing the provider of internet act services. The proposal follows the solutions of the currently valid General act on number porting, while also adding the developments from recent legislation.

The Agency regularly participated in international working groups, and as a member of the international organisation CEPT/ECC hosted the two-day hybrid meeting of the expert working group for Numbering and Networks – NaN, which discusses specific topics related to the numbering space. In the scope of NaN new and effective policies for managing numbering plans are developed, addressing the issues related to new services and applications, and encouraging sustainable use of numbering resources. The subject of the meeting was focused mainly on the review of current CEPT recommendations in extraterritorial use of numbering elements, addressing the M2M/IoT communication technologies and coordinated administration of mobile network codes (MNC).

Participation in CEPT/ECC working groups helps the Agency understand business practices that are coming to the local electronic communications market. Through questionnaires that highlight the practices of individual regulators, the Agency helps prepare reports and joint guidelines with other member states that come into effect after approval.

VII REGULATION

1 ELECTRONIC COMMUNICATIONS

1.1 ANNUAL GOALS AND THE STATE OF THE MARKET

TABLE 2: KEY OBJECTIVES IN THE ELECTRONIC COMMUNICATIONS

Key objective: Encouraging competition and market development					
Task/Project	Activities	Objectives	KPI	Result	Comment
Analysis of the effects of regulation of relevant market 4 (2014/710/EU): Wholesale high-quality access at a fixed location	Prepare an analysis for relevant market 4 "Wholesale high-quality access at a fixed location" with questions for stakeholders.	The objective is to establish the state of the market from the perspective of competition, offer of services and the development of infrastructure in the analysis of the effects.	Preparing the analysis of effects for market 4 by 30 June 2022.	■	The analysis of the effects of regulation is planned after the decisions on relevant markets 1 and 2b are issued. Because the process of issuing those was delayed following additional public consultations, the time for preparing the analysis also shifted into the second half of 2022. The document was submitted to public consultation in February 2023.
Regulation of relevant market 2 (2020/2245/EU): Wholesale dedicated capacity	For the relevant market 2 "Wholesale dedicated capacity": Preparing the analysis and holding a public consultation; Notifying the analysis with the EC; Issuing a regulatory decision.	The objective of the analysis is to establish the state on this market, and to regulate it according to findings in order to ensure competitiveness on the market and to consequently ensure end users receive high-quality services at appropriate prices.	The start of work on this project in the second half of 2022.	■	The Agency began work on the analysis of relevant market 2 already when preparing the Analysis of the effects of regulation of relevant market 4, and will complete it after obtaining responses from stakeholders, who will have an important input into the analysis of the relevant market.
Establishing the state of the market	The analysis of retail and wholesale prices of broadband connections for December 2021.	Monitoring the market for any potential new regulatory measures.	Obtaining the data from operators and preparing a short analysis of trends by 30 November 2022.	■	Publishing the analysis of products and services on the retail market for broadband access in August 2022. Publishing the summary analysis of products and services on the whole local access in November 2021.
	The Survey on monthly household spending on electronic communications services, and the Analysis of the current demand for higher speeds of internet access and e-content.	Improving public awareness and establishing actual needs of electronic communications users.	Concluding both surveys of end users by 31 December 2022.	■	Publishing the Survey on monthly household spending on electronic communications services, and the Analysis of the current demand for higher speeds of internet access and e-content in December 2022.

Support for stakeholders	Support in the implementation of EU directives (roaming, prices of termination in mobile and fixed networks, and other).	Providing operators support in the implementation of measures and holding a dialogue with operators.	Organising a workshop, holding meetings and preparing responses by 31 December 2022.	■	The Agency organised a discussion on the new Roaming regulation and answered the questions from stakeholders.
---------------------------------	--	--	--	---	---

Key objective: Protecting users and ensuring the provision of the universal service

Task/Project	Activities	Objectives	KPI	Result	Comment
Establishing the state of the market and preparing new general acts in accordance with the new legislation	Preparing general acts related to ensuring universal service, including an analysis of broadband access transfer speeds.	The objective is to establish the state of the market, to prepare an analysis of transfer speeds, and to recommend amendments to general acts for ensuring universal service.	Obtaining the data from operators and preparing the analysis of broadband access transfer speeds.	■	ZEKom-2, which is the basis for performing this task, came into effect in November 2022, and consequently it was not possible to perform the set activities.

Key objective: Optimizing investments in infrastructure

Task/Project	Activities	Objectives	KPI	Result	Comment
Encouraging optimization of investments in infrastructure	Maintaining, developing, optimising and updating the Geoportal. Adding layers, terrains and features for a simple overview.	Providing information in a transparent and simple way for all users of the Geoportal.	Quarterly data review and update.	■	The Agency regularly updated all databases, established additional layers for an improved overview and user experience.
	Optimisation, updating and maintenance of the Portal of infrastructure investments.	Ensuring optimum planning for construction and maintenance of communication and other public utility infrastructure of local communities and other important investors in PUl.	Maintenance and regular updates to the database of published investments in real time.	■	Upgrade of the Portal of infrastructure investments was completed in the first quarter of 2022.

Key objective: Increasing efficiency and reducing regulatory burdens					
Task/Project	Activities	Objectives	KPI	Result	Comment
Modernisation and automation of data collection for obligatory reporting	Analysis of the user's needs and setting up the server environment, and the development of the system by an external developer.	Analysis of the user's requirements and the development of the system.	Preparing the analysis of the user's needs by 14 January 2022.	■	The first results of the analysis were completed in January 2022. Because of the parallel development, the analysis continued through the whole year.
	Setting up the system in a test environment and testing; data migration to the production environment; security test of the software solution, launching the new data collection system.	Setting up the data collection system to make reporting and data processing easier.	Setting up the system in a test environment and testing by 16 December 2022.	■	The prototype of the system was set up in the test environment in March 2022.

TABLE 3: ADDITIONAL TASKS THAT WERE NOT PLANNED IN THE 2022 ACTION PLAN AND FINANCIAL PLAN

Task	Goals of the task	Description (permanent activities or projects)	Comment
The General act on publishing information on valid tariffs	Publishing the General act on publishing information on valid tariffs in the Official Gazette of RS.	Holding the public consultation, preparing responses to the comments from stakeholders and publishing the General act in the Official Gazette of RS.	The General act on publishing information on valid tariffs was published in the Official Gazette of RS on 28 February 2022.
Recommendation on operators' actions in the event of discovered abuses in voice call termination	Preparing and publishing the final Recommendation on operators' actions in the event of discovered abuses in voice call termination.	Holding consultations and meetings with operators, preparing the draft recommendation, holding a public consultation, preparing responses to the comments from stakeholders and publishing the final recommendation on the website.	Recommendation on operators' actions in the event of discovered abuses in voice call termination was published on the website on 10 January 2023.

The Agency set several important goals in telecommunication regulation with the key objective of encouraging competition and market development. For the year 2022 it set out to prepare the analysis of the effects of regulation of the relevant market 4 (2014/710/EU) "Wholesale high-quality access at a fixed location", which would serve as a preparation of the analysis of relevant market 2 (2020/2245/EU) "Wholesale dedicated capacity". In the first half of 2022, the Agency was still finishing the procedure of issuing new regulatory decisions to the operator with significant market power on market 1 (2020/2245/EU) "Wholesale local access at a fixed location" and on market 3b (2014/710/EU) "Wholesale central access at a fixed location for mass market products". The delay in issuing the decisions occurred because both analyses were submitted to public consultation in April and then once again in September 2021. Only by the end of 2021 did the Agency as one of the first member states successfully complete the notification procedure with the European Commission after it had adopted the new Commission Recommendation on relevant product and service markets within the

electronic communications sector susceptible to ex ante regulation in accordance with Directive (EU) 2018/1972⁶ (hereinafter: Recommendation on relevant markets). The Agency issued both regulatory decision in July 2022. For the requirements of the analysis of the effects of the regulation, the Agency prepared an extensive questionnaire for all the operators who offer or purchase services on this market. Parallel the Agency began preparing the analysis of the relevant market, which will be completed after obtaining input from stakeholders on the analysis of the effects of the regulation. As the Agency has not yet received all the responses to its questionnaires from one of the operators, it had to postpone the publication of the analysis of effects of regulation of relevant market 4 to early 2023.

As part of encouraging competition and monitoring the development of the market, the Agency concluded and in March also published the Strategy for encouraging regulatory predictability on the electronic communications market for the 2022-2024 period. In December 2021 the Agency also prepared the draft of this strategy and submitted it to public consultation. In early 2022 after completing the public consultation it carefully reviewed the comments and opinions, took some of them into account, and amended the strategy.

From the perspective of monitoring competition and market development, and establishing the state of the market, the Agency also set out to perform two analyses in 2022, namely the analysis of retail and the analysis of wholesale prices of broadband connections in the Republic of Slovenia. Both are important from the perspective of monitoring the development of the market and verifying the accuracy of the data on infrastructure of electronic communications, and represent an important foundation in the preparation of analyses of relevant markets of access to fixed broadband network at the carrier level. For this purpose, the Agency is collecting the data from all the active operators on the market, and identifying the most important retail products, the state of the competition, as well as the movement of prices that operators have in individual geographic areas. Both analyses have been successfully completed, and the reports have been published on the Agency's website.

The Agency additionally also completed and published two planned surveys on end users and electronic communications: »Analysis of current demand for higher speeds of internet access and e-content«, and »Survey and analysis of household expenditures for electronic communications services«. The Agency systematically monitored operators regarding the obligation of reporting data, regularly collecting the data on the development of the electronic communications market, processed the data, prepared quarterly reports, and published the data on the eAnalitik portal. In relation to this it also regularly prepared reports for national and foreign bodies.

In 2022 the Agency provided support in the implementation of the EU Regulation on mobile roaming, and processed the application through which it approved Hot mobil, d.o.o., to charge a surcharge for ensuring the sustainability of its local billing model. In July 2022 the Regulation on roaming on public mobile communication networks in the Union⁷ was published and in relation to this the Agency organised a consultation, provided support to operators and prepared responses to the questions from stakeholder on the market.

With regard to the protection of end users, the Agency set out to prepare new general acts after ZEKom-2 was adopted, which were related to ensuring universal service and included an analysis of broadband access transfer speeds. Because new legislation was adopted at the end of 2022, the Agency shall, in accordance with the timeline of public consultations for the general acts following ZEKom-2, prepare the proposals of new general acts in the start of 2023. In 2022 the Agency monitored the provision of the universal service in accordance with the general acts, especially from the perspective of including broadband internet access as a universal service.

As one of the key objectives in the optimisation of investments in infrastructure the Agency set out for 2022 to continue maintaining and optimising the AKOS Geoportal, and adding the results of the analyses for which it has authority. It performed the required updates and upgrades to the system for optimum operations, and for ensuring the information security of the collected data. It conducted a review and an optimisation of the web object service of the Surveying and Mapping Authority of the RS, which makes it possible to show daily

⁶ Commission Recommendation (EU) 2020/2245 of 18 December 2020 on relevant product and service markets within the electronic communications sector susceptible to ex ante regulation in accordance with Directive (EU) 2018/1972 of the European Parliament and of the Council establishing the European Electronic Communications Code, available at https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=urisrv:OJ.L_.2020.439.01.0023.01.ENG

⁷ Regulation (EU) 2022/612 of the European Parliament and of the Council of 6 April 2022 on roaming on public mobile communications networks within the Union; link: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R0612&qid=1684934459976>

updated changes to the data on network connection points and electronic communications, and the results of the analyses of the fixed broadband network at the level of the statistic region, municipality and settlement. This gives the Agency a simple access to the latest collected data from the operators at any moment, providing a higher quality of information, and consequently making the Agency's work more efficient. Additionally, several visual layers and functions were added to the AKOS Geoportal in 2022, providing users with an even better overview of telecommunications infrastructure in the Republic of Slovenia. At the same time the Agency added visual representations of the railway infrastructure, which is described in more detail in 4.1 Annual goals and the state of the market.

By pursuing the objective of increased efficiency and the reduction of regulatory burden the Agency planned activities related to revamping and automating data capture from parties with a reporting obligation. Following the successful verification procedure of received offers as part of the public tender, and the published decision on submitting the public tender, the Agency concluded a four-year agreement with selected contractors in 2021 for the development, implementation and maintenance of the data collection information system. The project was underway immediately with intensive activities, related to the analysis of user requests, planning the software solution, designing and developing it. The execution of project tasks was ongoing throughout 2022.

The Agency was also very active in international cooperation with the European Commission, European institutions and associations, and other regulatory bodies, following the goals it set out for 2022. In international cooperation the Agency exchanged opinions, best practices, coordination and exchange of required information, and helped create the regulatory policies and approaches at the European level. It also hosted the meeting of the expert sub-group NaN (CEPT/ECC) and two bilateral meetings. It continued with close cooperation with BEREC, where one of its tasks was to continue heading the working group on cybersecurity in mobile 5G networks. At the expert workshop organised by this European regulatory body, which had an exceptional response, the Agency presented as a best practice its geographic information system AKOS Geoportal, and the mapping-related procedures in Slovenia. The Agency remains an active member of IRG, the international organization CPPT/EEC, and collaborates successfully with the European Union Agency for Cybersecurity (ENISA).

In 2022 the Agency actively collaborated in the transposition of the European legislation into national legislation by preparing ZEKom-2. At the end of the year, after ZEKom-2 came in to effect, the Agency began the procedure of preparing and adopting numerous executive acts that will be concluded in the first half of 2023.

As the society is becoming increasingly digitalised, improving digital literacy among the population is becoming increasingly important for using digital technologies and services. The Agency also placed a lot of focus on raising awareness of end users in information literacy. Throughout the year it actively published content on its dedicated portal MIPI (www.mipi.si), one of the first media and information literacy awareness portals among national regulator in the European Union. In 2022 the Agency's activities contributed to significantly higher profile of the portal in the public and it attracted more visitors. Articles include information related to digital literacy, electronic communications and media literacy; the content and the activities of the MiPi portal are presented in more detail under 2.2.4.

With constant monitoring of the activities on the market the Agency can change its priorities and goals if that is required for ensuring the appropriate market conditions. It may occur that besides the planned tasks or instead of them the Agency conducts other tasks that were not planned for that particular year.

In 2022 the Agency completed one such additional task in telecommunication regulation when it prepared the draft Report on operator procedures when detecting abuse in voice call termination, which was submitted to public consultation in October 2022, and after reviewing the comments and proposal the final version was published on the Agency's website in early 2023. The Agency also completed preparing the General act on publishing information on valid rates, which it had submitted into public consultation in December 2021, and after reviewing the comments from the stakeholders it published it in the Official Gazette of RS at the end of February 2022.

In 2022 the Agency received and responded to more than 100 different questions from the public and experts.

In 2022 the Agency received 11 applications for entry into the record of operators, of which 7 were submitted by companies, registered outside of the Republic of Slovenia. The total number of foreign operators who provided electronic communication networks to end users in the territory of the Republic of Slovenia or provided electronic communication services has grown to 21, which is the highest number ever and three-times more than in 2017, indicating that the Slovenian electronic communications market has become interesting for foreign operators.

Applications for being removed from the official record of operators also show how dynamic and demanding Slovenian electronic communications market is. In 2022 the Agency received 9 of them. In more than half of the cases the reason for being removed from the record of operators is issues with financial liquidity, as these subjects have declared bankruptcy proceedings, or the inability to compete and operate with a profit. We continue to see market consolidation as two operators were acquired and merged by acquisition.

FIGURE 8: MOVEMENTS OF THE NUMBER OF OPERATORS WITH REGISTERED OFFICES ABROAD AS 31 DECEMBER 2022

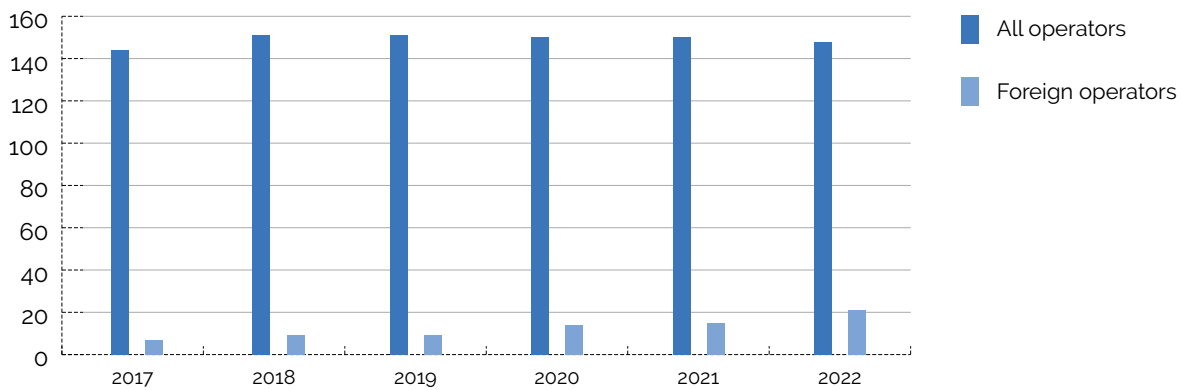


TABLE 4: THE NUMBER OF OPERATORS/SERVICE PROVIDERS ENTERED INTO THE OFFICIAL REGISTRY BY SERVICE IN 2022

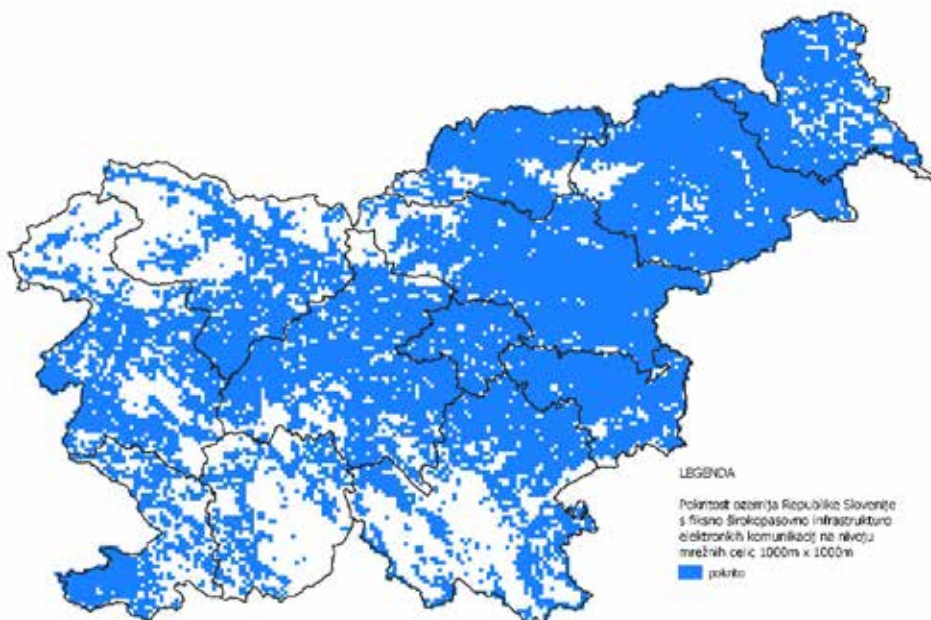
Service	Number
Internet access	
Narrowband access	12
Broadband access	69
Cable access	27
Cable operators	50
Voice services in the public mobile network	
Operators	4
Service providers (together with VMNO)	19
Fixed public voice telephone services	
International public voice telephone service operators	38
Local public voice telephone service operators	37
Leased lines operators	34
Value added services providers	25

*The data pertains to the services that the operators listed in their application for the official record of operators; data as at 31 December 2022.

Fixed voice communications remain an important part of the electronic communications market, as 77,5% of households, i.e. just under 700,000, have fixed telephone lines. In spite of growth of mobile telephone services operators continue to offer fixed telephone services in combination with other services. The price competitiveness of these subscription plans has resulted in a growth of IP telephone service connections at the expense of traditional analogue and ISDN connections, as their share is now below 10%. In 2022 the share of IP telephone service connections remained at a similar level than in 2021. Because users generally bring their fixed voice connection when changing an operator, number porting plays an important role.

With regard to the number of fixed connections and the amount of voice traffic, none of the fixed telephone operators has a significantly dominant market share on the Slovenian market. The total share of fixed telephone connections and the total voice traffic of the four biggest operators (Telekom Slovenije, A1 Slovenija, Telemach and T-2) exceeds 90%.

FIGURE 9: COVERAGE OF SLOVENIA WITH FIXED BROADBAND INFRASTRUCTURE



The above figure shows the coverage of the territory of the Republic of Slovenia with fixed broadband infrastructure at the level of square kilometre cells. An individual area (1 km²) counts as having coverage with this infrastructure, if there is at least one appropriate network connection point in it. The image shows that there is no coverage in unpopulated areas, such as the Triglav National Park, Kočevski rog forest, the area of Snežnik and some others.

The main stakeholders on the Slovenian mobile telephone services market are still the four vertically integrated operators: Telekom Slovenije, A1 Slovenija, Telemach and T-2. All of them offer converged service plans, aiming for the biggest share on both the fixed and mobile retail markets at the same time. Telekom Slovenije still has the biggest market share on the mobile market, even though it fell below 36% this year. Telemach's share grew above 25% last year, while A1 Slovenija's share is nearing 30%.

Mobile operators with own infrastructure continued with investments in their mobile networks in 2022. This is reflected in very high population coverage with LTE services and with continued development of 5G networks. The number of users who access LTE networks is gradually declining at the expense of users who also access 5G networks, with the latter group amounting to 10% at the end of 2022. Telekom Slovenije, Telemach and A1 Slovenija all obtained 5G frequencies in 2021, and had been obligated to begin providing services to end user on the 5G network in at least one major city by 15 June 2022, which all of them accomplished. Currently their 5G networks cover 11 major towns and cities with 500 base stations, and all are extensively extending their coverage.

Mobile services plans offered by mobile operators often provide users with unlimited voice calls and messaging, as well as a growing data allowance, which can amount to several tens or in some cases even several hundreds of gigabytes (GB). Users have taken to mobile services in growing amounts, and the number of mobile broadband access still shows a growth trend. The penetration of active mobile communications users in the population continued to increase in 2022, exceeding 126% by the end of the year.

The total number of text messages remained at the same level as the year before. In 2022 operators switched wholesale SMS message termination from the bill and keep principle, where they did not charge for SMS messages among themselves, to billing for SMS message termination, following the established practice among EU operators. The new billing method has especially hurt those business end users who send mass SMS messages to end users (i.e. mass messaging providers, banks, insurance companies, tourist agencies, etc.). Many of these companies have therefore partially or fully switched to OTT platforms or reached agreements with several operators to avoid additional costs for terminating mass SMS messaging to other networks. In relation to billing wholesale SMS messaging termination the Agency mediated in several operator disputes, and also responded to questions from end users when the operators introduced billing retail surcharges for terminating mass SMS messaging. The Agency is verifying the state of the market, and will take action based on its findings in the scope of its activities.

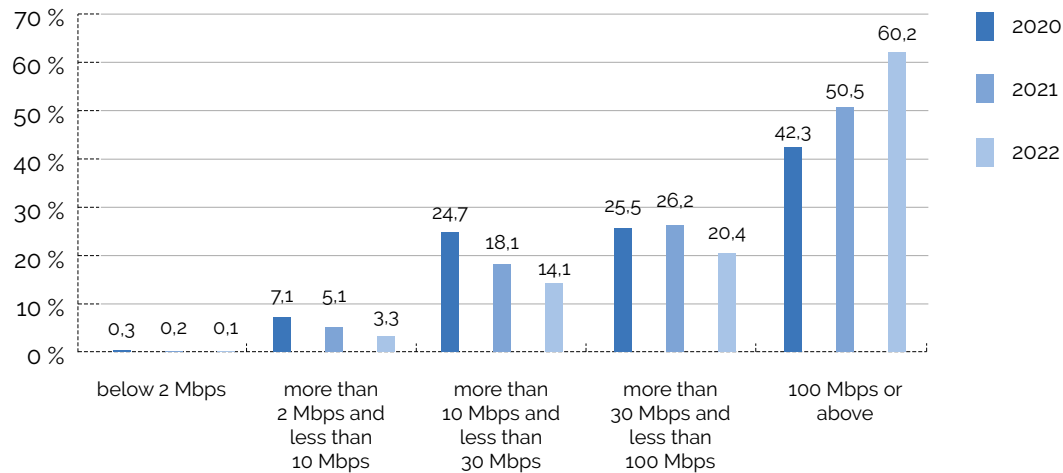
On 1 July 2022 the new Regulation on roaming on public mobile communication networks in the Union came into effect, and it applies until 2032. The revamped regulation allows EU citizens to make calls, send SMS messages and use the internet across the whole of EU without any additional costs, and under even better conditions than what the previous regulation guaranteed. The new regulation introduces even lower regulated wholesale prices for data roaming, which amounts to 1.8 EUR/GB in 2023, while wholesale prices for calls and SMS messages are set at 0,022 EUR/min and 0,004 EUR/SMS, respectively. EU citizens will now be able to use mobile telephone services when roaming in European countries even more carefree, which has been reflected in increased use of services, especially data transfer, since the regulation was first introduced. The new regulation not only brings lower prices to mobile users while roaming, but also the same level of quality of internet access as at home, and they will also now receive more information to help them prevent bill shock because of mobile use in non-terrestrial networks or with calls to premium numbers that result in additional costs for users when calling from abroad. Users will now also be informed of different options of calling emergency numbers.

In the scope of its obligations the Agency collects and processes the data on mobile network coverage, and regularly monitors the state of the electronic communications market. It periodically submits this data to the European Commission, which collects them from all member states in the scope of its tasks to foster the single common digital market. For the year 2022 the European Commission for the first time also included in its DESI index the level of awarded 5G spectrum as a percentage of the total harmonised 5G spectrum, where Slovenia achieved the above-average grade of 98%, which is the result of successfully awarded frequencies in all the pioneer bands. 5G coverage is currently at 37% of populated areas, which is below the European average, however, one must also take into account the fact that according to population, Slovenia is exceptionally rural, compared to other European countries.

Slovenian operators that provide broadband services, provide them over different networks: copper, cable, fibre optics, fixed wireless and mobile. Fibre optic access is increasingly gaining prominence, as it supports the highest transfer speeds. At the end of 2022, 52% of all active broadband accesses in the Republic of Slovenia were connected to the fibre optics network, which supports connections of 100 Mbps and above. The prevalence of fixed broadband connections with 100 Mbps or more has increased by 10 percentage points in 2022, exceeding 41%, which is the EU average. Slovenia is facing a great challenge in covering households with high-capacity networks, which is not moving along fast enough in rural areas, because of high investment costs, as there is no market interest for construction among operators. To tackle this issue the Government of the Republic of Slovenia has adopted the Plan of development of gigabit infrastructure by 2030 in August 2022. This is a strategic document for establishing and encouraging the use of infrastructure that will provide gigabit infrastructure to all Slovenian households, i.e. to populated apartments, businesses and main generators of social and economic

development, while also ensure uninterrupted coverage of all populated areas and main terrestrial traffic routes with the network.

FIGURE 10: BROADBAND INTERNET ACCESS BY DATA TRANSFER SPEED



The Digital Economy and Society Index (DESI), which monitors the digital progress of EU member states, shows that in 2022 Slovenia has once again progressed, as it is now placed 11th among the 27 EU member states. This is two places higher than the year before, overtaking both Belgium and Denmark. In the DESI index member states are assessed across four categories: human capital, connectivity, integration of digital technology and digital public services.

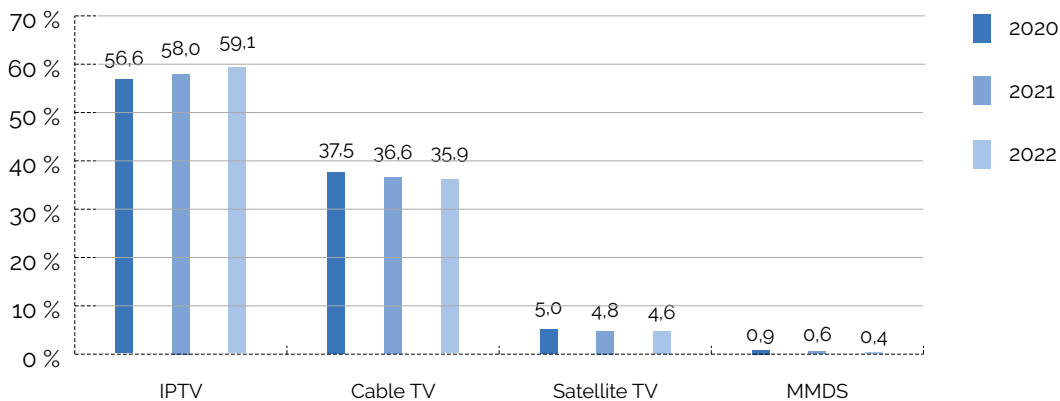
In connectivity, where the Agency has the biggest impact with its operations, Slovenia ranked in the 10th position among the 27 EU member states. The biggest leap ahead was made in the field of availability of fixed connections with 100 Mbps or more, where household coverage is at 36%. It also advanced significantly in coverage with fixed very high-capacity networks (VHCN), where household coverage is at 72%, which is in spite of the high share of population living in rural areas above the average in EU member states. The improved rating among both indicators is also the result of successful regulation of both main relevant market for broadband access, for which the Agency issued new regulatory decisions after completing the analyses in 2022. It also achieved major improvement in the index of broadband connection prices and the availability of mobile broadband connections, where in spite of being behind the EU average in the past years, it has now achieved average retail prices. In 2021 the Agency held a multi-frequency auction at which it awarded several frequency bands that mobile operators use to offer their services. The DESI indicator now shows that in Slovenia 98% of the harmonised 5G spectrum has been awarded, placing Slovenia in 6th place among EU member states, while 5G network coverage already reaches 37% of populated areas.

In 2022 the Agency improved Slovenia's standing in the Digital Economy and Society Index across all areas under its authority, namely: through the decisions it issues the Agency regulates the wholesale market by encouraging equal competitive conditions on the market, increases the utilisation of the already constructed networks, encourages the development of innovative, high-quality and accessible services, while also encouraging investment in the construction of high-transfer-speed broadband networks. Its work also makes it possible for end users to access higher quality, innovative and lower priced services with higher speeds. In 2022 the new Electronic Communications Act (ZEKom-2) was adopted, transposing the related European directive into the Slovenian legal order. The Agency actively participated in the preparation of ZEKom-2, and once it came into effect it began preparing executive acts, which among other things encourages connectivity and the use of high-capacity networks, promotes financially accessible access to broadband internet, and also makes it easier to switch internet service providers.

The promotion of the importance of digitalisation and the modern way of life also result in growing demands from end users for higher bandwidth connections, which means that operators must strive to provide access paths with enough capacity, i.e. subscription plans, in order to retain existing and attract new users. One of the major requirements regarding high bandwidth is related to over-the-top (OTT) services, especially video content broadcasting. The method of accessing entertainment, especially video, has changed drastically in the past few years. OTT platforms for video on demand streaming provide both viewers and TV programming and content providers with more control as well as more freedom, compared to traditional television, as we knew in the past, making the use of these services increasing more prevalent. On the one hand OTT streaming services make it possible for content creators to use the internet to deliver video content, while on the other hand a growing number of users receive and find information on news and entertainment content online, which means that the video streaming services market continues to grow. Different OTT platforms have developed differently and operate each in its own way. While some video content providers exclusively offer video on demand, other platforms also support live programming or a combination of both, depending on the video platform, how it works and how the video streaming service is monetised. Electronic communication service providers are especially focused on providing access to the internet and network infrastructure. At the same time, they also provide their end users with OTT video content, especially foreign productions, thereby operating also as competitors to other OTT providers. The availability and diversity of OTT video content is constantly improving, from completely in-house production, offered mainly by major OTT providers, to the option of watching different TV channels on a single platform, and consequently the demand for higher bandwidth is also growing.

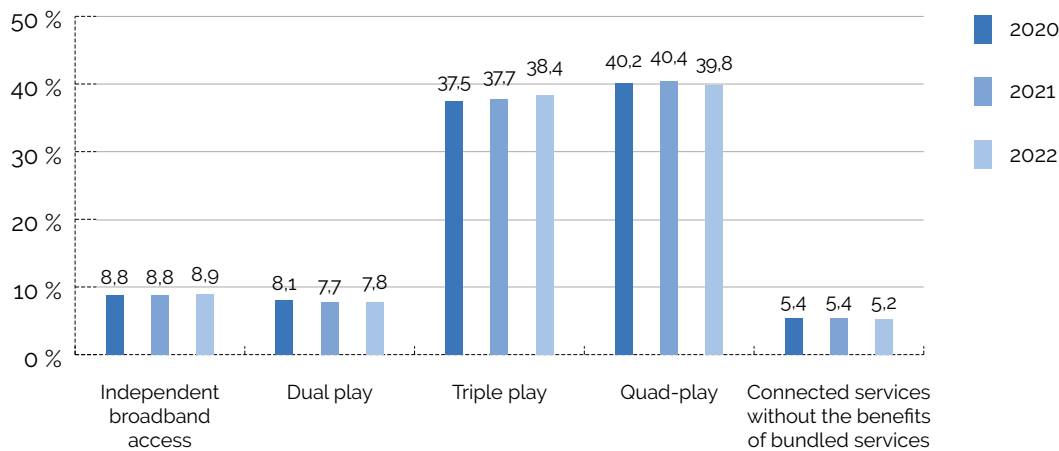
Compared to 2021 the market share of IP TV connections has once again grown in 2022. At the end of 2022 it stood at 59.1%. The market shares of other technologies marked a decline in 2022; the market share of cable TV decreased by nearly a percentage point to 35.9%, the market share of satellite TV decreased by 0.1 percentage point (to 4.6%), while the market share of MMDS fell by 0.2 percentage points (to 0.4%).

FIGURE 11: SHARES OF FIXED TELEVISION CONNECTIONS BY TECHNOLOGY



Convergence of networks in general means the merging of existing networks for voice transfer, networks for data transfer and the radio network. Convergent services, which include fixed telephone services, internet access and TV (including radio) and mobile services, have been at the forefront of user demand and the operators' bundled subscription plans. End users can choose between a series of different service bundles, from dual play, which includes two of the above services, triple play, which comes with three services – most often voice calls, TV and data transfer, with data services tied to broadband access, and quad play, which is most often fixed-mobile convergence that combines the fixed triple play with a mobile component. Price of bundled subscription plans are generally lower than the sum of individual services. The trend of growing number of connections by individual service plans has settled down. With dual play and triple play there is still a weak growth, as the figure below shows, while the number of quad play subscription plans has somewhat declined in 2022.

FIGURE 12: CONVERGENT SERVICES



The growth trends on carrier market for broadband access continued in 2022. Carrier access allows operators to provide broadband services to end users in areas where they do not have their own networks. This provides operators with access to end users through regulated access over the copper or fibre optic network of Telekom Slovenije, where users can opt for physical or virtual unbundled local access (VULA), or central bitstream access. Over the past few years access has been growing to open broadband networks that were built through public-private partnerships, especially in areas where operators did not show any commercial interest for construction. The construction of these networks will continue in the future, as it is planned that in the second batch of imposed measures as part of the Slovenian national programme for recovery and resilience, an additional 8,500 very high-capacity broadband connections will be built in areas that lack coverage, where operators have not exhibited commercial interest for construction. The objectives of different regulated types of access are ensuring competition on the market, and consequently providing end users with better terms and more options in terms of the type, quality and price of service.

On the carrier market, the trend of decline in connections over unbundled local access continued in 2022, while the number of connections over central access has recovered after a decline over the past 2 years with growth in the last two quarters. The number of connections on the fibre optics carrier market is growing, both on local access (physical and virtual unbundling), as well as through central access. The reasons for this are mainly in the increased construction of fibre optic connections of the operator with significant market power, and thereby the option of moving the connections from the copper to the fibre optic network. The majority of the fibre optics network of the operator with significant market power was constructed using the P2MP (point-to-multi-point) method, provides operators with the option of virtual unbundled local access (VULA) based on imposed regulatory obligations that were imposed on Telekom Slovenije on the relevant market 3a "Wholesale local access at a fixed location", with a regulatory decision issued the end of 2017, and extended with the latest decision, issued in July 2022, and on the relevant market 1 "Wholesale local access at a fixed location".

1.2 ACTIVITIES AIMED AT ACHIEVING GOALS

1.2.1 REGULATION OF RELEVANT MARKETS

In the scope of regulation of relevant markets in 2022, the Agency put most attention towards relevant markets 1 "Wholesale local access at a fixed location" and 3b "Wholesale central access at a fixed location for the mass market products". The Agency was among the first from member states to successfully notify both analyses with the European Commission at the end of 2021 after the latest Recommendation on relevant markets came into

effect, and has completed this task by issuing two regulatory decisions. In the second half of the year the Agency began preparing the analysis of the relevant market and the analysis of the effects of regulation of relevant market 5 "Wholesale high-quality access at a fixed location", preparing an extensive questionnaire for all market participants, and continued collecting the data on the market until the end of the year. The analysis of effects will be put into public consultation in early 2023. Throughout the year the Agency also verified the performance of legal obligations and all obligations imposed on the operators with significant market power through regulatory decisions.

MARKET 1(2020/2245/EU) AND MARKET 3B (2014/710/EU)

In 2022 the Agency performed an analysis of both relevant markets: market 1 (2020/2245/EU) "Wholesale local access at a fixed location" and market 3b (2014/710/EU) "Wholesale central access at a fixed location for mass market products", and issued regulatory decisions on both relevant markets and recognised Telekom Slovenije as an operator with significant market power, and imposed regulatory obligations while taking into account the principle of proportionality.

Relevant market 1 remains defined at a national level, however, the measures are segmented geographically. In the analysis of relevant market, the Agency recognised 15 settlements in which the level of competition remains set, however, it is not sufficient to fully abolish the measures, and has therefore only removed the pricing obligations. The Agency divided relevant market 3b into two geographic sub-markets (deregulated sub-market A and regulated sub-market B). In the analysis of the relevant market the Agency recognised 430 settlements in which the market is leaning towards effective competition, and has completely abolished regulation for them. With respect to the dynamics of the electronic communications market the Agency will continue to regularly monitor the state of the competition on both relevant markets, and update the list of settlements once per year, publishing it on its website.

The Agency aims to strengthen a predictable and stable regulative environment through regulation. In the future it expects an increased demand for cable ducts because of the construction of fibre optics networks. Telekom Slovenije is permitted to gradually eliminate copper networks in areas, where a fibre optic network that supports carrier access has been built. The imposition of the obligation of access to physical infrastructure, building physical infrastructure and passive communication infrastructure increases the total utilisation of infrastructure, which on the one hand allows Telekom Slovenije to obtain additional financing for new investments and a quicker return on investment from the past, while it is on the other hand also in the public interest, as it will encourage other operators to make investments in fibre optic infrastructure, thereby contributing toward effective competition.

The Agency decided to ease the regulation of Telekom because of changes in competitive conditions on the market, where it also followed the recommendations of the European Commission, especially the Recommendation on regulation of NGA networks and the Recommendation on non-discrimination and costs methodologies, which emphasize encouraging investments into next generation networks.

With the regulation of these markets the Agency is following the goals of the Digital Agenda for Europe – Gigabit Society 2025, and also takes into account the new developments and measures that the new directive on the European Electronic Communications Code (EECC) introduces, and is also among the first regulators to issue regulatory decisions on markets 1 and 3b that adhere to the new Electronic Communications Code.

MARKET 4 (2014/710/EU) AND MARKET 2 (2014/710/EU)

Relevant market 4 "Wholesale high-quality access at a fixed location" was renamed in the Recommendation on relevant markets from 2020 into relevant market 2 "Wholesale dedicated capacity". The Agency has issued the currently valid decision on the relevant market 4 in 2019, which means that based on the provisions of ZEKom-2 it shall have to perform the next analysis of this market in 2024. The Agency is regularly monitoring the execution of regulatory obligations imposed on Telekom Slovenije, as an operator with significant market power on this relevant market. At the end of 2022 the Agency began preparing the analysis of the market and the analysis of the effects of regulation on this market. The objective of the analysis of effects is to monitor the results that are

the outcome of the imposed measures on the market, while the analysis of the effects is also the foundation for a subsequent complete analysis of the relevant market.

For the analysis of the effects of regulation the Agency has collected the data on the services and activities on the market of high-capacity access among participating operators in the period since the last regulatory decision. In the questionnaire it sent to all the operators present on the relevant market, it also made it possible for the participants to present their positions and perspectives on the current state of the market and to forecast its continued development. Because an operator was delayed in submitting the answers to the questionnaire and because of the need for additional explanations, the Agency was not able to submit the Analysis of the effects of regulation of relevant market 4 into public consultation until February 2023.

ANALYSIS OF RETAIL AND WHOLESALE PRICES OF BROADBAND CONNECTIONS

The Agency regularly analyses the products and services both on the retail as well as on the wholesale market of broadband access. An important factor of this monitoring is also the analysis of the state of competition on both observed markets. The obtained data are key for preparing new proposals for obligations on relevant markets, for monitoring market development and for verifying the accuracy of the data on the infrastructure of electronic communications.

In order to ascertain the state of individual geographic market segments, the Agency once again analysed retail broadband access services throughout the territory of the Republic of Slovenia from the perspective of end users, and an analysis of broadband access wholesale prices and products, collecting data from all the active operators on the market, identifying the most important retail and wholesale products provided by operators in individual geographic areas.

In 2022 the Agency has for the first time obtained the data from operators on the type of network access by connections, which makes it possible to separate between the operators' own networks, the commercial network and access to regulated network. The Agency retains the main structure of the data that the operators have to submit, while also excluding outdated data, reducing the lode that the operator have with reporting such a broad range of data on connections.

The Agency published both analyses in on its website in August 2022, and presents the summary of the analysis of products and services on the wholesale market for broadband access and its findings in the chart, while the analysis of products and services on the retail market for broadband access was published in November 2022.

With the assistance from external contractors the Agency once again held its periodic survey on monthly household spending on electronic communications services, and the Analysis of the current demand for higher speeds of internet access and e-content. Through these two surveys the Agency is monitoring market trends, service use and the needs of end users of electronic communications. Both the report on the survey and the analysis of the state of the market were published on the Agency's website at the end of 2022.

1.2.2 THE ELECTRONIC COMMUNICATIONS MARKET REGULATION STRATEGY FOR PROMOTING REGULATIVE PREDICTABILITY

In February 2022 the Agency received the comments and opinions of stakeholders to the published draft Strategy of Electronic communications market regulation for promoting regulative predictability. It carefully reviewed the opinions and comments and in March 2022, in accordance with the provisions of ZEKom-1, published the amended Strategy for encouraging regulatory predictability on the electronic communications market for the 2022-2024 period. The Strategy is laid out generally enough to allow room for performing the activities that were not possible to predict at the time it was being prepared, as an exact prediction of all activities for the following three years is not possible on such a dynamic market.

The Agency presented its objectives in electronic communications for the next three-year period and the planned activities for realising them. This way the Agency aims to ensure better regulatory predictability, a

consistent approach and equal conditions for all stakeholders on the market, while also taking into account all the national and European trends in finding solutions in the set direction and reacting timely with new developments on the national market. While providing equal conditions for the operation of operators on the market of electronic communication networks and services, the strategy of regulation also has a clear future development of effective competition, as well as protection of the rights of users and universal service provision.

1.2.3 INTERNATIONAL ROAMING

On 1 July 2022 the new Regulation on roaming in public mobile networks in the EU came into effect, providing EU citizens an even better user experience when roaming in other member states. The new regulation also details reporting from mobile operators on roaming, which is collected by regulatory bodies, verified and submitted to the Body of European Regulators of Electronic Communications (BEREC). The questionnaire that operators fill out, has been updated, and the data is now reported only once per year. The Agency has been providing support to the operators with regard to the data reporting throughout the whole past year, and has also assisted them with the implementation of the new regulation that required them to adapt.

In 2021 the Agency also approved an application from Hot mobil, d.o.o., to allow the company to bill a surcharge in order to ensure a sustainability of its local billing model for a 12-month period, in line with applicable EU regulations.

1.2.4 DATA COLLECTION AND REPORTING – THE EANALITIK PORTAL

The operators' obligation for reporting the data is now defined according to ZEKom-2, which was adopted in October 2022. In line with the new legislation, all natural and legal persons who provide electronic communication networks or perform electronic communication services, accompanying capacities or accompanying services must submit the available data to the Agency. Operators submit the required data through electronic surveys on a dedicated portal for collecting the data and information. In order to fulfil its authority, the Agency also applies other questionnaires and survey to collect the data. The Agency submits the data to the European Commission and other regulatory bodies and national bodies and international organizations with authority in electronic communications. With the aim of ensuring the data remain open, the Agency has been publishing the data on the market in the digitalised format on the e-Analitik portal for the past ten years. The portal makes it possible for users to display the data graphically. The Agency and the operators strive to ensuring that the data is of a high quality and that the Agency reflect the actual state of the electronic communications market.

1.2.5 MODERNISATION AND AUTOMATION OF DATA COLLECTION FOR OBLIGATORY REPORTING

In 2021 the Agency selected the offer from three providers in a public tender and concluded a four-year agreement with them for the development, implementation and maintenance of the data collection information system. A modern, modular information system will support a complete overhaul and automation of data collection for obligatory reporting, as well as processing, analytics and presentation of the data on electronic communications, data on postal services and parcel delivery, and the data on reports of violations and limitations of operators. Because the data that the Agency collects represent the foundation for the regulation of the electronic communications market and are also the basis for comparison with other European Union member states, they must be of high quality and reflect the actual state of the market, as they serve as support in decision-making, performing analyses, forming strategies and preparing reports for numerous stakeholders.

After concluding the agreement, the first phase was launched with the analysis of user requirement and planning the software solution through user workshops, and concurrently with the analysis of the current work and processes, the second phase was launched with designing and developing the software, as the providers planned for a combined methodology of project management and software development, i.e., parallel performance of the project's activities. Setting up the system's server environment and the start of the

development of individual user interfaces demanded setting up a development and test environment for the system. This allowed the contractors to showcase to the Agency an operational prototype of the solution with base modules, which served as the showcase of already developed features and made it easier to pinpoint the requirement that the developers still had to complete. This marked the start of testing features on the prototype and the testing of structures established during the analysis, using mock data.

1.2.6 ENSURING UNIVERSAL SERVICE AND MONITORING ITS PROVISION

In 2022 the Agency monitored the provision of the universal service. In 2021 the Agency changed the General act on transfer speed suitable for functioning internet access in accordance with Article 124 of ZEKom-1, setting the downlink transfer speed of 10 Mbps and uplink speed of 1 Mbps. It raised the monthly data allowance for satellite connection to 75 GB. This remained in force after the end of the epidemic and related measures.

It turned out that the Agency correctly assumed that the number of users demanding broadband include access will be small and would not place a burden on service provider, i.e. Telekom Slovenije, which often offers the bundled service that also includes telephone services, so that the market service has mostly supplanted the regulated universal service of internet access and telephone services. By adopting this measure, the Agency ensured a suitable safety net for all citizens on the one hand, while also encouraging service providers towards providing competitive services under commercial conditions.

The Agency actively participated in the revamp of the legislation related to the universal service, both when finalising the provisions of ZEKom-2, as well as when preparing proposals of the related updated general act. As ZEKom-2 was adopted only at the end of 2022, and because the state of the market for providing a functional internet access was suitable, the Agency did not change the existing general acts.

The Agency also performed a series of activities aimed at raising end user awareness on the options for broadband access, informing them of the options for connecting to broadband networks, and access to the universal service. The Agency also provided responses to some questions from end user, and handled two user disputes from this field.

1.2.8 GENERAL ACT ON PUBLISHING INFORMATION ON VALID TARIFFS

In accordance with its mission and strategy the Agency is continuously striving to increase transparency of operations of electronic communication service providers, both from the perspective of access, as well as from transparency of the published information with the aim of protecting end users. In connection to information transparency the Agency detected that retail prices for premium services, which generally differ operator to operator, are often not published in a transparent and easily accessible manner, which can cause unplanned expenses for callers. Because of the non-transparent publications, no relevant and high-quality information is available, and the Agency prepared at the end of 2021 the draft General act on publishing information on current tariffs, and submitted it into public consultation.

In 2022, after reviewing the comments and opinions from the public and the stakeholders, the Agency prepared the responses to the submitted comments and published the final version of the General act on publishing the information on valid tariffs. In accordance with this the operators had to establish an audio mechanism that audibly informs the caller of the price and billing method directly before establishing a call to a premium number. Information on billing must be free of charge for the caller. The Agency further details in the general act that the one responsible for setting up and operating mechanism for informing is the caller's operator.

1.2.9 ENCOURAGING OPTIMIZATION OF INVESTMENTS IN INFRASTRUCTURE – AKOS GEOPORTAL

The Agency administrates and updates its own spatial information system for collecting, processing, analysis and various presentations of spatial data. Core data of the Agency's spatial information system are publicly accessible databases from the Surveying and Mapping Authority of the Republic of Slovenia, the data the Agency has

obtained in the scope of its work and for this purpose from electronic communications operators, and the data it requires in the scope of exercising its authority, and have been obtained from other public bodies. In 2022 the Agency conducted the urgently required updates and upgrades to the system for optimum operations, and for ensuring the information security of the collected data. It also updated the spatial database, especially the data on network connection points and electronic communications.

AKOS Geoportal is the central online portal for accessing and viewing spatial data that the Agency uses in its day-to-day work. The main objective of AKOS Geoportal is to lower the costs of construction of very-high-capacity networks (VHCN), encourage shared use and shared construction. The goal of such open data policy is related to a higher level of transparency of operations and a proactive publication and exchange of spatial information. It serves both the general and the professional public with a transparent insight into the data on electronic communications and other infrastructure. AKOS Geoportal is also useful for end users and other organisations that need to verify coverage with a certain infrastructure. When it was launched in 2019 the Agency planned to provide constant updates and upgrades to the system, and the revamped AKOS Geoportal introduced in 2022 brings even more content, transparency and user friendliness. It has updated the monitoring and optimisation of basic analyses of fixed broadband infrastructure (household coverage, investors/administrators, type of network connection point, minimum capacity) that are available at the level of the statistical region, municipality and settlement. The results of these analyses can also be exported and saved at the user's device.

Additionally, several visual layers and functions were added to the AKOS Geoportal in 2022, providing users with a full overview of telecommunications infrastructure in the Republic of Slovenia and other data from the Agency's scope of operations. The most important visual layers added in 2022 include the coverage of 5G networks of all operators who have begun using them. They also include the locations of mobile base stations of all types of networks (2G, 3G, 4G, and 5G) for the Q3/2022. The analyses for relevant markets for wholesale local access at a fixed location and wholesale central access at a fixed location for mass market products were used to publish the visual representation on the AKOS Geoportal of settlements without pricing obligations for the operator with significant market power (SMP) in the carrier market for local access at a fixed location and deregulated settlements on the carrier market of central access at a fixed location for mass market products. AKOS Geoportal was also significantly upgraded in 2022 with data on the railway infrastructure and the T DAB+ transmitters, which is described in detail under relevant chapters.

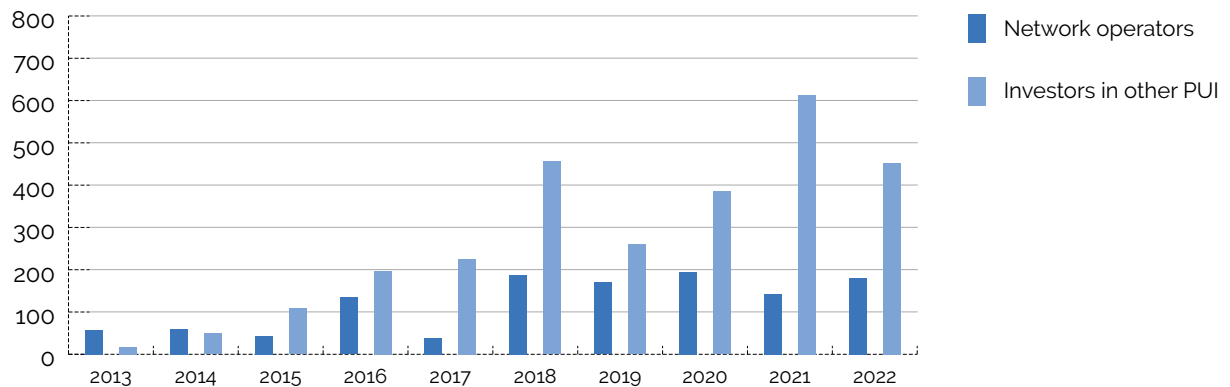
The Agency imported new data into the spatial system, and prepared analyses of retail prices for broadband access connections. Data collection on user disputes was conducted successfully, with the input data also including the spatial component. A series of optimisations have been made to ensure uninterrupted and fluid operation, and more accurate display, and users on mobile devices can also utilise geolocation. The Agency regularly monitored the state of the electronic communications market and the development of networks, and performed supervisions in accordance with Article 22 of ZEKom-2, participating with stakeholders where needed.

1.2.10 MONITORING INFRASTRUCTURE INVESTMENTS

In 2022 the Agency continued to strengthen its activities related to providing access to up-to-date and relevant data about existing infrastructure for digital connectivity, and investment projects from the perspective of shared construction and shared infrastructure use. It improved the system for publishing planned constructions through the infrastructure investment portal. It completed the portal's upgrade, which began in 2021, and whose objective was to make the data as useful for users and stakeholders. The collected data is now available in a broader scope and is better connected with the AKOS Geoportal.

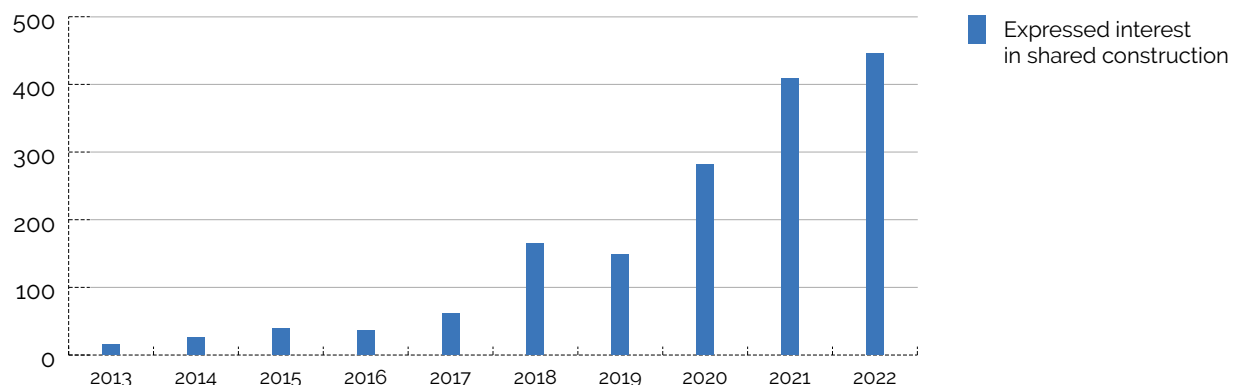
In 2022 there was an exceptional number of planned constructions of electronic-communication infrastructure, comparable even to the past record years. This is a positive development considering shocks to the investment market that followed the significant increases of prices for materials and services following the pandemic and the war in Europe.

FIGURE 13: NUMBER OF CONSTRUCTION PROJECTS PUBLISHED ON AKOS' WEBSITE



The number of expressed interests for shared constructions with network operators was once again the highest, i.e. by 10% compared to the record year 2021. This is excellent news from the perspective of new electronic network construction, especially taking into account the conditions.

FIGURE 14: EXPRESSED INTEREST IN SHARED CONSTRUCTION



In 2022 the Agency stepped up its activities related to encouraging shared infrastructure use. In the first half of the year it prepared the Recommendation regarding shared use of physical infrastructure, which was received very well among stakeholders, and they also proposed that a number of recommended solutions become legal obligations in the future. In the second half of the year the Agency sent the operators of electronic communications and other types of infrastructure questionnaires to perform an analysis of the state of shared use, which will be completed in 2023.

In order to ensure continuous progress in both of the above segments of its operation, the Agency continued consultations and coordinations with stakeholders, as in its operational plan. In the past year as part of preparing the report the Agency held a workshop and a consultation with stakeholders related to shared infrastructure use, and as part of state infrastructure it held technical consultations with the power distribution company. The Agency continued to cooperate with the Government Office for Digital Transformation (ODT), and in the scope of its authority also with the Surveying and Mapping Authority which was revamping its systems. In the field, especially at the level of local communities, the Agency performed its consultation-educational function, which included assisting with issues related to state of the telecommunication infrastructure and investment, as well as providing information on new developments, changes and obligations that the newly adopted ZEKom-2 is ushering.

1.2.11 RECOMMENDATION ON OPERATORS' ACTIONS IN THE EVENT OF DISCOVERED ABUSES IN VOICE CALL TERMINATION

As the Agency had previously established that there are several issues on the market, it held several consultation and formed a working group with operators in 2022 in order to help find solutions and encourage them to resolve the discovered abuses at the carrier level. In this year it also began preparing the Recommendation on operators' actions in the event of discovered abuses in voice call termination, which was published in its final form after the public consultations were completed in January 2023. The aim of this was to encourage operators to cooperate in order to lower the rate of abuses in the Slovenian telecommunications space. Operators have been facing the issue of various types of abuse both in voice call termination and in voice call origination that seek to obtain unjustified financial benefits. Most often this is about the abuse of the originating number when making calls or SMS messages, Wangari abuse, call stretching, call termination outside of the public telephone network (OTT bypass), and calls and SMS messages with fake content that attempts to draw certain personal data from the end user. The consequences of these abuses are lower operator revenues from network interconnection and the frustration of end users because of harassment and financial harm. The biggest issue is abuse of originating number, where the originating number from outside of the EU is masked with the number of an EU country with the aim of obtaining revenue arising from the difference between the commercial and the regulated wholesale price for call termination. The EU Regulation on uniform price for call termination in the EU⁸ does not apply for terminating calls originating from outside the EU, as it only regulates network interconnection on the common market, while outside of this market European operators are equal to operators from countries outside the EU, where wholesale prices of call termination are not regulated.

The aim of this recommendation is to provide operators with guidelines on how to act when establishing abuse in the termination or origination of voice calls or SMS messages, with the intent of protecting their own interest and protecting the rights of end users, while taking into account the applicable legislation.

1.2.12 COOPERATION WITH STATE INSTITUTIONS AND OTHER STAKEHOLDERS

Various national and international organisations are turning to the Agency regarding the reports it prepares and regarding the data it has. The Agency cooperates with the following institutions in this field: Statistical Office of the Republic of Slovenia, Bank of Slovenia, Slovenian Competition Protection Agency, the ministries, the European Commission and other international regulatory bodies and international institutions with authority for electronic communications. These are the Body of European Regulators of Electronic Communications (BEREC), the Independent European Regulators Group (IRG), International Telecommunications Union (ITU), Organisation for Economic Cooperation and Development (OECD), European Conference of Postal and Telecommunications Administrations (CEPT/ECC) and others. Along with the explanations submitted data and information all the stakeholders often also use the portal for data collection eAnalitik and the AKOS Geoportal, which are both also available in English.

The Agency has been collecting the data from mobile operators on international roaming for the needs of Bank of Slovenia for several years, and for the past two years it is also reporting these data to the Statistical Office of the Republic of Slovenia. The Agency combines all the data it receives from the operators and submits them anonymised to the Bank of Slovenia and the Statistical Office of the Republic of Slovenia for the requirements of analyses, such as the balance of payment and tourist flows.

1.2.13 COOPERATION WITH RELEVANT MINISTRIES

The Agency's representatives regularly provided expert support to the ODT which was in early 2023 transformed into the Ministry of Digital Transformation, namely in the preparation of the Plan of development of gigabit infrastructure until 2030 and the preparation of the draft amendment to the Plan of development of gigabit

⁸ Delegated Commission regulation (EU) 2021/654 on amending the Directive (EU) 2018/1972 of the European Parliament and of the Council by setting the uniform highest price for voice call termination in mobile networks at the EU level, and the uniform highest price for voice call termination in fixed networks at the EU level (<https://eur-lex.europa.eu/legal-content/SL/TXT/PDF/?uri=CELEX:32021R0654&from=EN>)

infrastructure until 2030, which lays down key performance indicators for achieving the strategic goals of the Republic of Slovenia in the development of gigabit infrastructure until 2025.

The Agency actively cooperated with ODT as part of the participation of the Republic of Slovenia at the ITU's 2022 Plenipotentiary Conference in preparing expert basis related to the Agency's operations. At ODT's request the Agency additionally participated the meeting of the temporary working group for preparing the European Initiative for Digital Commons.

Another close collaboration with ODT was in the executive art in the field of the development of the infrastructure of electronic communications. In 2022 the Agency prepared overview materials for monitoring the fulfilment of the obligation of construction based on the expressed market interest, which is one of the preconditions for using public funding for the construction of broadband networks. It also provided support in the preparation of the Connectivity Report. The cooperation with the Government Office and the Surveying and Mapping Authority is related to listing and establishing the database of available infrastructure in the collected register of public utility infrastructure.

The Agency prepared comments and specific proposals for the working group of the Ministry of Labour, Family and Social Affairs, as it prepared amendments to the Accessibility of People with Disabilities to Audiovisual Media Services Act. The Act will also define the supervisory bodies for monitoring the performance of additional conditions regarding accessibility to electronic communications services for people with disabilities, supervision of the e-book service, and dedicated software, and supervision of performing emergency communications, which fall under the Agency's authority.

1.2.14 INTERNATIONAL COOPERATION

In 2022 the Agency cooperated with the European Commission and other international institutions, such as BEREC, IRG, ITU, OECD, CEPT/ECC, as well as with other European regulatory bodies. Work and collaboration is still mostly done through virtual channels, as well as using hybrid approaches.

In 2022 the Agency regularly cooperated with the European Commission. It hosted the annual visit of European Commission's representatives. The Agency submitted all the requested information to the European Commission, and monitored the development in European legislation in the relevant areas, with the most extensive focus on the analysis of broadband coverage, currently performed by the Agency, with results aimed at preparing the "Connectivity" chapter that is part of the annual DESI index. In cooperation with the relevant ministry, the Agency participated at COCOM meetings, and attended the workshops and seminars related to its area of operations. The Agency regularly published important news and developments related to the European regulatory framework and the single digital market for stakeholders and end users on its website.

The Agency is a full member of BEREC's regulator's committee, and 2022 was one of its most active years. Work took place across 12 expert working groups, with a total of 47 expert working subgroup among them. Expert working groups prepared the obligations, permanent and current tasks according to BEREC's operational programme that fall within the EU regulatory framework, and follow the objectives of BEREC's mid-term strategy. The groups tackled tasks related to fixed and mobile networks (e.g. open radio access networks, eliminating copper networks, etc.), supervision of traditional electronic communications markets and new digital markets (DMA, DSA, etc.), open internet, end users, mobile roaming, statistic reviews, cybersecurity of 5G mobile networks, measures on relevant markets of electronic communications, sustainability in electronic communications, sectoral strategic plans and other content in the scope of the EU regulatory framework. 2022 stood out from a number of perspectives, as this year the tasks related to supervising the operation of electronic communications networks during the epidemic were concluded, while sectoral activities related to the war in Ukraine were beginning and the European Commission also continued with a high tempo of activities in the legislative field. This is especially important for national regulators, as their cooperation in preparing the opinions and responses through BEREC allows them to participate indirectly in reshaping European policies. The work of BEREC is based on annual plans, which follow the strategic priorities of the mid-term strategy (i.e. promotion

of competitiveness and investments, promotion of the single market, and strengthening and protection of end users) and the objectives of the European Electronic Communications Code (EECC). The Agency participated in the early phase of preparing BEREC's operational programme, in evaluating current topics, and in the final phase of approving the document.

The Agency monitored the work of all expert working groups and participated in videoconferences and meetings, and actively participated in preparing the documents. In 2022 the Agency once again co-chaired BEREC's expert working group focused on issues of cybersecurity in 5G mobile networks. The Agency also responded to BEREC's invitation and held a presentation on its geographic information system (AKOS Geoportal) and the procedures for mapping in Slovenia at the well-attended workshop of the expert working group.

The Agency attended all four meetings at the contact network (CN) level. At the plenary level the Agency also attended all four plenary meetings of the committee of regulators and the management board and accompanying workshops, where it also participated in many activities. Additionally, a highly informal virtual meeting was held regarding the conflict in Ukraine, which the Agency also attended.

The Agency also regularly cooperated with the European Independent Regulators Group (IRG). IRG's main objective remains the cooperation and exchanging best practices between European regulators in fields that exceed the scope of the European regulatory framework for electronic communications.

In 2022 the Agency regularly responded to the questionnaires from regulators and prepared a questionnaire of its own. In 2021 the Agency responded to a total of 91 questionnaires, which positioned it in 3rd place among 37 regulators participating in IRG.

The Agency also actively cooperated with the European Conference of Postal and Telecommunications Administrations (CEPT/ECC), which provides best European regulatory approaches and facilitates exchange of opinions and positions through various working groups and project teams; it was especially active in relation to numbering elements and the radio frequency spectrum. This included written exchange of information and participation in project working group meetings. In 2022 two meetings were held of the working group for numbering and networks (NaN), and in the scope of its three working expert subgroups, a total of 21. One of these was organised by the Agency in November.

The epidemiological limitations had an impact in the first half of 2022 on holding workshops, meetings, seminars and conferences. The Agency hosted two live meetings. The first was with the Kosovar regulator ARKEP and the second with the Serbian regulator RATEL. The topic of the workshop with the Kosovar regulator was pricing models, while with the Serbian regulator the focus was on shared construction and shared use of physical infrastructure, availability of data on public utility infrastructure, numbering elements, network neutrality and the regulation of OTT services. The Agency responded to the invitation to attend strategic workshops organised by the regulator of Bosnia and Herzegovina, RAK.



ELECTRONIC COMMUNICATIONS

The Agency set several important goals in telecommunication regulation with the key objective of encouraging competition and market development. For the year 2022 it set out to prepare the analysis of the effects of regulation of the relevant market 4 (2014/710/EU) "Wholesale high-quality access at a fixed location", which would serve as a preparation of the analysis of relevant market 2 (2020/2245/EU) Wholesale dedicated capacity". In the first half of 2022, the Agency was still finishing the procedure of issuing new regulatory decisions to the operator with significant market power on market 1 (2020/2245/EU) "Wholesale local access at a fixed location" and on market 3b (2014/710/EU) "Wholesale central access at a fixed location for mass market products". The delay in issuing the decisions occurred because both analyses were submitted to public consultation in April and then once again in September 2021. Only by the end of 2021 did the Agency as one of the first member states successfully complete the notification procedure with the European Commission after it had adopted the new Commission Recommendation on relevant product and service markets within the electronic communications sector susceptible to ex ante regulation in accordance with Directive (EU) 2018/1972 (hereinafter: Recommendation on relevant markets). The Agency issued both regulatory decision in July 2022. For the requirements of the analysis of the effects of the regulation, the Agency prepared an extensive questionnaire for all the operators who offer or purchase services on this market. Parallel the Agency began preparing the analysis of the relevant market, which will be completed after obtaining input from stakeholders on the analysis of the effects of the regulation. As the Agency has not yet received all the responses to its questionnaires from one of the operators, it had to postpone the publication of the analysis of effects of regulation of relevant market 4 to early 2023.

2 ELECTRONIC MEDIA

2.1 ANNUAL GOALS AND THE STATE OF THE MARKET

TABLE 5: KEY GOALS AND THE STATE OF THE MARKET OF ELECTRONIC MEDIA

Key objective: Encouraging competition and market development					
Task/Project	Activities	Objectives	KPI	Result	Comment
Awarding licenses for digital terrestrial radio dissemination	Public tenders for awarding radio station publishers' licenses for the digital terrestrial platform.	Ensuring that listeners have a diverse and interesting range of available radio stations on this platform and encouraging the platform's development.	At least one public tender planned for 2022.	■	2 public tenders were completed.
Report for the European Commission on accessibility of Slovenian audiovisual media services to persons with disabilities.	Collecting reports from providers on accessibility of Slovenian audiovisual media services to persons with disabilities.	Improving accessibility of Slovenian audiovisual media services to persons with disabilities.	19 December 2022.	■	Collecting reports from providers on accessibility of audiovisual media services to persons with disabilities.
Establishing an online contact point for providing information and ensuring to receive complaints related to accessibility to audiovisual media services for persons with disabilities	Setting up an additional website and preparing the content for it to act as an online contact point for providing information and receiving complaints related to accessibility to audiovisual media services for persons with disabilities.	Providing information and ensuring to receive complaints related to accessibility to audiovisual media services for persons with disabilities.	6 months after the implementation of the Audiovisual Media Services Act (ZAvMS-B).	■	Setting up a website, providing information and ensuring to receive complaints related to accessibility to audiovisual media services for persons with disabilities.

Key objective: Protecting users and ensuring the provision of the universal service

Task/Project	Activities	Objectives	KPI	Result	Comment
Protecting children and adolescents and encouraging media literacy	Operating the Gledoskop system for the classification and labelling of audiovisual content, heading the committee for content classification.	Protection of children from potentially harmful content in audiovisual media services.	A permanent task.	■	Operating the Gledoskop system for the classification and labelling of audiovisual content. 5 meetings of the committee for content classification.
	Maintaining, editing and updating the content on MIPI, the website for promoting media and information literacy.	Raising awareness among users of media content and information technologies on their safe use.		■	Maintaining, editing and publishing 58 articles on MIPI, the website for promoting media and information literacy.

The Agency's activities were especially focused on its new authority in the field of accessibility to audiovisual media services for disabled persons or those with sensory impairment, on holding public tenders for analogue audio broadcasting, public tenders for awarding the license for digital broadcasting of radio programming, public tender for awarding rights for digital broadcasting of television programming, participation in the preparation of new media legislation, the Act Amending the Audiovisual Media Services Act (ZAvMS-B), preparing general acts based on the ZAvMS-B, and preparing the content promoting media and information literacy.

Another important goal of the Agency in electronic media is ensuring equal conditions for the operation of all stakeholders on the market. In spite of the measures that were still in effect in the beginning of 2022, and which affected the work and administrative procedures at the Agency, it consistently strove to issue, monitor and transfer licenses quickly and promptly, allowing the publishers to operate without interruption. In January 2022 the new Act Amending the Audiovisual Media Services Act (ZAvMS-B) came into effect. When ZAvMS-B came into effect, this concluded the implementation of the amended EU Directive 2018/1808 on audiovisual media services (hereinafter: AVMS directive), which brings some new authority to the Agency. Now it also includes the regulation of video sharing platforms, whose providers are obligated to list them with the Agency. As yet, no Slovenian platform has listed its services. Providers of on demand audiovisual media service are now required to include different shares of audiovisual works, as the share of European audiovisual works must now reach at least 30% of the total number of works in a provider's library in an individual calendar year. The share of Slovenian audiovisual works must include at least 5% of the total number in a provider's library. The amended act also introduces changes in the protection of children in audiovisual media services, and the rights for persons with disabilities to access audiovisual media services. The new Act changes the limited time for broadcasting some content that could potentially be harmful to children. Following this amended Act, providers of audiovisual media service had to prepare a plan for every year on how they intend to improve access to their services for people with disabilities (e.g., interpreting into sign language, subtitles for the deaf and hard of hearing, spoken subtitles and audio descriptions), submit it to the Agency, and report on the implementation of measures, especially those from the plan for improving accessibility. The Agency also established a contact point for resolving complaints regarding the access people with disabilities to audiovisual media services, and prepared new or amended existing general acts to bring them in line with the new legislation. Based on ZAvMS-B the Agency was obligated to prepare 6 new or amend existing general acts by mid-July 2022. The Agency prepared all the general acts and published them in the Official Gazette before the deadline. This task was not in the Agency's 2022 operational plan, as it was not known beforehand when ZAvMS-B would be passed. In digital terrestrial dissemination of radio programming the Agency set out the goal to hold a public tender. The Agency significantly exceeded this goal, as it completed 3 public tenders. The first one was published in 2021,

awarding 10 licenses to disseminate radio programming in digital broadcasting technology in the East R2 area (5 licenses) and West R2 (5 licenses) in 2022. For this area another public tender was launched in 2022, awarding 8 licenses to disseminate radio programming in digital broadcasting technology, with 5 licenses going to the East R2 area and 3 to West R2. In 2022 the Agency headed and completed another public tender for awarding 6 licenses to disseminate radio programming in digital broadcasting technology across the Ljubljana area, which was launched at the end of 2021. Because the Agency wanted to encourage the development of digital radio and improve the range of radio stations available on the area, thereby contributing to the popularisation and expansion of the digital radio platform, this tender was aimed at new stations that are not available in radio broadcasting. Five licenses were awarded.

In the past year the Agency also completed a public tender for awarding radio frequencies for analogue audio broadcasting. It tendered nine radio frequencies for analogue audio dissemination of radio programming, combined in a total of six subject of the public tender. The tender commission selected new license holders from the received offers based on the terms and conditions of the tender, and submitted them to the Broadcasting Council, which prepared its proposal for selection and sent it to the Agency, which will complete the administrative procedures for awarding frequencies in early 2023.

The Agency continued to develop the MIPI online portal for media and information literacy (www.mipi.si). The Agency published various types of content from a broad range of media and information literacy that fall under the authority of the Agency as a convergent regulator. In 2022 the portal published a total of 58 articles, while subscribers to the newsletter, received 31 updates. It also organised 2 meetings with all the project's partners with the objective of providing a platform for sharing best practices, emphasising current topics and questions from partners, as well as any potential issues they might be facing in their work, and to further strengthen collaboration, find answers to current challenges and to coordinate shared activities.

The Agency continued operating the Gledoskop system for the classification and labelling audiovisual content. It held 5 meetings of the Board for classification of content, following the set goal of protecting children from potentially harmful content, which it also set out as the goal the previous year.

Within the limitations imposed by the COVID-19 epidemic measures, the Agency managed to fulfil its obligation from the annual plan to ensure constant proactive cooperation with all stakeholders on the media market, and to organize workshops, if needed. Because of the epidemic the Agency did not physically attend as many consultations in Slovenia or at the international level, as many of them still took place remotely. At the international stage there also numerous unscheduled activities, related to the war in Ukraine on the functioning of the media, where the Agency actively participated. Immediately after the decision was published and each time it was amended, the Agency alerted Slovenian electronic communications operators about measures, as such acts are always issued in the Official Journal of the European Union and are applied directly. Operators could therefore overlook them and would perhaps not apply the imposed measures that required the prohibition of access to certain Russian media that were spreading propaganda regarding the war between Ukraine and Russia.

With the goal of ensuring a predictable regulatory environment for all the stakeholders and to establish a dialogue with them, the Agency organised an expert consultation, cooperated in the organisation of another consultation, and its representatives were invited to participate at two conferences abroad. The Agency also participated in all the activities of both associations of media regulators, EPRA and ERGA.

Over the past year the Agency also prepared 130 responses and explanations to stakeholders and the public.

The register of television broadcasting holders reveals that 71 legal and natural persons held 119 valid television broadcasting licenses at the end of 2022. 16 of those hold more than one license and these together hold a total of 65 licenses, which comprises one third of valid licenses. Furthermore, 36 have active licenses to disseminate television programming in digital broadcasting technology. In 2022 a total of 13 new licenses were issued for performing television activities, while two procedures for issuing a new license for performing television activities were rejected. At the end of 2022, 27 licenses for themed television channels were in effect. In 2022

four declaratory decisions on expiration of television broadcasting licenses were issued, while two licenses were transferred to a new publisher.

The register of on-demand audiovisual service providers in the Republic of Slovenia included 26 services at the end of 2022, as 3 new services were registered in 2022, while publishers ceased offering four on-demand audiovisual services.

At the end of 2022, there were 57 legal and natural persons who held 169 valid radio broadcasting licenses. There were 17 broadcasters who hold more than one license, for a total of 129, which is more than three thirds of all valid licenses. In a total of 33 licenses four radio programming networks were included, while shared regional programming was included in 2. 47 radio stations have the licenses to disseminate radio programming using digital broadcasting technology across the territory of the Republic of Slovenia.

In 2022 the Agency processed 22 administrative issues regarding television broadcasting licenses based on the Media Act (ZMed). 10 administrative procedures were launched by request, and 12 ex officio. The trend of new television channels cropping up slowed down in 2022 compared to 2021, while the trend of TV channels ceasing to broadcast picked up somewhat. In this period the Agency processed 32 administrative issues regarding radio broadcasting licenses, 20 of which were initiated by request and 4 ex officio, and the others at the party's request. The trend of new radio stations cropping up stalled significantly, compared to 2020.

2.2 ACTIVITIES FOR ACHIEVING THE GOALS

2.2.1 AWARDING LICENSES FOR DIGITAL TERRESTRIAL RADIO DISSEMINATION

In 2022 the Agency continued with the activities related to digital terrestrial radio platform, as it observed that the interest for dissemination using digital broadcasting technology has not waned. The launch of the R2 network, which is divided into R2 East and R2 West, and which covers the majority of the territory of Slovenia, but is primarily intended for publishers of radio channels who already disseminate using analogue broadcasting technology, has shown that the publishers' interest for digital broadcasting is exceptional. In the start of 2022, the Agency completed the public tender which launched in 2021 by awarding the license to disseminate radio programming in digital technology in the areas East R2 and West R2. The licenses were awarded to publishers of 10 radio stations, with five going to each of the areas.

Because 21 offers arrived to this tender, pointing to a great interest for disseminating radio programming in digital broadcasting technology in areas East R2 and West R3, the Agency obtained an approval from the Broadcasting Council and published a new tender for awarding such licenses at the end of May 2022. At the end of the year the Agency awarded 8 licenses to disseminate radio programming in digital broadcasting technology, with 5 licenses going to the East R2 area and 3 to West R2.

In East R2 areas there were 8 radio stations broadcast at the end of 2022, namely 2 radio stations from RTV Slovenija (Radio Maribor and the Hungarian minority station Pomurski madžarski radio - Muravidéki magyar rádió), Koroški radio, Radio Krka, Radio Ptuj, Murski Val, Radio Sraka and Radio Maxi. The radio stations that received the licenses at the end of 2022 (Radio Aktual Kum, Radio Velenje, Radio Celje, Radio Štajerski Val and Radio Antena Celje), did not begin broadcasting in the East R2 area by the end of the year.

In West R2 areas there were 9 radio stations broadcast at the end of 2022, namely 2 radio stations from RTV Slovenija (Radio Maribor and the Italian minority station Radio Capodistria), Radio 94, Radio Sora, Radio Robin, Alpski Val, Radio Triglav, Radio Capris and Radio Best FM. Of the radio stations that received licenses towards the end of 2022, Radio Kranj was the only one not to begin broadcasting by the end of the year.

In 2022 the Agency headed another public tender for awarding 6 licenses to disseminate radio programming in digital broadcasting technology across the Ljubljana area, which was launched at the end of 2021. Because the Agency wanted to encourage the development of digital radio and improve the range of radio stations available

on the area, thereby contributing to the popularisation and expansion of the digital radio platform, this tender was aimed at new stations that are not available in radio broadcasting. The tender was divided into two sections. In the first section, open only to providers who are independent from current publishers, the focus in station selection was on programming content, while in the second section the focus was on selecting stations based on their music selection and on the music shows in programming. After completing the public tender, the Agency awarded the licenses to five radio stations, namely to Radio Terminal and radio Energija in the first section, and to the stations Center 7, Retro Radio and Radio 1 Slovenske Konjice in the second. At the end of 2022 Retro Radio was the only station broadcasting on the R3 network, because Best FM, which previously held a license for broadcasting on the R3 network, switched completely to the West R2 network after obtaining the license for it, while the remaining stations that had received the licenses for R3 have yet to begin broadcasting.

2.2.2 ACCESSIBILITY OF AUDIOVISUAL MEDIA SERVICES FOR DISABLED PERSONS

After the amended ZAVMS-B came into effect, the Agency began in 2022 preparing the activities related to the protection of disabled persons related to accessibility to audiovisual media services. In the first half of 2022 the Agency informed all the publishers of television channels and all the providers of on-demand audiovisual media services in writing of their new obligations in relation to accessibility to their audiovisual media services. The Agency informed all the publishers of audiovisual media services that they are obligated to submit the first plans for improving accessibility to the Agency by the end of 2022, and for the period from 12 January 2022 to 30 April 2022 it requested they submit information on ensuring accessibility to their services for persons with disabilities for the purpose of determining the current state. This will serve as the baseline for comparing with the accessibility plans for the future years and for the Agency's reports to the European Commission regarding how the providers are meeting their obligations.

At the end of 2022 the Agency published and sent to the providers the forms for preparing the plans for improving accessibility to their services for people with disabilities for the 2022-2024 period. It also held a workshop, inviting all the audiovisual media service providers and representatives of organisations for people with disabilities in the Republic of Slovenia. The Agency organised the workshop with the aim of informing the representatives of audiovisual media service providers and representatives of organisations for the disabled with the content of the form for planning improvements in accessibility, and with the goal for representatives of organisations for the disabled to present the expectations and needs of people with disabilities regarding accessibility to audiovisual media services, and for providers to present their capabilities related to ensuring accessibility in their services. As this meeting and its subject were also aimed at people with disabilities, the virtual workshop was simultaneously subtitled and interpreted into Slovenian sign language.

In relation to the fulfilment of the plan for improving accessibility for people with disabilities for the 2022-2024 period the Agency also prepared instructions for fulfilling implementing plan. For each television station and for each on-demand audiovisual media service data is required on the planned scope of an individual planned accessibility technique in an individual year, and on the planned scope of each individual planned accessibility technique in an individual planned programming content. The data received for the three-year period from 2022 to 2024 shows that the publishers of television programming aim to mostly utilise the technique of providing subtitles for the deaf and hard of hearing for the content with Slovenian spoken language, and for many contents they also plan to provide audio titles (for the blind and visually impaired), and there are fewer plans for using other techniques, especially audio descriptions of content. Providers of on-demand audiovisual media services mainly plan to utilise subtitles for the deaf and hard of hearing in programming with audio in Slovenian, sign language and audio descriptions, and in a lesser capacity also audio titles.

With regard to accessibility of audiovisual media services, the Agency also issued the General act on the protection of vulnerable groups.

2.2.3. ESTABLISHING AN ONLINE CONTACT POINT RELATED TO ACCESSIBILITY OF AUDIOVISUAL MEDIA SERVICES FOR DISABLED PERSONS

Last year the Agency set up a contact point for persons with disabilities on its website. It is intended to provide information to audiovisual media service providers regarding accessibility of their services to persons with sensory disabilities. The Agency was obligated to set up the contact point with the amended ZAvMS, which lays down that the Agency must establish and maintain an online contact point that is easily accessible to persons with disabilities through which it provides information and can receive reports related to accessibility to audiovisual media services. At the online contact point for audiovisual media services the Agency explains what must be ensured for persons with disabilities in audiovisual media services (accessibility measures listed are especially translation to Slovenian sign language, subtitling for deaf and hard of hearing, spoken subtitles, audio descriptions), who users with disabilities can turn to for help, and where their rights are written. The Agency listed the legal obligations of providers regarding providing accessibility to audiovisual media services. In order for the contact point for audiovisual media services to serve the purpose of raising awareness among providers and encouraging accessibility, while also informing users on the provision of accessibility, the Agency also launched internal activities for preparing the content and tools for improved accessibility for people with disabilities that are to be hosted on the contact point.

Considering that the Agency has the authority for protecting the rights of persons with disabilities also in other aspects of its operations, it has decided to upgrade the website this additional content and to provide people with disabilities with all the relevant information from this field in a single location.

2.2.4 PROTECTING CHILDREN AND ADOLESCENTS AND ENCOURAGING MEDIA LITERACY

The Agency continued to develop the MiPi online portal for media and information literacy (www.mipi.si), one of the first such websites promoting media and information literacy developed by national regulatory bodies in the European Union. The Agency published various types of content from a broad range of media and information literacy that fall under the authority of the Agency as a convergent regulator. In accordance with the growing need for end users to possess broad digital competencies it also broadened a part of its content, focusing on digital literacy. In 2022 the portal published a total of 58 articles, while subscribers to the newsletter, received 31 updates. With the goal of protecting end users of electronic communications it informed various target audiences about current topics in media and information technology, alerted to different challenges that end users are facing across all level of social life, as digital media are becoming omnipresent and digitalisation is accelerating.

The Agency informed end users of media content and digital platforms on the importance of smart use and mitigating harmful consequences as part of media and information literacy, internet security, inappropriate content and children and media. This objective was the focus of several topics. Following its commitment to empower end users the Agency is constantly striving to prepare its content so that they include useful guidelines and advice to help end users safely and securely use digital resources.

In 2022 the Agency once again fulfilled the objective it set when launching the MiPi portal, namely raising awareness of end users of traditional media and electronic devices on legal terms and laws of regulation that they come into contact every day, either by listening to the radio when driving, or when watching television in their living room, or when using mobile technologies while on vacation, yet they do not understand them.

The Agency has prepared several articles related to information literacy with the aim of empowering end users for safe and reasonable use and to be able to resolve any issues with IT devices and services.

In the past year the Agency has increased its activities related promoting the MiPi project. Its representatives have regularly attended events and meetings related to this area, where they presented the MiPi project. Towards the end of the year the Agency launched a promotional campaign that is primarily aimed at young people, to be followed by a campaign focusing on the broader population, and then by campaigns aimed at other age

groups. The Agency continues down the path it set out at the end of 2021, when it made a call to elementary schools to include MiPi's content into their learning processes, alerting to the importance of preventively raising awareness on the importance of media and information literacy. Under the slogan "Read MiPi to learn more!" the Agency aims to grow the project's visibility and to raise awareness among end users on the importance of following useful and high-quality content. This allows the Agency to actively contribute to raising the media and information literacy among the population. These have become essential for every digitally competent user in order to safely and competently use and create digital technologies and media services.

In 2022 the Agency further strengthened its cooperation with 14 partners on this project. This approach to partnerships has become established, as it facilitates mutual promotion and exchange of content and links, with the Agency and the partners are striving to improve their recognition and the number of visitors to MiPi and partners' websites. In this period the Agency published several articles and informed the public on the projects of its partners. It additionally introduced regular meetings with partners that are slowly becoming a platform for exchanging information on ongoing projects, resolving open issues and forming joint initiatives. Two such meetings were held, and also resulted to new conclusions being adopted, significantly contributing towards mutual collaboration. Besides this formal type of collaboration, the Agency also works together on the MiPi project regularly with other bodies and associations, such as Government Office for Digital Transformation, National Public Health Institute, educational institutions, libraries and other. We regularly prepare articles on media and information literacy for them and publish relevant content on the website

As part of its preventive activities in the protection of end users, and especially their most vulnerable groups, from potentially harmful audiovisual content, the Agency continued running the Gledoskop project over the past year. This is a system for the classification and labelling of programming content that allows on-demand audiovisual media service providers and TV channel publishers to alert parents, children, teachers and the public if certain content includes scenes that can be harmful for a certain viewer age group. Members of the coders committee, which is composed of experts in audiovisual content from the publishers of the most viewed Slovenian television channels and the Agency's representatives, held meetings to discuss issues related to labelling potentially contentious content, and discussed new developments that ZAvMS-B and the new General act on protecting children in audiovisual media services introduced. ZAvMS-B introduced changes related to time limits for broadcasting certain content, while the General act introduced some smaller changes regarding the categorisation of certain elements that could harm the development of children.

At the five meetings of the coders committee that took place 2022, they discussed 32 audiovisual works, most of which were feature films and documentaries. Potentially harmful scenes most often included elements of sexuality, violence or substance use, as well as content depicting discrimination. Most issues were related to labelling content which featured topics that children might find it difficult to comprehend, such as suicide, drug use and addiction, discrimination and sexual abuse. Meetings also brought the chance for additional improvements of the Gledoskop questionnaire.

2.2.5 PUBLIC TENDER FOR ASSIGNING THE RIGHTS TO DISSEMINATE RADIO PROGRAMMING IN DIGITAL BROADCASTING TECHNOLOGY

At the end of April 2022 the Agency received a request to hold a public tender for awarding national television licenses for disseminating radio programming in digital broadcasting technology, and began preparing the proposal for the terms and conditions, and after receiving the approval from the Broadcasting Council it published the decision on launching the public tender for awarding three licenses for disseminating radio programming in digital broadcasting technology on the territory of the Republic of Slovenia. The Agency received one offer that came before the deadline, was labelled correctly and complete, however, the Agency later discovered that it does not meet the requirements of the law and the tender documentation, and has removed it from further procedure. On the date the tender was due, the provider had unsettled debts to the Agency, which is one of the conditions of the public tender. After the administrative procedure was completed, the Agency issued a decision that the right to disseminate radio programming in digital broadcasting technology for the territory of the Republic of Slovenia shall not be awarded.

2.2.6 COOPERATION WITH RELEVANT MINISTRIES AND STAKEHOLDERS

The Agency regularly cooperated with the Ministry of Culture in the preparation of the proposal for Rules on the method of calculating charges based on the television broadcasting license or entry in the official records of providers of the audiovisual media services on demand, and entry in the official records of video sharing platforms, in the preparation of the position of the Republic of Slovenia, and in the procedure of preparing public tender for awarding radio frequencies for analogue audio broadcasting.

The Agency prepared comments and specific proposals for the working group of the Ministry of Labour, Family and Social Affairs, as it prepared amendments to the Access to Products and Services for Persons with Disabilities Act (ZDPSI). The Act will define the supervisory bodies related to supervision of parties obligated to provide access to products and services, and related to the supervision of standardisation of access services to audiovisual media service for disabled persons that the Agency covers as part of its authority. During the past year the Agency submitted three sets of comments on various versions of the draft proposal of the Act. Any potential new tasks for the Agency in this area will be revealed in 2023.

With the goal of ensuring a predictable regulatory environment for all the stakeholders and to establish a dialogue with them, the Agency organised an expert consultation on the topic of administrating and reporting the data on publishers of radio and television stations and audiovisual media service providers related to supervisory procedures. The Agency contributed to organising the debate on access and competitiveness of European audiovisual and media content. The Agency also contributed to the discussion on the proposal of the European act on media freedom that was prepared by the Slovene Association of Journalists in collaboration with the European Commission.

2.2.7 INTERNATIONAL COOPERATION: ERGA, EPRA, AND CERF IN MEDIA REGULATION

The Agency is also a member of several groups of European regulators in audiovisual media services (European Regulators Group for Audiovisual Media Services – ERGA, European Platform of Regulatory Authorities – EPRA, and Central European Regulatory Forum – CERF) in which it participates in the development and updates to EU's legal mechanisms, in exchanging and monitoring legislative trends in the broader international environment, and transfers best regulatory practices in Slovenia. The AVMS directive requires member states to ensure a free flow of audiovisual media services between EU countries, requiring the harmonisation of how national media areas are resolved, at least in the part that is covered by the directive, and cooperation between countries in electronic media. The above-listed platforms for exchanging regulatory systems and practices are very actively cooperating on this. The Agency also participates in the Contact Committee of the European Commission, where it has the important role of resolving the disputes related to jurisdiction, while also providing the data for the MAVISE database on audiovisual services and their jurisdiction in Europe, managed by the European Audiovisual Observatory.

After the amended AVMS directive was implemented in all EU member states, ERGA's working groups detailed all the areas required for its execution. The Agency's employees actively participated in 6 ERGA working groups, at the networking level, and at the highest level, at all plenary meetings of ERGA. As part of its active cooperation at all of these levels the Agency helped shaped further regulatory policy in the European, and consequently also at the national level. In working groups, the discussions focused on the European Media Freedom Act, on the implementation of the AVMS directive, and the introduction of the single European regulatory framework in all member states, the issues of disinformation on major online platforms in the light of strengthening democracy in the digital environment, and the implementation of memoranda on agreements between media regulators of EU member states. ERGA also monitored how the acts on digital services (DSA) and digital markets (DMA) are being adopted, and monitored the epidemic's economic effects of the epidemic on the operation of the media in member states.

As part of the European Platform of Regulatory Authorities (EPRA), all topics focused on disinformation and their

impact on the plurality of media and trust in them, on the function of media regulators in the digital environment, on the classification of content in on-demand audiovisual media services, and on the regulation of video sharing platforms. The Agency also responded to 45 questions from foreign regulators as part of international cooperation. In 2022 the CERF international conference was cancelled.

Same as in the past two years, the Agency was invited by the European Commission to participate in the preparation of the report on the rule of law in Slovenia for the year, as it also includes the assessment of the Slovenian media landscape. At the invitation of the Macedonian media regulator AVMU, the Agency participated at the regional conference of Balkan regulators, which took place in North Macedonia.

3 POSTAL SERVICES

3.1 ANNUAL GOALS AND THE STATE OF THE MARKET

TABLE 6: KEY OBJECTIVES IN THE ELECTRONIC COMMUNICATIONS

Key objective: Encouraging competition and market development					
Task/Project	Activities	Objectives	KPI	Result	Comment
Regulation of separate accounting	Ensuring compliance of the cost model of Pošta Slovenije.	Ensuring compliance of the cost model.	Verifying compliance of the cost model of Pošta Slovenije by 31 December 2022	■	The draft was ready on time and completed 3 weeks later.
	Calculation of WACC for the universal postal service provider Pošta Slovenije.	Ensuring compliance of the cost model.	Calculating WACC by 31 December 2022.	■	WACC was calculated and published on the website for public consultation by the deadline.
	Reviewing the justification of Pošta Slovenije's request for payment of a fee for the obligation of providing the universal postal service	Establishing potential undue financial burden related to providing the universal service at the required level of quality.	Completing the procedure by 31 September 2022.	■	The decision in the repeated procedure was issued by the deadline.
Encouraging competition	Analysis of the efficiency of providing the universal postal service.	Ensuring efficient provision of the universal postal service encourages competition and contributes to the provision of high-quality postal services at low prices and with a broad range for users.	Analysis completed by 31 December 2022.	■	Analysis was completed towards the end of the year and published in December 2022.

Key objective: Protecting users and ensuring the provision of the universal service

Task/Project	Activities	Objectives	KPI	Result	Comment
Establishing state of the postal services market	A comparative analysis of prices and quality in cross-border parcel delivery services.	Improving public information on the prices and quality in cross-border parcel delivery services.	Completing the comparative analysis by 15 December 2022.	■	The analysis was done in September and October and published in December 2022.
	Survey of the needs of users of postal services (general and business customers).	Establishing actual user needs with regard to the continuing decline of letter mail and the growth of parcel shipping, especially resulting from e-commerce.	Completing the survey by 15 December 2022.	■	Analysis was completed in October and published in December 2022.
	Analysis of the postal services market for the year 2021.	Obtaining statistical data from the postal services market and monitoring the market regarding new regulatory measures.	Performing the market analysis by 31 October 2022.	■	The analysis was done in September and October and published in December 2022.
	Updating the system for collecting and displaying the data on the postal services market.	Simplifying reporting and improving market transparency.	Updating the system for displaying the data on the postal services market by 31 March 2022.	■	Updating the system for collecting and displaying the data is tied to automating the uniform tool for capturing the data of the obligated parties and is still underway because the public tender had to be repeated.
	Updating the statistical questionnaires on the postal services market and holding a workshop for postal service providers on reporting.	Improving the quality of the collected data and simplifying reporting.	Simplifying questionnaires and holding the workshop by 30 September 2022.	■	The questionnaires for collecting the data have been updated. Consultation with postal service providers was held on 23 June 2022.

Key objective: Protecting users and ensuring the provision of the universal service					
Task/Project	Activities	Objectives	KPI	Result	Comment
Regulation of the universal service	Issuing the approval to the prices and general terms and conditions of universal postal service provision.	Ensuring the provision of the universal postal service in line with the needs of the users and the market and at affordable and cost-based prices.	Issuing a decision within 45 days of receiving an application.	■	All the approvals for price changes and general terms and conditions were issued within 45 days of receiving the application.
	Processing applications for transforming or closing contact points.	Care for the interest of users in the transformation of the postal network.	Issuing a decision within 2 months of receiving an application.	■	All the decisions were issued within 2 months of receiving the complete application.
	Reviewing the methodology and the results of quality measurements of letter mail and parcel delivery.	Verifying whether the required quality of the universal service was achieved for all users of postal services on the whole territory of RS.	Within 4 months of receiving the report from PS.	■	The evaluation of the methodology and the measurement results was completed in cooperation with an external provider within 4 months of receiving the report from Pošta Slovenije.

In 2022 the Agency pursued its goals in the regulation of universal service provision, namely:

- encouraging innovation and competition that follows the trends of the postal services market;
- ensuring users, both natural persons and legal entities, receive a high quality and accessible universal postal service;
- constantly monitoring the state of the market, recognising key challenges in postal services and promptly responding to them;
- helping to create national policies and the legislation in postal services and preparing and implementing appropriate general acts;
- helping to create European regulative policies through collaboration with the European Commission and work in ERGP working groups.

In 2022 the Agency completed the most planned tasks in the regulation and supervision of the postal services market. There were delays in the task related to updating the system for collecting and displaying the data on the postal services market. The Agency began performing the task, but it has not been completed yet, as some data types still have to be fixed and coordinated for the past, and the collaboration with the contractor in developing the information system for automated data collection is still ongoing. There were minimum delays related to the performance and publication of surveys and analyses, however, there was no impact on the content.

As part of encouraging innovation and competition that follows the trends in the postal services market, the Agency completed an expert tour and received a demonstration of receiving, shipping and returning parcels on the parcel lockers by the postal service provider GLS, which is the provider with the broadest parcel locker network in Slovenia.

In the scope of ensuring a high-quality and accessible universal service in 2022 the Agency placed special focus on adherence to the legal requirement for forming universal postal service prices and the general terms and conditions for performing the universal service. In a repeated supervision procedure, the Agency imposed on the universal postal service provider to ensure goods are transferred as part of the universal service in domestic and international traffic under the same mass categories as it was providing on 31 December 2020. The universal postal service provider Pošta Slovenije issued a request to change the general terms and conditions for providing

the universal service as well as the prices of the universal service in domestic and international traffic for the services of letter mail of lower mass categories. The Agency issued an approval for changes to the General terms and conditions for providing the universal postal service, as well as to the prices of the universal postal service in domestic and international letter traffic for the letter mail service.

With the goal of ensuring that the prices of the universal service are cost-based the Agency also issued an approval for the changes to the prices of the universal service in domestic and international traffic for the full range of the universal service.

As part of the strategic goal of recognising key challenges in postal services, the Agency supported the initiative of the European Regulators Group for Postal Services (ERGP) for enabling the delivery of medicines and humanitarian aid to the inhabitants of Ukraine and refugees in neighbouring countries. The Agency reported the state of the provision of postal delivery exchange between Slovenia and the countries involved in the conflict several times.

In 2022 the Agency entered 2 new providers in the register of postal service providers, and also deleted 2.

TABLE 7: NUMBER OF POSTAL SERVICE PROVIDERS AS OF 31 DECEMBER 2022

Type of entry into the official registry	Number of providers
Universal postal service provider	1
Postal service providers	30
Provider of interchangeable postal services	6

In 2022 the Agency conducted the analysis of the market, renamed as the Annual report on the state of the market for the year 2021. The report finds that there was an 18% growth in revenue from postal service, with a 3% decline in letter mail in domestic traffic and a 19% growth in parcel traffic in domestic traffic. The postal services market employed 6672 people and created EUR 391 million in revenue, with the total number of letter mail amounting to 195 million and 31 million parcels, of which 25 million parcels were sent in domestic traffic. Users in Slovenia had as part of the universal service access to 292 permanent post offices, 161 contract post offices and 26 mobile post offices. The total number of contact points of all providers was 1929, which includes 290 parcel lockers and 290 parcel shops.

The surveys and analyses were also completed successfully, with some changes to the time-frames. Because the Agency is severely understaffed, some tasks were completed only because current employees were additionally tasked and with the exceptional support from other sectors. The Agency held 4 surveys:

- comparative analysis of prices and delivery times,
- survey on user satisfaction with postal services and their needs for the general public,
- survey on user satisfaction with postal services and their needs for businesses,
- survey on user satisfaction with postal services and their needs after the contact points were closed.

Besides the above, the Agency also actively participated in the international associations ERGP (European Regulators Group for Postal Services), and CERP (European Committee for Postal Regulation). Employees actively participated in all working groups (ERGP and CERP), and attended all the meetings of the working group, the contact network and the plenary sessions of ERGP and the Postal Directive Board. The Agency regularly participated exchanging information between the Agency, ERGP, and other regulatory bodies. The Agency actively participated in the survey Main Developments in Postal Sector that the European Commission ordered with an external contractor, and which was published in early 2023.

The Agency also conducted several other activities aimed at ensuring sustainable, regular, and uninterrupted provision of the universal postal service at the prescribed quality level and affordable prices. It delivered 39,000 stickers on the prohibition of delivery to mailboxes for sale by consignment to Pošta Slovenije. It also held a supervision of derogations from delivery time and delivery to home, using a detached mailbox, and the availability and working hours of contact points, especially in the procedure of issuing an approval to the proposed changes or closures of contact points. The Agency analysed the efficiency of the universal postal service and compared it with four foreign providers, verified the compliance of the cost model of the universal postal service provider, and prepared a new calculation of the weighted average cost of capital (WACC) for the provision of the universal postal service.

In 2021 the Agency began modernising the data collection system, needed for market analyses and for exercising its authority based on the Directive on cross-border parcel delivery services. However, because the public order procedure had to be repeated in 2021, the task was not completed, and the project of modernising the data collection system stretched out through 2022. In order to publish the data on the postal services market on the eAnalitik site the Agency prepared the databases for the past years. The Agency expects that the eAnalitik site will be fully upgraded with the data on the postal services market in the first half of 2023.

The Agency also updated the data on the postal network in the AKOS Geoportal.

The postal services market has a stable trend of the number of postal service providers. The number of employees in postal service providers has remained the same. The number of contact points for direct work with users of all postal service providers has increased by 1.6%. Letter mail in domestic traffic declined by 3% with a concurrent 19% growth of parcels in domestic traffic.

3.2 ACTIVITIES FOR ACHIEVING THE OBJECTIVES

3.2.1 REGULATION OF SEPARATE ACCOUNTING

In 2022 the Agency fulfilled its goals in the regulation of separate accounting. With the help of an external contractor the Agency calculated the amount of the Weighted Average Cost of Capital (WACC) for the provision of the universal postal service by Pošta Slovenije, d.o.o., as at 31 December 2021, which amounts to 6.9%.

In cooperation with the external contractor the Agency completed the independent review of the cost model of Pošta Slovenije, where it established that the model is compliant with all the requirements of the Postal Services Act and the General act on separate accounting records and the prohibition of subsidies (Official Gazette of the Republic of Slovenia, no. 29/10), which related to ensuring separate accounting for services. Some recommendations were issued as part of the review, and will be implemented in 2023.

The Agency concluded the procedure of verifying the calculation of the net costs of the universal postal service provider for 2016, which it received for repeated procedure after a ruling of the Administrative Court. In 2022 the Agency received a new application from Pošta Slovenije for the calculation of the net costs of the universal postal service provider for 2021. The calculation for the years 2020 and 2021 will be concluded in 2023.

3.2.2 ESTABLISHING STATE OF THE POSTAL SERVICES MARKET

The Agency fulfilled the goals it set, as it obtained the relevant statistical data, conducted the annual analysis of the postal services market for 2021, and published the Annual report on the state of the market. It also conducted other analyses and surveys with the help of an external contractor, namely: a comparative analysis of the prices and delivery times of parcels in cross-border traffic, a survey on satisfaction/needs of users with post services after the closure of contact points, and an annual survey on satisfaction/needs of users with postal services (general and business users).

The Agency also successfully obtained the prices from providers of cross-border parcel delivery, and submitted them to the European Commission for European comparison. In accordance with Regulation 2018/644/EU the Agency also collected other required data from parcel delivery providers.

In 2022 the Agency held two consultations. The first was intended for postal services providers and was focused on updated questionnaires for data collection on the postal services market. The second consultation was aimed at representatives of local communities with the aim of presenting the implementation of the Agency's recommendation related to the procedures of closing down Pošta Slovenije's contact points, and presenting the data on the state of the market.

3.2.3 FOSTERING COMPETITION IN THE POSTAL SERVICES MARKET

The Agency fulfilled its goals regarding fostering competition in the postal services market.

With the support of an external contractor the Agency completed the research and analysis of efficiency of the universal service provider, which was compared with providers from Croatia, Italy, Agency and Portugal. The main findings of this research are as follows:

- a high quality of universal postal service provision,
- a high number of employees per post office and a high number of employees in delivery,
- approximately the same average number of inhabitants per post office as comparable companies abroad, but lower number of inhabitants per employee,
- lower territorial coverage per employee and per employee in delivery,
- above-average number of letter mail in domestic traffic per inhabitant per post office and per employee,
- Pošta Slovenije has the lowest margin and profitability, with above-average share of labour costs in added value,
- Pošta Slovenije has the second lowest return on assets and the lowest return on capital.

The Agency also entered and removed postal service providers from the official records.

3.2.4 REGULATION OF UNIVERSAL POSTAL SERVICE PROVISION

In 2022 the Agency met its goals and achieved its planned results in the regulation of universal service provision. Users of postal services were provided with permanent and regular provision of the universal postal service at the required level of quality across the whole territory of the Republic of Slovenia. The universal service was provided at prices that are affordable for all postal service users.

In a repeated supervision procedure, the Agency imposed on the universal postal service provider to ensure goods are transferred as part of the universal service in domestic and international traffic under the same mass categories as it was providing on 31 December 2020. Pošta Slovenije issued a request to change the general terms and conditions for providing the universal service as well as the prices of the universal service in domestic and international traffic for the services of letter mail of lower mass categories. The Agency issued an approval for changes to the General terms and conditions for providing the universal postal service, as well as to the prices of the universal postal service in domestic and international letter traffic for the letter mail service.

The Agency monitored how the measurements of the deadlines for transferring letter mail Pošta Slovenije, taking into account the requirements of the SIST EN 13850:2020 standard. Together with the external contractor the Agency concluded an assessment of the methodology and the results of quality measurements of delivery for 2021. The assessment confirmed that the results for 2021 are accurate, however, Pošta Slovenije did not meet the prescribed quality requirements in priority shipping in domestic traffic. The Agency launched a supervision procedure regarding this issue. Together with the contractor, the Agency also verified the results of measuring the quality of parcel delivery, based on the technical recommendation SIST-TP CEN – TR 15472:2007, where it established a high quality of parcel delivery provision.

As part of pricing regulation in 2017 the Agency processed two requests from Pošta Slovenije for changing the prices of services from the range of universal services; of which one was for domestic and one for cross-border traffic. The Agency issued an approval for proposed price changes.

The changes also occurred in the network of the universal service provider. The Agency issued 21 decisions with which it provided approvals for the transformation of contact points, and one for closure. The Agency issued all the decisions following the applications from Pošta Slovenije and taking into account the requirements from the General act on the quality of the universal postal service, which defines the threshold for the lower density of contact points, i.e. the lowest permissible number and distribution of contact points on the territory of the Republic of Slovenia.

3.2.5 COOPERATION WITH RELEVANT MINISTRIES

In 2022 the Agency continued its constructive cooperation with the Ministry of Economic Development and Technology by providing expert proposals and data for potential changes and finding optimal solutions. The main focus of cooperation was on improving universal postal service provision (the quality of universal postal service provision and the network density) with long-term financial viability.

3.2.6 INTERNATIONAL COOPERATION

The Agency actively participated in the international associations ERGP (European Regulators Group for Postal Services), and CERP (European Committee for Postal Regulation). The Agency's representatives attended several meetings of ERGP working groups in 2021, most of them remotely, over videoconferences, and one in-person meeting. The Agency's representatives actively participated at all five ERGP working groups which focus on: (1) access and interoperability, (2) consumers and market indicators, (3) cross-border parcel delivery, (4) regulatory framework, and (5) sustainability. The Agency's representatives also actively participated in a special working group that was founded for developing the mid-term strategy on the postal services market. In these working groups the regulatory bodies formed common positions on the proposals for performing legal acts of EU bodies, collected information on national postal market regulation in member states, and exchanged statistical data on the development of these markets.

The Agency attended two ERGP contact network meetings and two ERGP plenary sessions. Through its participation the Agency helped actively shape the European regulatory policies related to post. It also attended CERP's plenary meeting. In the scope of the European Commission the Agency attended two meetings of the Postal Directive Committee (PDC).

For statistical purposes the Agency reported to the European Commission, which has had the authority to collect and process data on the postal services market since 2014. The Agency proactively participated in the professional discussions in the field of postal regulation. The Agency cooperated with the European Commission's external contractor in preparing the research Main developments in the postal sector in the years between 2017 and 2021.

Throughout the year the Agency actively cooperated with stakeholders and the public, providing appropriate support, and among other things by organising two consultations.



POSTAL SERVICES

In 2022 the Agency completed the most planned tasks in the regulation and supervision of the postal services market. There were delays in the task related to updating the system for collecting and displaying the data on the postal services market. The Agency began performing the task, but it has not been completed yet, as some data types still have to be fixed and coordinated for the past, and the collaboration with the contractor in developing the information system for automated data collection is still ongoing. There were minimum delays related to the performance and publication of surveys and analyses, however, there was no impact on the content.

As part of encouraging innovation and competition that follows the trends in the postal services market, the Agency completed an expert tour and received a demonstration of receiving, shipping and returning parcels on the parcel lockers by the postal service provider GLS, which is the provider with the broadest parcel locker network in Slovenia.

4 RAILWAY TRANSPORT

4.1 ANNUAL GOALS AND THE STATE OF THE MARKET

TABLE 8: KEY OBJECTIVES IN RAILWAY TRAFFIC REGULATION

Key objective: Encouraging competition and market development					
Task/Project	Activities	Objectives	KPI	Result	Comment
Monitoring the market – train paths allocations, the charges for the use the PRI, and performing the efficiency regime	Monitoring train path allocations and regular monthly analyses of the realization of allocated train paths by individual carriers.	Ensuring improved utilisation of allocated train paths and efficient use of PRI.	Performing analyses for every month (in 90%) before the end of the following month.	■	Analyses for all carriers were completed on time every month (100%).
	Monitoring the billing of the usage fees for access to PRI and calculating the efficiency regime.	Ensuring fair and legal usage fee billing for access to PRI.	Semi-annual verification of the usage fee billing by the end of the 1st month of the following half year.	■	Usage fee billing and efficiency regime were verified in accordance with the set deadline.
	Survey on the satisfaction of users of the railway freight and passenger transport services.	Establishing the actual needs of the users and learning of their perspectives on the railway traffic market.	Completing the annual analysis of the completed work on the PRI by the end of the 2nd month in the next year and the annual report on the state of the market in 2021 in the first half of 2022.	■	The annual analysis of the work was completed by the deadline. The report on market development was completed and published in accordance with the set goal in June 2022.
			Completing both surveys by 31 December 2022.	■	The surveys were both published in accordance with the set deadline in November 2022.
Protection of passengers' railway passenger transport	Timely regulatory response to the changes on the market through posts on the Agency's website and preparing a brochure on the protection of passengers' rights.	Informing passengers of their rights on the railway services market.	Preparing the brochure by 31 December 2022.	■	The brochure was published by the deadline.

TABELA 9: DODATNO OPRAVLJENE NALOGE, KI NISO BILE NAČRTOVANE V 2022

Task	Goals of the task	Description (permanent activities or projects)	Comment
Railway Transport Act	Preparing the proposed changes and amendments to the Railway Transport Act.	Submitting the Agency's comments related to changes to the Railway Transport Act.	The Agency actively participated in the proposed changes to the Act, which is planned for adoption in 2023.
Regulation on train path allocation, usage fee and efficiency regime	Preparing the proposed changes and amendments to the Regulation on train path allocation, usage fee and efficiency regime.	Submitting the Agency's comments to the proposed changes and amendments to the Regulation on train path allocation, usage fee and efficiency regime.	The Agency actively participated in the proposed changes to the regulation, which is planned for adoption in 2023.
Simulation of the economic balance test	The simulation of preparing the assessment of potential economic effects on the existing agreement on performing the compulsory public service of transporting passengers in railway traffic.	The Agency prepared a simulation of the economic balance test with the objective of obtaining an insight into the procedure of preparing the assessment, if the request for preparing it were to be submitted when assigning a new train path for performing passenger railway services.	The Agency used the simulation to obtain all the data it would require if the request for an economic balance test were submitted.
Reviewing the Passenger fee of SŽ – Potniški promet	Preparing the proposed changes and amendments to the Passenger fee.	The Agency prepared an extensive document with proposed comments and amendments to the Passenger fee, and presented its initiatives to SŽ – Potniški promet and the Ministry of Infrastructure.	The Agency aims to raise awareness among end users, i.e. passengers with the proposed changes and amendments to the Passenger fee.
The analysis of the quality of information the passengers receive before travelling by train	Preparing the analysis of the quality of information the passengers receive before travelling by train.	The Agency started collecting information that passengers receive before travelling by train by obtaining information through calls to the carrier and by visiting passenger stations across Slovenia.	Through this analysis of the quality of information the Agency wants to obtain return information about how well the passengers are informed by the carrier in railway transport. The Agency will continue with the analysis into 2023, after the new regulation on the protection of rights and obligations of passengers in railway transport comes into effect.
Review of passenger rights in railway transport	The updated text of passenger rights is available on the Agency's website.	The Agency prepared and also published the proposed text on passenger rights, which is available on the Agency's website, in accordance with the requirements of Regulation (EU) 2018/1724 on establishing a single digital portal.	The Agency actively participated in the working group for the implementation of Regulation (EU) 2018/1724 on establishing a single digital portal, and has updated the text accordingly.

In the field of regulating railway services market in 2022 the Agency continued to strive to help ensure competitive conditions for effective railway transport, and related increase in the quality of service on this market.

The main strategic goals of railway regulation that the Agency aimed to achieve in 2022 were:

- ensuring equal terms and conditions for equal access to public railway infrastructure (PRI) and charging fair usage fee for its utilisation;
- ensuring non-discriminatory access to additional services and charging fairly for them;
- strengthening competition and thereby increasing the quality of service in the railway services market;
- ensuring effective enforcement of the rights of railway passengers;
- constantly monitoring the state of the market, recognising key challenges in railway transport services market regulation and promptly responding to them;
- helping to create national policies and the legislation in railway services;
- helping to create the legal grounds at the EU level through collaboration with the European Commission in the European Network of Rail Regulatory Bodies – ENRRB, Rail Market Monitoring – RMMS and European Rail Freight Corridor – RFC working groups, and contributing to shape positions of the regulatory bodies to the proposals of legal acts of EU bodies and transferring best regulatory practices to Slovenia as part of participation in working groups of IRG-Rail.

These goals were achieved through the activities that are detailed below, with regular monitoring of the railway services market being essential for achieving the goals. The Agency regularly monitored the activities of the PRI manager in train path allocations by individual carriers, thereby verifying that all the carriers or applicants are ensured equal treatment when they are assigned train paths. Much like in the previous years, the Agency again put special focus on the Divača – Koper section, which has the status of overburdened infrastructure. This ensured undiscriminated train paths allocation to all the applicants, and the Agency also performed activities to improve the utilisation of allocated train paths, and thereby also efficient use of PRI. Regular analyses of allocated train path realization that the Agency performed in 2022 again showed that a relatively high percentage of train paths is unrealised. It is the Agency's opinion that besides economic reasons with the carriers, the main reason for poor utilisation is late train path cancellations. The Agency alerted the administrator of PRI and the Ministry of Infrastructure of this fact in 2022.

The Agency placed focus in 2022 on train path allocations on the rail segment between Ljubljana and Brezovica, where major renovation works took place in 2022, limiting train traffic to just a single rail on this segment.

With the goal of ensuring fair and legal usage fee charging for all carriers the Agency in 2022 also monitored the correctness of the charged usage fee for access to PRI and calculated the efficiency regime on a monthly basis.

In 2022 the Agency first conducted two surveys on the satisfaction of users of the railway freight and passenger transport services. The surveys were conducted with the objective of obtaining the information on the actual needs of the users and learning of their perspectives on the railway transport market. The findings of both surveys have been published.

By regularly verifying whether providers of access to facilities for additional service provide them to all carriers under equal conditions and set the prices in accordance with the valid regulation, the Agency strived to ensure equal access to facilities where additional services are provided, and that the carriers are charged fairly for using the services in them.

As part of its legal authority the Agency verified whether the PRI manager adheres to the provisions of Railway Transport Act (ZZelP), and performed a supervision of the PRI manager's operation.

In the scope of its authority the Agency also provided expert support to the Ministry of Infrastructure in the preparation of the Regulation on train path allocation, usage fee and the efficiency regime on PRI, and

preparing the amendments to the ZZeiP. The Agency was also active in the international field, especially in working groups of the European Commission and the Independent Regulators' Group - Rail (IRG-Rail).

In 2022 the Agency's activities were also focused on informing the public on the market conditions, its authority and legal frameworks on this area. The Agency upgraded the eAnalitik with the data on the railway services market in 2022. AKOS Geportal now also includes additional layers of railway infrastructure, namely for: all railway stations in the Republic of Slovenia and railway stations with facilities for persons with reduced mobility, which will make it easier for users to access railway passenger transport services. A special layer also represents railway stations where tickets in domestic or international traffic can be purchased. A visual representation of the characteristics of individual railway stations in Slovenia is also available, allowing users of railway services to check the capacity of the railway network.

On the market of passenger railway transport services, these were in 2022 again conducted by a single carrier, SŽ-Poštniški promet, which means that the majority of transport services was performed as part of its public service obligation of providing passenger transport in domestic and cross-border railway traffic. After the major decline in traffic in 2020, which was the result in full or partial shutdown of public passenger traffic, as part of the measures to limit COVID-19 infections, 2021 saw a growth in the number of transported passengers, and 2022 again marked an uptake in the number of transported passengers, as well as an uptake in the scope of the work (in passenger kilometres). In 2022, 14.9 million passengers were transported over the public railway infrastructure of the Republic of Slovenia, of which 13.5 million were in domestic traffic. The carrier SŽ-Poštniški promet conducted a total of 835 million passenger kilometres, of which 612 million were in domestic traffic, and 223 million in international traffic.

There were 7 carriers on the railway cargo transport market in 2022, which is the same number as in 2020. Looking at the amount of transported goods, the Agency finds that the growth in traffic continues. In 2022, 21.6 million tons of freight was transported on the public railway infrastructure of the Republic of Slovenia, and carriers made a total of 5,214 million net ton-kilometres. Taking into account the amount of transported freight (in tonnes), it increased by 5.23 % compared to 2021, while the scope of work provided by carriers in net tonne kilometres decreased by 0.1%.

4.2 ACTIVITIES FOR ACHIEVING THE OBJECTIVES

4.2.1 MONITORING TRAIN PATH ALLOCATION, CHARGING USAGE FEE AND PERFORMING THE EFFICIENCY REGIME

In the scope of its tasks of monitoring competition on the railway transport services market the Agency regularly monitors the utilisation (realization) of allocated train slots on the public railway infrastructure. In 2022 the Agency analysed the realization of allocated train slots by individual carriers based on the data it obtained from the administrator's online app, and compared them with the manager's monthly analyses. The Agency did not discover any major derogations.

In railway cargo traffic the analyses in 2022 again showed a relatively high percentage of carrier cancellations of allocated train paths, which points to a poor utilisation of the PRI. Throughout the monitoring period the Agency finds approximately a third of allocated train paths have been cancelled, and according to the PRI manager, these were then re-allocated on an "ad hoc" procedure. The reason for this is supposedly delays resulting from obstacles on the networks of neighbouring railway administrations.

In 2022 carriers in freight traffic were issued a total of 76,030 train paths, which does not include train paths for "empty" engine trains. This is practically the same number of allocated train paths as in 2021, when 75,991 train paths were allocated. In spite of the fact that lately carriers have been adjusting train path orders to meet their actual needs, the share of unrealised or cancelled train paths in 2022 once again increased somewhat to a total of 36% (of which 3% were unrealised and 33% cancelled). The main reason for increased cancellations

is renovation work on the Ljubljana-Sežana main track, as consequently the PRI manager has conditioned assigning ad-hoc train paths on the Ljubljana-Brezovica segment with cancellations of regular train paths.

In contrast to railway freight transport, where there is a large share of cancelled and unrealized train paths, the analyses of allocated train path realization in railway passenger transport continue to show a significantly better state of affairs. With the exception of the year 2020, when there was a complete stop or limited provision of public passenger traffic between mid-March and early July, and again from mid-November, 30% of all assigned train paths were cancelled, the share of cancelled train paths in the whole monitoring period (since 2009) never surpassed 2%. The main reason for the low share of unrealized and cancelled train paths lies in the fact that passenger transport services are mainly provided as part of the obligation to provide the public service of passenger transport in domestic and cross-border regional railway traffic.

The data for 2022 show that the carrier in the passenger railway traffic was allocated 167,982 train paths, which is comparable with the year 2021, and 6% more than in 2019 and 2020. This shows that after 2020 when the epidemic significantly exceeded the performance of the public railway traffic, things are starting to improve.

The Agency placed focus in 2022 on train path allocations on the rail segment between Ljubljana and Brezovica, where major renovation works took place in 2022. Consequently, there were fewer train paths available on this segment than otherwise, which meant lower capacities for the transportation of passengers and freight, and in order to prevent any potential discrimination among applicants for train path it was essential that the Agency constantly monitors the market and responds immediately to the situation.

Much like in the past years the Agency once again focused a part of its resources on monitoring the train traffic on the railway section between Divača and Koper, as this railway segment has been declared an overburdened infrastructure. Along with the high number of freight and passenger trains, we also had to take into account the number of machine trains headed towards Koper to return pushing locomotives because of the relatively high longitudinal gradient of the track. The analysis of train traffic included all freight, passenger and machine trains in both directions that actually ran on this section. The Agency proactively performed activities for improving train path utilisation on the segment of overburdened infrastructure, and request the PRI administrator to consistently adhere to valid provisions on revoking insufficiently utilised assigned train paths.

In 2022 the Agency also monitored whether carriers are charged the correct usage fee for access to the PRI for the minimal bundle of services. Based on the monthly reports from the PRI manager, the Agency established whether usage fees are billed to the carriers without distinction and in accordance with the methodology and valid regulations. It did not find any irregularities. At the same time the Agency also monitored how usage fee is charged for removing trains in the part of TPK of Koper-tovorna station. Because new methodology for usage fee charging that came into effect in 2023, the Agency, as part of its authority, monitored the administrator's activities related to the implementation of this new methodology, while also providing expert support to the Ministry of Infrastructure, when needed.

With the aim of ensuring optimum use of public railway infrastructure the Agency focused a part of its activities in 2022 to the efficiency regime, which encourages carriers in the railway traffic and the PRI manager to reduce disruptions to the railway network and to improve the quality of performing export services. In relation to this the Agency monitored how monetary compensations from the efficiency regime are paid out and encouraged the stakeholders on the railway services market to announce any planned major investments on the railway infrastructure in due time.

4.3.2 MONITORING ACCESS TO FACILITIES FOR ADDITIONAL SERVICES AND THE SERVICES PROVIDED THEREIN

In accordance with the Commission Implementing Regulation (EU) 2017/2177 of 22 November 2017 on access to service facilities and rail-related services the Agency prepared and published at the end of 2019 the guidelines that define the procedures and measures for excluding the application of some provisions on the

managers of facilities and devices. In 2022 the Agency did not receive any requests for exemption.

The Agency monitored the performance of the Implementing regulation in connection with the obligation imposed on manager of these facilities to prepare and publish descriptions of facilities for providing additional railway services, and proactively called on the relevant stakeholders to transparently publish information regarding the facilities for providing additional services, as well as the services themselves. At the Agency's request, another manager of a container terminal conducted a description of the facilities, while other managers of facilities amended their descriptions in 2022 with missing information, and submitted them to the infrastructure manager to include them in the Network programmes for the years 2023 and 2024.

4.2.3 PROTECTION OF PASSENGERS RAILWAY PASSENGER TRANSPORT

A major focus for the Agency in 2022 was the protection of passengers in the railway passenger transport with the aim of improving the passengers' awareness of their rights. For this purpose, the Agency in 2022 updated the text on passenger rights, published on its website, making sure it is in line with Regulation (EU) 2018/1724 on establishing a single digital portal. We also prepared FAQs for passengers. The Agency put a special focus on the rights of disabled passengers in railway transport, preparing a special tab with the rights of disabled persons in railway transport on its portal for disabled persons.

In 2022 the Agency launched a comprehensive review of the Passenger fee, providing extensive proposals for changes and amendments to the Passenger fee with the aim of protecting the rights of end users – passengers to the carrier SŽ – Potniški promet and to the Ministry of Infrastructure, which approves the Passenger fee.

The Agency also prepared a brochure on passenger rights in 2022.

At the end of 2022 the Agency launched verifying the analysis of the quality of information the passengers receive before travelling by train. The Agency will continue with the analysis into 2023, when the new regulation on the protection of rights and obligations of passengers in railway transport comes into effect.

4.2.4 COOPERATION WITH RELEVANT MINISTRIES

In 2022 the Agency cooperated with the Ministry of Infrastructure in preparing changes to the legislation, namely in the preparation of changes to the Railway Transport Act and the Regulation on train path allocation, usage fee and efficiency regime on public rail infrastructure. With the aim of protecting the rights of passengers in railway transport, the Agency submitted proposals for changes and amendments to the Passenger fee to the Ministry of Infrastructure, which provides approval to the Passenger fee.

4.2.5 INTERNATIONAL COOPERATION EC DG MOVE AND IRG-RAIL

At the international stage the Agency's representatives actively participated in the working groups of the European Commission and its Directorate-General for Mobility and Transport (EC DG MOVE), and attended the annual meeting of the European Network of Rail Regulatory Bodies (ENRRB), which took place over videoconference. They participated in the debates on current development events on the railway services market in individual member states. A special focus was placed on the process of implementing the advanced capacity management (i.e., Timetable Redesign – TTR). In monitoring market development, the Agency actively participated in the working group for the Rail Market Monitoring System (RMMS).

Because a large share of the Agency's international activities is related to its operations in working groups of the Independent Regulators' Group – IRG-Rail, the Agency's representatives attended several meetings of these working groups remotely, through videoconference. The Agency's representatives actively participated at all six working groups of IRG-Rail. Working groups are divided into:

(1) monitoring legislation drafting,

- (2) usage fee charges (and subgroup: usage charges for additional services),
- (3) access to infrastructure (and subgroup: access to additional services),
- (4) monitoring the market.

In these working groups the regulatory bodies formed common positions on the proposals for performing legal acts of EU bodies, collected information on national railroad market regulation in member states, and exchanged statistical data on the development of these markets. At the international stage the Agency's representatives actively utilised the Agency's experience in preparing the methodology for charging usage fees and the Agency's authority related to this issue. IRG-Rail also prepared and published a report on the effects of monitoring the railway services market in Europe in which special focus was on the effects of the COVID-19 epidemic on European railway markets. The Agency also attended both IRG-Rail plenary sessions.

4.2.6 OTHER REGULAR TASKS

In 2022 the Agency did not receive any notifications on any potential new services in railway passenger transport. However, the Agency did complete the simulation of the economic balance test it launched in 2021. When preparing the simulation, the Agency obtained useful data on the experience of other European regulatory bodies by conducting the European balance test. The Agency used the simulation to obtain all the data it would require if the request for an economic balance test were submitted.

The Agency upgraded the eAnalitik with the data on the railway services market in 2022. The portal now offers the option of compare services in the international, domestic and cross-border freight and passenger transport. Carriers who perform freight traffic services can be compared by the amount of transported goods, work performed, the number of allocated train paths and the realisation of allocated train paths. The portal also offers the data on market shares of individual carriers by amount of transported goods and by work performed and by trend of collected usage fee. It has collected data on passenger traffic, namely on the number of passengers transported and on the work performed related to the mandatory public service or related to commercial transport in international and domestic transport. After completing the upgrade of the eAnalitik portal, the Agency also organised a workshop for the manager of the public railway infrastructure and the representatives of carriers in passenger and freight transport, presenting the features of the upgraded portal.

After the Alpine-Western Balkan rail freight corridor between Salzburg (A) and Svilengrad (BUL) was established, and after concluding the agreement on collaboration between regulators of the countries included in the corridor (namely Austria, Croatia, Serbia, Bulgaria and Slovenia), the Agency received the authority to resolve complaints and to supervise the management board and the shared corridor office (C-OSS).






RAILWAY TRANSPORT

These goals were achieved through the activities that are detailed below, with regular monitoring of the railway services market being essential for achieving the goals. The Agency regularly monitored the activities of the PRI manager in train path allocations by individual carriers, thereby verifying that all the carriers or applicants are ensured equal treatment when they are assigned train paths. Much like in the previous years, the Agency again put special focus on the Divača – Koper section, which has the status of overburdened infrastructure. This ensured indiscriminated train paths allocation to all the applicants, and the Agency also performed activities to improve the utilisation of allocated train paths, and thereby also efficient use of PRI. Regular analyses of allocated train path realization that the Agency performed in 2022 again showed that a relatively high percentage of train paths is unrealised. It is the Agency's opinion that besides economic reasons with the carriers, the main reason for poor utilisation is late train path cancellations. The Agency alerted the administrator of PRI and the Ministry of Infrastructure of this fact in 2022.

VIII SUPERVISION

TABLE 10: KEY OBJECTIVES – MARKET SUPERVISION UNDER THE AGENCY'S AUTHORITY

Ključni cilj: Spodbujanje konkurence in razvoja trgov						
Task/Project	Activities	Objectives	KPI	Result	Comment	
Supervision of electronic communications	Verifying conditions for the provision of electronic communication services.	Ensuring equal conditions for the operation of all stakeholders for competition protection, the protection of communication privacy, the protection of end users, ensuring rational use of numbering space and the accuracy of the data and the registry of operators.	Holding approximately 450 supervisory procedures, of which about 40 were highly complex, relating to competition protection, which has the highest priority.	■	A total of 449 supervisory procedure and minor offence procedures from various areas related to supervision were conducted. 11 procedures were combined into 2 major ones. Considering numerous other unexpected activities that cropped up during the year and the departure of two colleagues (which means 40 % of the team), the results are exceptionally good.	
	Verifying the accuracy of operators' entries into the Agency's registries, rational use of numbering space.		Completing 80% of all procedures within 6 months.	■		In 6 months, 86 % supervisory procedures were completed.
	Verifying how the obligations imposed by regulatory decisions are met.		At least 40% of procedures were completed within 90 days, with issued decisions.	■		62% of procedures resolved within 90 days.
	Supervisory procedures in privacy protection and electronic communication confidentiality.		Ensuring that the share of tardy cases does not exceed 10 %.	■		The share of backlog cases is 8 % in spite of fewer employees.
	Verifying the provision of services imposed on the universal service (USO) provider.					
	Verifying that the required quality of service provided to end users is met, and ensuring internet neutrality.					
	Verifying the accuracy of reporting to the Agency when collecting the required data.					

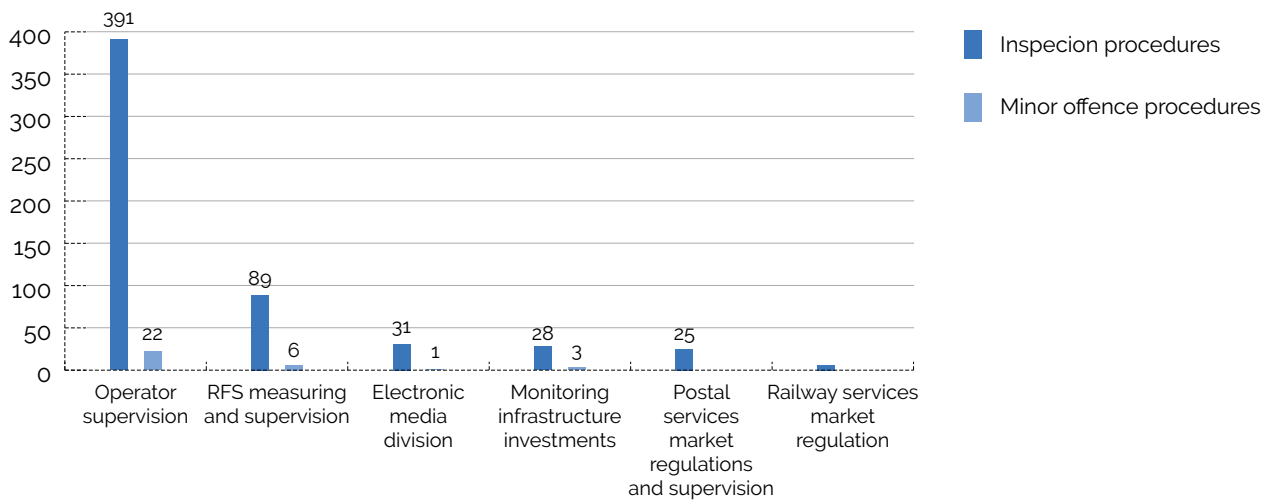
Supervision in shared construction and shared use of PUI	Inspection supervision of the published intentions for construction and the realisation of the market interest.	Improved coverage of the country with high-speed electronic communication networks.	Holding at least 12 preventive supervisions, i.e., 1 per month.	 A total of 31 supervision procedures of the published intentions for construction, the suitability of easement agreements, and the correctness of telecommunication infrastructure record keeping were launched.
	Inspection supervision of record keeping of the telecommunications infrastructure in the RS and the suitability of easement agreements for shared use of public utility infrastructure.	The comprehensiveness and availability of information on the existing infrastructure in order to lower the prices of constructing new TC networks.	Holding at least 12 preventive supervisions, i.e., 1 per month. Resolving 90 % of cases without an administrative dispute, and if there is one, make sure that the Agency wins it.	A total of 92 procedures were concluded. No administrative disputes were launched.
Supervision of radio frequency spectrum	The supervision of the utilisation of radio frequencies and resolving the issues of DARF holders during interference.	Ensuring uninterrupted use of radio frequencies to all DARF holders.	Launching approximately 30 supervisory procedures by 31 December 2022.	 We completed 89 supervisory procedures.
			Resolving 75 % of the procedures within 3 months.	 More than 80 % of the procedures were resolved within 3 months.

Supervision of electronic media	Supervision of registering platforms for video sharing and the supervision of measures for protecting the users of video sharing platforms.	Ensuring equal conditions for the operation of all stakeholders on the market, and protecting the interests of the viewers and listeners of programming and users of media services.	Conducting 1 analysis of the market with the goal of identifying potential platforms and performing potential supervisions by 31 December 2022.	■ Conducting 1 market analysis.
	Gathering reports from audiovisual media service providers regarding improvements of access to their services for disabled persons and reporting to the EC.		Obtaining at least 15 reports of the most watched or popular audiovisual media services by 31 December 2022.	■ Obtaining 90 reports.
	Supervision of adherence to the commitments from licenses for radio activities.		Holding at least 18 supervisions by 31 December 2022.	■ The task was already completed in 2021.
	The supervision of fulfilling the conditions for the status of special importance from decisions.		Launching at least 2 supervision procedures by 31 December 2022.	■ 6 inspection supervision procedures were conducted.
	Gathering reports on achieved shares of European and Slovenian audiovisual works. Supervision of the scope of advertising. Supervision of product placement.		Obtaining at least 15 reports by 31 December 2022, and launching procedures if needed. Conducting at least 2 analyses of the scope of advertising on at least 15 TV channels by 31 December 2022, and launching procedures if needed. Conducting at least 1 analysis of the most watched domestically produced TV shows by 31 December 2022, and launching procedures if needed.	■ 34 reports were obtained and 10 inspection supervision procedures were launched and completed.
	Protecting children from potentially harmful audiovisual programming content.		Conducting at least 4 meetings of the Gledoskop board by 31 December 2022, and launching procedures if needed.	■ 12 monthly analyses of 42 TV channels.
				■ 1 market analysis completed.
				■ 5 meetings conducted.

Supervision of postal services	Supervision of the execution of the General act on amendments to the general act on exemptions in providing universal postal service.	Preventive supervisions of derogations from delivery time and delivery to home, namely by delivery to a different appropriate location.	Launching two supervision procedures by 31 December 2022.	■ Launching 2 preventive supervision procedures regarding the exceptions from the provision of the universal service (permissibility of derogations from serving and delivering mail).
	Supervision of the provisions of the General act on the quality of providing universal postal service.	Preventive supervisions of suitability of contractual post offices and the appropriate number of mailboxes with the goal of ensuring a suitable density of the postal network and organization types of contact points for meeting reasonable needs of postal service users, and for the universal postal service to be provided in accordance with legislation.	Launching two supervision procedures of contractual post offices and two procedures of the installation of installed mailboxes by 31 December 2022.	■ Launching 2 preventive supervisions of the installation of mailboxes and 2 preventive supervisions of contractual post offices.
	Supervision of ZPSto-2, the Regulation on cross-border parcel delivery services and of general and individual Agency's acts.	Ensuring compliance of postal service provision with ZPSto-2, the Regulation on cross-border parcel delivery services and of general and individual Agency's acts.	If the Agency detects any violations, it will launch supervision procedures.	■ Conducting several supervisions with regard to reports.
Nadzor na področju storitev železniškega prometa	Nadzor nad izvajanjem določil Zakona o železniškem prometu o poslovanja poslovanju upravljavca JŽI.	Zagotavljanje konkurenčnih razmer na trgu storitev v železniškem prometu in dejavnosti upravljavca JŽI.	Izvedba vsaj dveh postopkov nadzora nad izvajanjem določil Zakona o železniškem prometu (predmet bo odvisen od zaznanih morebitnih anomalij) do 31. 12. 2022.	■ Izvedenih je bilo šest nadzorov.

In 2022 the Agency conducted inspection and minor offence procedure across all areas for which it has authority as an inspection body. Most inspection procedures were conducted in the supervision of operators, as the figure below shows. In the start of 2022 the Agency also held inspection procedures across as part of monitoring the adherence to the measures for mitigating infection and spread of infection with the COVID-19. The Agency's authorised persons conducted 82 such inspection supervisions.

FIGURE 15: NUMBER OF INSPECTION AND MINOR OFFENCE PROCEDURES IN 2022 BY SECTORS



The Agency prepared and adopted internal Action items for organising and coordinating the work of the Agency's authorised persons in inspection procedures in order to further optimise these procedures.

1 SUPERVISION OF ELECTRONIC COMMUNICATIONS

The European Electronic Communication Code was only transposed into Slovenian legal code at the end of 2022, and consequently supervision of obligations related to ZEKom-2 were not yet conducted in 2022. Therefore, the Agency continued to adhere to the provisions of ZEKom-1 and its general acts in supervisory procedures. It also responded to numerous questions from stakeholders on the market, including about how the Agency will approach certain services and what legal requirements will have to be met in the future.

The amount of new cases is still growing significantly, especially in relation to their complexity, and the Agency has been focusing increasing resources to defending its decisions at relevant courts. All of this is reflected in longer times required to resolve complex procedures on the one hand, and the procedures with the lowest priority on the other hand.

In 2022 the Agency conducted 345 supervisory and 22 small offence procedures in electronic communications. Much like in the previous year, the most demanding supervisory procedures in 2022 were those in competition protection, which are explained in more detail below. In relation to the provisions of ZEKom-1, 12 inspection procedures related to the supervision of adhering to the provisions related to ensuring competition were launched and completed, along with 4 procedures related to legal use of radio frequency spectrum. The Agency verified the adherence to regulatory obligations related to price monitoring, allowing carrier access to network capacities and their use, and ensuring transparency. The procedures of verifying adherence to regulatory decisions are the highest on the Agency's priority list, as the state of the competition heavily depends on the legality of actions by regulated players. In these procedures large amounts of data and evidence are collected, making them constantly more difficult and longer because of different manoeuvres that the regulated companies make. When reaching a decision, the Agency must also adhere to the judicial practice in order to try to avoid unsuccessful procedures of legal assessment in the courts. The Agency's decisions generally end in judicial procedures. This also presents additional work for the Agency's authorised persons, as they have to prepare applications for the judicial dispute.

In 2022 once again most supervisory procedures were launched because of suspected breach of the provisions of ZEKom-1 regarding unsolicited communications. Outstanding supervisions were related to the

legal use of numbering space, data processing on subscribers, prohibition of conducting calls for commercial and research purposes, and the compliance of the content of subscriber agreements with the legal requirement. The number of resolved cases was significantly higher than the year before, at 88%, while in 2020 the number was just 83%.

FIGURE 16: INSPECTION PROCEDURES IN 2022

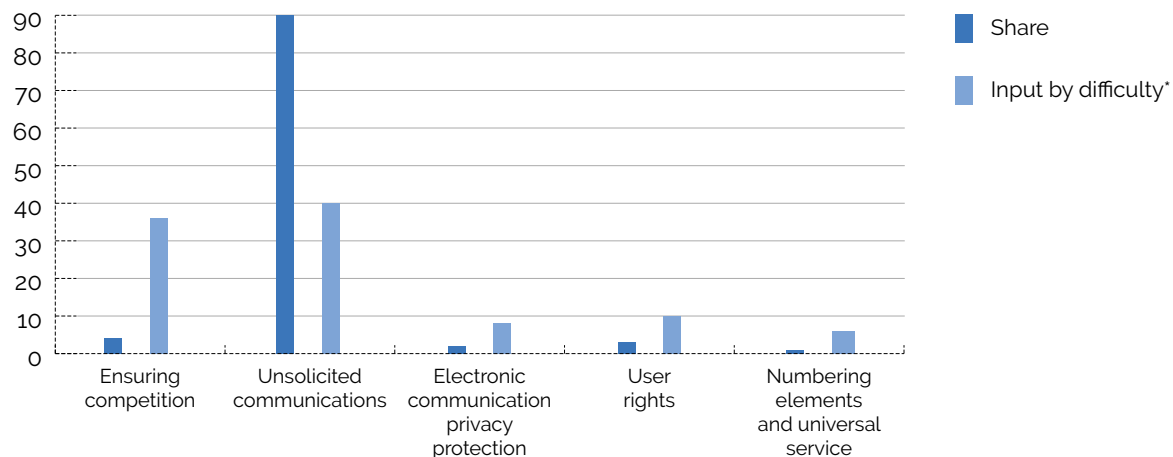
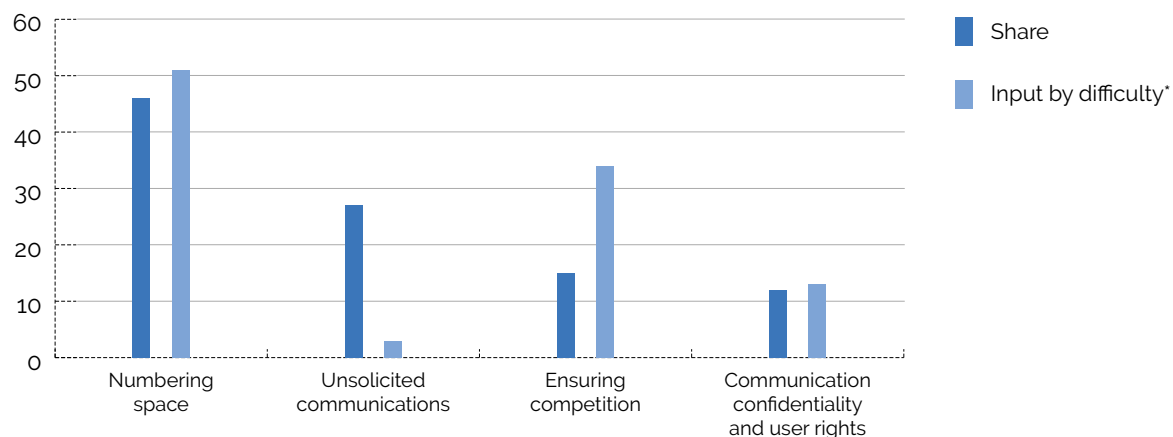


FIGURE 17: MINOR OFFENCE PROCEDURES IN 2022



In 2022 the Agency also responded to 45 received questions from users, pertaining to different areas of ZEKom-1. Most were related to the adherence of provisions on unsolicited communications in practice, as well as those that pertained to blocking access to Russian websites by operators.

In accordance with the Agency's goals of ensuring competitive environment and the protection of end users the Agency launched a constructive dialogue with stakeholders immediately after the ZEKom-2 came into effect, especially focused on ensuring a uniform understanding of new legal obligations. The protection of the rights of end users is another area with major changes after the adoption of the new Act. The Agency held a workshop where services providers could ask about ensuring an abstract of the agency and the information before concluding the agency, which are detailed in ZEKom-2. The main goal of the workshop was to present the Agency's positions related to the findings of the system supervision that was conducted among the four biggest operators regarding their methods of informing subscribers on changes to the terms and conditions from their subscriber agreements. The Agency finds that these positions will contribute to fewer violations in the future.

The Agency is also diligently monitoring personal data processing and privacy protection of electronic communications, ensuring that the obligated parties appropriately adhere to the relevant provisions of the Act. In 2022 it launched numerous procedures related to this, with the breaches related to unsolicited communications taking top spot. The Agency handled 312 inspection supervisions in which it verified whether obligated parties adhere to legal provisions pertaining directly to marketing (i.e. unsolicited communications). In December 2022 the Agency launched a system supervision of adherence to the provisions, as it had detected several inconsistencies related to storing and processing subscribers' personal and traffic data.

Security of networks and services is one of the areas that the European Commission has also placed a lot of attention on. After ZEKom-2 had come into effect, the Agency conducted several individual consultations with other relevant bodies as part of preparations for the new general act for this field. Because of numerous upcoming changes ta constructive dialogue with obligated parties and relevant bodies is exceptionally important for legislation to become effective.

Further planned activities were side-lined because of the threat of potential reductions of electricity supply in the winter months of 2022. The Agency and other stakeholders spent a lot of time on preparing national plans for the potential case of holding reductions of electricity supply across the country.

Even though ZEKom-2 came into effect only at the end of 2022, the Agency had already begun cooperating with the Government Information Security Office of the Republic of Slovenia (URSIV). In accordance with the National response plan to cyber incidents it reported on a weekly basis to URSIV on reports it received from the operators. Like in the past years it prepared an annual report for the European Agency for Cybersecurity (ENISA) on security incidents it received from operators that exceeded the agreed threshold for reporting to this European agency.

The international coordination in this area is of essential importance to the Agency. In 2022 the Agency once again co-chaired BEREC's expert working group focused on issues of cybersecurity in 5G mobile networks. It was also active in the European Competent Authorities for Secure Electronic Communications (ECASEC), which is an ENISA-body. These roles allow the Agency to connect with all important stakeholders in this area, including the coordination group for cooperation in networks and information security NIS, which includes representatives from all EU member states. Cooperation brings access to numerous best practices that are established in other member states and to information on current activities of the European Commission.

The new regulatory decisions for relevant markets 1 Wholesale local access at a fixed location and 3b Wholesale central access at a fixed location for mass market products have also had an impact on the Agency's supervisory activities. However, supervisory activities related to the above regulatory decisions regarding the obligation of price control have not yet come to a conclusion, as court rulings can take up to several years. Additional activities that the Agency is performing in relation to this, and which take up a lot of its resources, also include requests from other stakeholders to be included in procedures. In spite of the complexity of these procedures the Agency has launched several supervision procedures. In order to expedite decision-making and be more economical the Agency has combined 11 verification periods into three supervisory procedures, which were concluded by issuing an improvement notice. It decided to perform an economic replicability test to establish whether the published wholesale prices of access on the former relevant markets 3a Wholesale local access at a fixed location and 3b Wholesale central access at a fixed location for mass market products are appropriate. The Agency also conducted 2 supervisions related to verifying prices of capacities on the same relevant markets for the year 2021 and issued two decisions, imposing on the operator to remedy the irregularities. The Agency also conducted a supervisory procedure regarding appropriate monthly lease fee for connections to access collocations, where based on its own price model it verified the operator's lease fee, and issued a decision, imposing on the operator to remedy the irregularities. Along with verifying regulatory decision the Agency also conducted 3 supervisory procedure in 2022 to verify the adherence to the provisions of the decision on awarding radio frequencies for the multiplex.

Contrary to expectations the Agency did not receive any complaints from those looking for access related to breach of deadlines for connecting to the network of Telekom Slovenije. It did, however, detect potential irregularities in the provision of transparently publishing information on network construction and launched a procedure in which it verified the fulfilment of the obligation of equal treatment, which was imposed on the regulated party in regulatory decisions for relevant markets 3a Wholesale local access provided at a fixed location and 3b Wholesale central access provided at a fixed location for mass-market, however, the procedure is not yet concluded.

Immediately after ZEKom-2 came into effect the Agency also began preparing the new General act on internet access services and related rights of end users, where it took into account some new legal developments, as well as some new developments in service provision that the regulated parties introduced, as the state's calls to reduce electricity use and make sustainability commitments are also reflected in this area. The Agency once again verified compliance of operators' operations with the valid general act with an extensive questionnaire through which it obtained the data for preparing the National report on open internet. The Agency has prepared the National report and submitted it by the deadline to BEREC and the European Commission, which published it on its website⁹. Following reports from end users whose services did not operate, the Agency has in some of these cases alerted the user and operator to strictly adhere to the provisions of the General act on internet access services and the related rights of end users, especially with regard to the procedures for establishing a significantly consistent or regularly repeating derogation between the contractual and the actual speed of internet access and the rights of end users if this is established. There were no needs to issue decisions in these supervisory procedures.

The Agency was active in the BEREC open internet working group which was focused last year on the implementation of ECJ rulings regarding eliminating zero rating from the market, and with the implementation of Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, namely with regard to the list of channels published by the subjects listed in the Appendix XV of the Regulation, which are prohibited from broadcasting or distribution through EU operators. With the aim of following the current trends in open internet and to actively contribute to unifying the practices between member states, the Agency has intensively monitored the discussion on the manner of implementing these rulings, obtained current data on the state of the market with relation to zero rating offers in Slovenia and actively participated with operators in order to harmonise their offers with the ECJ rulings as soon as possible. It also actively cooperated with other regulatory bodies and Slovenian operators in ensuring a uniform approach regarding shutting down Russian TV channels in accordance with the EU decisions¹⁰.

In relation to the legislation that details roaming in public mobile communication networks, the Agency has not yet detected any breaches.

In relation to the use of numbering space the Agency conducted 5 supervisory procedures. Of these it concluded one supervisory procedure related to the use of assigned numbering elements by decision, because the regulated party remedied the breach during the procedure, and there is one ongoing procedure related to unauthorised use of numbering space. In other procedures the breach was not established.

2 SUPERVISION OF THE RADIO FREQUENCY SPECTRUM

The Agency manages the radio frequency spectrum and supervises it in order to ensure uninterrupted use of radio frequencies. It supervises the radio frequency spectrum systematically on the basis of its annual plans, based on request for launching procedures, and within the scope of investigating reported radio interference.

⁹ <https://digital-strategy.ec.europa.eu/en/library/annual-country-reports-open-internet-national-regulatory-authorities-2022>

¹⁰ Council Regulation (EU) 2022/350 of 1 March 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, available at: <https://eur-lex.europa.eu/search.html?scope=EURLEX&text=2022%2F879&lang=en&type=quick&qid=1687251013582>, Council Regulation (EU) 2022/879 of 3 June 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R0879&qid=1687251013582>, Council Regulation (EU) 2022/2474 of 16 December 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R2474&qid=1687251096923>

If there are any irregularities established, it takes action in accordance with its authority. It utilises the remote monitoring and measurement system that encompasses 12 locations and 3 special vehicles.

The Agency had to move one of its locations to a different micro location, as the facility where it had been roaming is being sold. For this purpose, the Agency constructed a new container with accompanying infrastructure in direct proximity, so that this station can continue operating without interruption. The Agency has also upgraded its measurement equipment for monitoring public mobile networks so that it now also supports monitoring 5G technology. It also upgraded some other measurement equipment. In the scope of systematic radio frequency spectrum supervision, the Agency in 2022 conducted 89 inspections to investigate radio interference and based on reports. In 5 cases it issued notices in minor offence procedures, and in one case a fine.

In the field of radio frequency interference resulting from electromagnetic compatibility (EMC) the Agency exercised its authority by searching for interference sources from devices and issued measures to remedy them based on its inspection authority. It launched 4 cases in this area.

In 2022 the Agency conducted 22 measurement recordings of the radio (FM) spectrum, 7 measurement recordings of the television (DVB-T) spectrum, and 8 measurement recordings of the spectrum for digital radio (DAB+) at different locations across Slovenia. It also conducted a campaign for measuring the coverage with DAB+ technology, driving across most main roads in the country. The results of these measurements were published on its website as a report and included in the AKOS Geoportal. The results of spectrum recordings were the basis for international coordination between radio broadcasting stations, for new technologies on these bands, as well as for issuing DARFs. The Agency continued with systematic daily measurements of the radio broadcasting spectrum, as it needs these results for comparing with past measurements.

In 2022 the Agency investigated 59 reports of radio interference. The majority of these cases pertained to interference of mobile operators' transmissions (GSM and UMTS) by natural or legal persons using GSM repeaters that were not properly installed or configured, and other devices which were not operating correctly.

The Agency invested a lot of its time also in resolving interference impacting the Slovenian weather radars due to RLAN connections. Through regular measurements it monitored the activities alongside the border, where foreign radio stations continue to cause interference for Slovenian stations. The Agency investigates radio interference in the reception of signals of Slovenian radio broadcasting stations and reports them, when it establishes the interference. In 2022 the Agency focused its attention in this area to reporting interference on DAB+ technology. This decreases the quality of service in DAB+ multiplexes. It also monitored the condition in the FM spectrum through regular measurements, and sent urgent notifications to amend the previous interference reports to the Italian administration. The Agency assists radio frequency spectrum users by advising them on how to resolve various technical issues. In 2022 it focused on monitoring the radio frequency scope of FM radio stations and RDS parameters.

2.1 MONITORING THE QUALITY OF SERVICE OF BROADBAND NETWORKS

Monitoring internet service providers and related user rights was one of the Agency's main objectives also in 2022. The Agency continued searching for and developing suitable hardware and software for autonomous measurements, and tested software that makes it possible to perform automatic periodic measurements, without the need for an end user to perform any actions, and reduces the impact of other secondary factors on the accuracy of measurements.

In 2022 the Agency continued to successfully collaborate with the two biggest providers of measurement equipment for performing quality of service (QoS) measurements. It improved the implementation of the RFC6349 standard in measurement instruments and the implementation of the new method for taking

measurements, based on RFC6349 in measurement instruments. It also participated in testing new upgrades to instruments. Using mobile instruments the Agency performed test measurements over various access technologies, and shared its experience and conclusions with the equipment manufacturers and users with whom these measurements were taken.

Because of the implementation of new access technologies and CPEs that come with 2.5 Gbps (2.5 GBASE-T), 5 Gbps (5 GBASE-T) and 10 Gbps, and WiFi6 connections, the Agency obtained suitable instruments that support measurements on these connections.

It was the Agency's goal to perform a supervision of whether the operators adhere to the EU regulation on open internet. Because the Agency is a member of the Slovenian Internet Exchange (SIX), Réseaux IP Européens Network Coordination Centre (RIPE NNC), and thereby also Local Internet Registry (LIR), the AKOSTestNet system connects to the internet through its own IPv4 and IPv6 addresses. In order to ensure sufficient capacities for the AKOSTestNet system and reliability of the measurements at high speeds, and because of ensuring redundancy and thereby improved reliability of the operation of the whole measurement system, the Agency purchased a new BGP network router and connected with a 100 Gbps connection also to the second SIX node. The Agency also upgraded its AKOSTestNet measurement system. The Agency has continued to develop the AKOSTestNet to make it even more compatible with the tools of other national regulators, which allows the Agency and end users to perform cross-border measurements to the measurement servers of other national regulators. In 2022 more than one million measurements were completed using AKOSTestNet, of which approximately 300.000 thousand were made by end users.

The Agency continued upgrading the AKOSTestNet system in 2022, making it a comprehensive solution for monitoring and measurement for all types of broadband connections. In cooperation with the Austrian regulator RTR the Agency began testing the new measurement software, and has shared its preliminary results and conclusions with the software developer. The Agency also upgraded AKOSTestNet with a statistical module, making it easier to analyse measurement results.

3 SUPERVISION OF ELECTRONIC MEDIA

In 2022 the Agency's supervisory procedures in electronic media met the set goals and tasks across in all areas, where it had activities planned: video sharing platforms, access to audiovisual media services for disabled persons, licenses for performing radio and television activities, station of special importance, shares of European and Slovenian audiovisual works, scope of television advertising, product placement, protection of children and minors from potentially harmful audiovisual content. It also continued supervision procedures that were launched in 2021.

With the objective of protecting the rights and protection of TV viewers, radio listeners and users of on demand audiovisual media services, ensuring legal operations of all the stakeholders on the market, and ensuring the achievement of the public cultural goals in electronic media, the Agency acted proactively and preventively. It also conducted some unplanned activities in other areas.

In 2022 the Agency launched 27 supervisory procedures. In 26 cases these were inspection administrative procedures, and in one case a minor offence procedure. It completed 19 procedures. Of these, two were against television programming publishers, 7 against radio programming publishers, and 10 were against the publishers of on-demand audiovisual media services. In the scope of all inspection procedures, it issued 8 improvement notices.

In the start of 2022, the new ZAvMS-B came into effect, giving the Agency the authority for supervision over video sharing platforms. In accordance with the operational plan, the Agency conducted a market analysis in the second half of the year to identify potential providers of video sharing platforms, and it plans to continue with

potential procedures for listing the platforms and analyses of their measures for protecting users in the coming year.

ZAvMS-B introduced for all providers of audiovisual media service the obligation to improve access to their services for people with disabilities, such as interpreting into sign language, subtitles for the deaf and hard of hearing, spoken subtitles and audio descriptions, and similar. In the middle of the year the Agency obtained reports from providers of audiovisual media services and publishers of television programming on providing accessibility to their services for disabled persons, namely 70 reports for television stations and 20 for on-demand audiovisual media services, fulfilling its goal in this area. Based on these reports, the Agency prepared the data for the report to the European Commission on improving accessibility to audiovisual media service for disabled persons, however, the European Commission has not yet requested the Agency to submit this report.

In 2020 the Agency handled a large number of extensive and complex inspection supervisions of the adherence to the provisions from the license for performing radio activities, which it concluded with improvement notices after establishing irregularities. The Agency planned to verify adherence to these decision by launching new procedures was planned in 2022; however, it had already succeeded in fulfilling this goal at the end of 2021, when it established that the publishers of 18 radio stations connected into a radio network have fulfilled the requirements from the improvement notices issued by the Agency, as non-fulfilment of some programming obligations from the licenses for performing radio activities was acutally related to the content in the parts of the programming that were not included in the radio network.

The Agency also handled two inspection supervision procedures in which it verified adherence to the obligations from valid licenses for performing radio or television activities for one radio and for one television station. The procedure against the publisher of the radio programming was concluded by issuing an improvement notice, while the procedure against the publisher of the television programming has not been concluded by the end of 2022.

In 2022 the Agency handled eight inspection supervision procedures for verifying adherence to the provisions of the licenses for stations of special local or regional importance which had not been adhering to legal requirements that apply to station of special importance in the past and had already received improvement notices. It completed six procedures, fulfilling its goal in this field. One of them was stopped with a decision, as all the irregularities were remedied, while in the five procedures improvement notices were issued again because some legal requirements were not met. The data from the analyses of these supervisory procedures are from the period that was heavily impacted by the COVID-19 epidemic with its limitations, and consequently some publishers of stations of special importance were unable to fulfil the public interest in their local media field that the status demands them to. There was a lack of local cultural, sports, arts, educational and other events that these media report and which they transmit. The publishers also had to deal with numerous sick leave absences of their content creators and had major difficulties with human resources that are already stretched at small local media stations.

Over the past year the Agency planned to regularly collect annual reports on achieved shares of audiovisual works. By the deadline it received the reports for all 16 television stations that were obligated to provide reports on shares of audiovisual works for the year 2021. As one of the reports was incomplete, the Agency launched an inspection supervision procedure against the publisher, during which it obtained the complete annual report, and stopped the procedure with a decision. The Agency also received reports for 9 of 18 on-demand audiovisual media services, and through inspection supervision procedures it launched, it obtained the reports also for the remaining 9 service, stopping procedures with decisions. The Agency obtained a total of 34 annual reports, fulfilling the goal it set in this field. The data from the reports showed that in 2021 all the publishers of television channels and all the providers of on demand audiovisual media services met the required shares.

In 2021, as part of its planned tasks in television advertising the Agency achieved its goal and conducted 12 analyses of the scope of advertising in 16 most-viewed Slovenian and 26 foreign television stations. Foreign

television channels with mostly Slovenian adverts and for the most part also Slovenian subtitles target Slovenian audiences, however, they do not fall under the jurisdiction of the Republic of Slovenia, as they are licensed in another EU member state. The findings of the regular monitoring adherence to the limitations of the scope of the broadcast advertising in television programming have shown that both Slovenian and foreign publishers adhere to the legally required limitations in this field, and did not launch any inspection or minor offence procedures. This was also because ZAvMS-B provides new regulations, liberalising the limitations of the scope of television advertising from each hour to broader time bands.

In 2022 one minor offence procedure was completed, related to suspected breach of the limitation to the scope of advertising, however, it was not completed by the end of the year.

In the field of television advertising over the past few years surreptitious advertising and other (il)legal advertising practices have become an issue, and in accordance with its operational plan the Agency monitored the adherence to the rules of product placement, advertising transparency, and clear delimitation between advertising and other editorial content in domestically produced television content. For this purpose, it performed an analysis of shows on 8 television stations, which fulfilled the goal, and the findings of the analysis will be used later to ensure effective operation through either preventive measures or inspection supervision procedures. The Agency also responded to reports it received. With relation to surreptitious advertising in television programming it received one report, and after ascertaining the facts of the matter it established that there was no breach, and did therefore not launch any minor offence or inspection procedure against the publisher.

In accordance with the annual plan the Agency performed preventive tasks in the field of protection of children and minors from potentially harmful content in audiovisual media services. It monitored the labelling on television programming and on-demand audiovisual media services and the publishers' use of the Gledoskop tool for rating and classification of audiovisual media content. In 2022 the Agency held 6 meetings of the Gledoskop coders' committee, fulfilling its goal. It regularly communicated with the members. This allowed the Agency to resolve some issues regarding classification of content as they cropped up, ensuring appropriate labelling and scheduling of potentially harmful content for children.

Following complaints, it also launched two inspection supervision procedures for allegedly inappropriate labelling of potentially harmful content in television programming and an on-demand audiovisual media service. The procedure against the publisher of the television programming was not concluded in 2022, while it issued the provider of the audiovisual media service with an improvement notice because of incorrectly adhering to the measures for protecting children from potentially harmful content.

Over the past year the Agency also launched some inspection procedures that were instigated ex officio following a report, however, they do not fall under any of the above categories.

In the inspection supervision procedure based on Article 9 of ZAvMS the Agency established that the publisher of the programme or the host of the show breached the prohibition of inciting violence and hate to a group of persons or a member of such group that based on a conviction, political or other opinion. The publisher was imposed with a series of measures, such as removing this specific show from programming or making it available online, broadcasting the wording of the decision in the show, informing all the creators of this shows of the decision and forming guidelines on how to act to prevent inciting violence or hate with instructions on how the journalist or TV show host should act. It was also imposed on the publisher to inform the authors of the show with the guidelines and that said guidelines should include instruction for people calling in to the show regarding the requirements of the publisher to prevent inciting violence or hate that must be played when a viewer calls to the show.

At the end of the year the Agency launched 2 inspection supervision procedures related to alleged prohibited participation of journalists or news anchors in advertising, and both are still ongoing.

The Agency also received a report about an alleged violation of the public right to view important events, based on which it launched an inspection supervision procedure, however, it was not concluded by the end of the year.

FIGURE 18: INSPECTION PROCEDURES BY SUBJECT

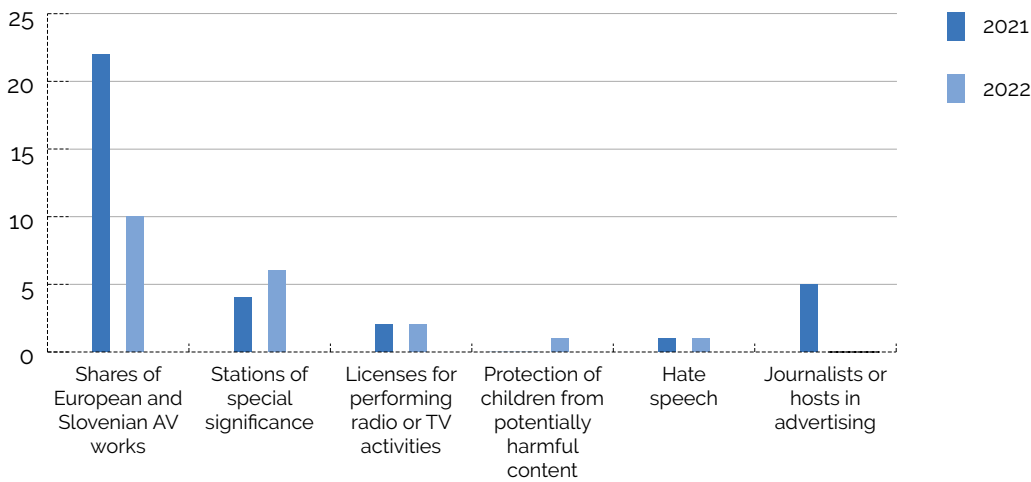
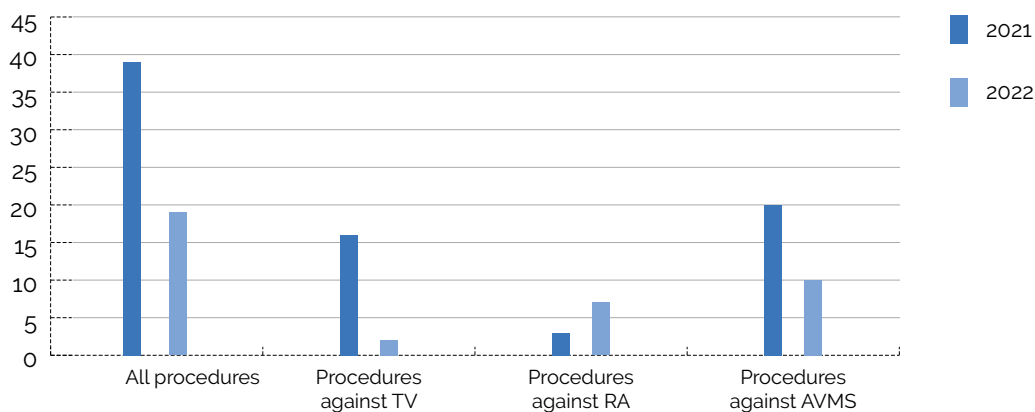


FIGURE 19: INSPECTION PROCEDURES BY TYPE OF MEDIA



4 SUPERVISION OF POSTAL SERVICES

In the scope of supervising the postal services market and in line with the set goals, the Agency conducted preventive supervisions according to determined priorities, and based on findings in regulative procedures or reports. In 2022 the Agency conducted 2 preventive supervision procedures regarding the provision of the universal service in accordance with the Postal Service Act and the General act on exceptions in the implementation of the universal service, and verified the permissibility of derogations from serving and delivering mail in certain geographic areas. The Agency planned and completed 4 preventive supervisions over the adherence to the General act on the quality of universal service provision, and 21 inspection supervisions based on initiative and reports from postal service users.

Besides the preventive supervisions and the supervisions based on reports the Agency in 2022 also launched a supervision procedure over the quality of universal service provision in 2021, as it did not meet the requirements.

In 2022 the Agency in a repeated supervision procedure the Agency imposed on the universal postal service provider to ensure goods are transferred as part of the universal service in domestic and international traffic under the same mass categories as it was providing on 31 December 2020.

5 SUPERVISION OF RAILWAY SERVICES

The Agency handled an inspection supervision procedure against the regulated party Slovenske železnice with the aim of reviewing the appointment of legal representatives and supervisory members of the manager. With the objective of ensuring independence and preventing a conflict of interest the Agency is ex officio monitoring the implementation of provisions of paragraph 4 of Article 11c of ZZelP, which pertains to the obligation and independence of the managers in the vertically organised company. In the appointment procedure the Agency reviewed the appointment of legal representatives and supervisors. No irregularities were found, so the Agency issued a decision on stopping the procedure.

The Agency launched three supervision procedures of the PRI manager in connection with assigning train paths. All three supervision procedure of the PRI manager were also concluded in 2022. In the first procedure the Agency established any potential irregularities in awarding ad-hoc train paths on the Ljubljana-Brezovica section of the track, in awarding X-2 train paths on the Ljubljana-Brezovica section in the 2021/2022 time table period, and in relation to the use and utilisation of train paths on overburdened public railway infrastructure. In this procedure the Agency imposed on the regulated party to remedy the established irregularities. In the second procedure the Agency conducted a supervision of assigning ad-hoc train paths on the Ljubljana-Brezovica section from 3 February 2022. In this inspection supervision procedure, it was established that the Agency had already imposed measures to remedy irregularities in allocating ad-hoc train paths on the section of railway 50 Ljubljana-Sežana d.m. with a past decision, so the Agency stopped this procedure. In the third procedure the Agency established any potential irregularities in awarding ad-hoc train paths, where it established a breach of the provisions of paragraph 3 of Article 18d of ZZelP and item 4.5.3. of the 2022 Network Programme. The Agency has imposed on the manager of PRI to remedy the established breaches while taking into account that the decision that was received first has priority over those received at a later date.

The Agency also launched and completed two supervision procedures of the operations of the carrier SŽ-Potniški promet. In the first supervision procedure the Agency established whether the passengers who travel on an international train on the Ljubljana-Logatec route were for the duration of construction work on the Ljubljana-Brezovica segment victims of price discrimination compared to the passengers who travel on the same route with passenger trains in domestic traffic. Based on the obtained data, the Agency stopped the ex-officio supervision procedure without any imposed measures for remedying the irregularities, as the regulated party had during the procedure already eliminated the surcharge on international and IC trains on the Ljubljana-Logatec route for the duration of construction work on the rail segment between Ljubljana and Brezovica.

In the second procedure, the Agency launched the supervision procedure to investigate alleged unfair treatment of passengers purchasing "IJPP weekend tickets". The issue was with the method of purchasing weekend tickets through the website eshop.sz.si and the transparency of publishing the invoice and the terms and conditions for IJPP weekend tickets. The procedure was concluded with the decision for stopping the procedure, as the carrier adopted appropriate measures after being informed with the Agency's position that the method of treating passengers purchasing IJPP weekend tickets online could be discriminatory, changing or amending the method for purchasing IJPP tickets.

6 PARTICIPATION IN THE INSPECTION COUNCIL AND SUPERVISION ACCORDING TO THE INFECTIOUS DISEASES ACT (ZNB)

In 2022 the Agency continued regularly attending the meetings of the Inspection Council, whose goal is

among other things to plan joint inspection supervision tasks of different inspection bodies and ensuring a fast exchange of information among them. In 2022 the Inspection Council held 14 meetings which were called at the beginning of the year as regular weekly meetings because of the additional tasks imposed on inspectors related to the measures for preventing and managing infections with the infectious disease COVID-19. At the beginning of the year the Agency was besides its regular tasks, based on the provisions of Article 55 of the Act Determining the Intervention Measures to Mitigate and Remedy the Consequences of the Second Wave of the COVID-19 Epidemic, also performing inspection supervisions regarding the adherence to and implementation of the measures from paragraph one of Article 39 of the Infectious Diseases Act and the Ordinance on temporary measures for the prevention and mitigation of infections with the infectious disease COVID-19. The Agency's authorised persons conducted a total of 82 such inspection supervisions in January and February 2022.

For the cooperation with the Inspection Council the Agency also prepared the Report on the implementation of strategic guidelines and priorities of the Agency for Communication Networks and Services of RS for the year 2022, Strategic guidelines and priorities the Agency in 2023 and the Agency's data for preparing the Inspection Council 2022 report. Following a request from the Inspection Council the Agency also appointed a representative in its working group to perform activities related to the single information system for all inspection bodies.

For the cooperation with the Inspection Council the Agency also prepared the Report on the implementation of strategic guidelines and priorities of the Agency for Communication Networks and Services of RS for the year 2022, Strategic guidelines and priorities the Agency in 2023 and the Agency's data for preparing the Inspection Council 2022 report. Following a request from the Inspection Council the Agency also appointed a representative in its working group to perform activities related to the single information system for all inspection bodies.

7 COOPERATION WITH RELEVANT MINISTRIES

The Agency regularly cooperated with the Ministry of Culture in the preparation of the proposal for Rules on the method of calculating charges based on the television broadcasting license or entry in the official records of providers of the audiovisual media services on demand, and entry in the official records of video sharing platforms.

Together with the Government Office for Digital Transformation it formed a working group for preparing a draft regulation for establishing the system of publicly notifying and alerting through public mobile networks.

The Agency prepared comments and specific proposals for the working group of the Ministry of Labour, Family and Social Affairs, as it prepared amendments to the Accessibility of People with Disabilities to Audiovisual Media Services Act, which will ensure accessibility to audiovisual media services and electronic communication services for users with various types of disabilities, and the Agency has submitted its amendments.

The Agency cooperated with the relevant ministry for infrastructure in the preparation of the Act on Changes and Amendments to the Railway Transport Act that details the implementation of Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations, with which the Agency will receive authority of the body for enforcing this European regulation. As part of the Inspection Council the Agency's representatives also participated in the preparation of the Whistleblower Protection Act, which was approved.

In preparing European regulations, the Agency's representatives also participated in the proposed European act on harmonised rules on fair access to data and their use (Data Act). Cooperation took place as part of the 20th working group for forming the positions of the Republic of Slovenia in the procedure of adopting legal proposal and other EU acts to the records from telecommunications. In relation to executive acts, the Agency provided comments to the draft regulation for secure connectivity programme.

SUPERVISION

The European Electronic Communication Code was only transposed into Slovenian legal code at the end of 2022, and consequently supervision of obligations related to ZEKom-2 were not yet conducted in 2022. Therefore, the Agency continued to adhere to the provisions of ZEKom-1 and its general acts in supervisory procedures. It also responded to numerous questions from stakeholders on the market, including about how the Agency will approach certain services and what legal requirements will have to be met in the future.

The amount of new cases is still growing significantly, especially in relation to their complexity, and the Agency has been focusing increasing resources to defending its decisions at relevant courts. All of this is reflected in longer times required to resolve complex procedures on the one hand, and the procedures with the lowest priority on the other hand.

IX DISPUTE RESOLUTION

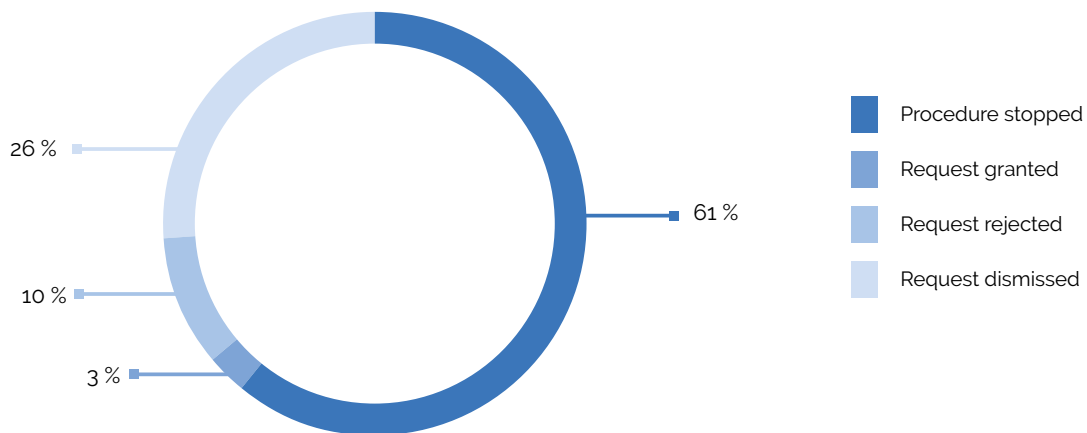
1 USER DISPUTES RELATED TO ELECTRONIC COMMUNICATIONS

IN 2022 THE AGENCY RECEIVED 551 PROPOSALS FROM END USERS FOR DISPUTE RESOLUTION WITH THEIR ELECTRONIC COMMUNICATIONS PROVIDER, AND CONTINUED RESOLVING 121 DISPUTES THAT HAD BEEN CARRIED OVER FROM THE PAST YEAR. IN 2022 IT ALSO RESOLVED 3 USER DISPUTES THAT THE ADMINISTRATIVE COURT OF THE REPUBLIC OF SLOVENIA RETURNED FOR REASSESSMENT.

The Agency worked on a total of 675 user disputes pertaining to electronic communications in 2022. Of these, 575 were resolved by the end of the year (i.e. more than it received new ones), with the Agency resolving most disputes within the prescribed deadline of 4 months (80%, which is approximately 8 percentage points more than in 2021). The remaining 100 disputes in electronic communications will continue to be resolved in 2023.

In 352 cases (61% of all those resolved) the Agency stopped the dispute resolution procedure, as it either achieved through mediation that the service provider and the end user agreed on dispute resolution or had to hand over the case to a different relevant body, for example the Information Commissioner or the Market Inspector of the Republic of Slovenia. The Agency resolved 76 disputes with administrative decisions. Of these, it agreed with the proposal from the end user in 16 cases (approximately 3% of all resolved cases), while in 60 cases it rejected the proposal (approximately 10% of all resolved cases). In 147 cases the Agency dismissed the proposal for resolution, as it did not have the authority to resolve them or because the application was incomplete and the person submitting it did not complete it by the deadline.

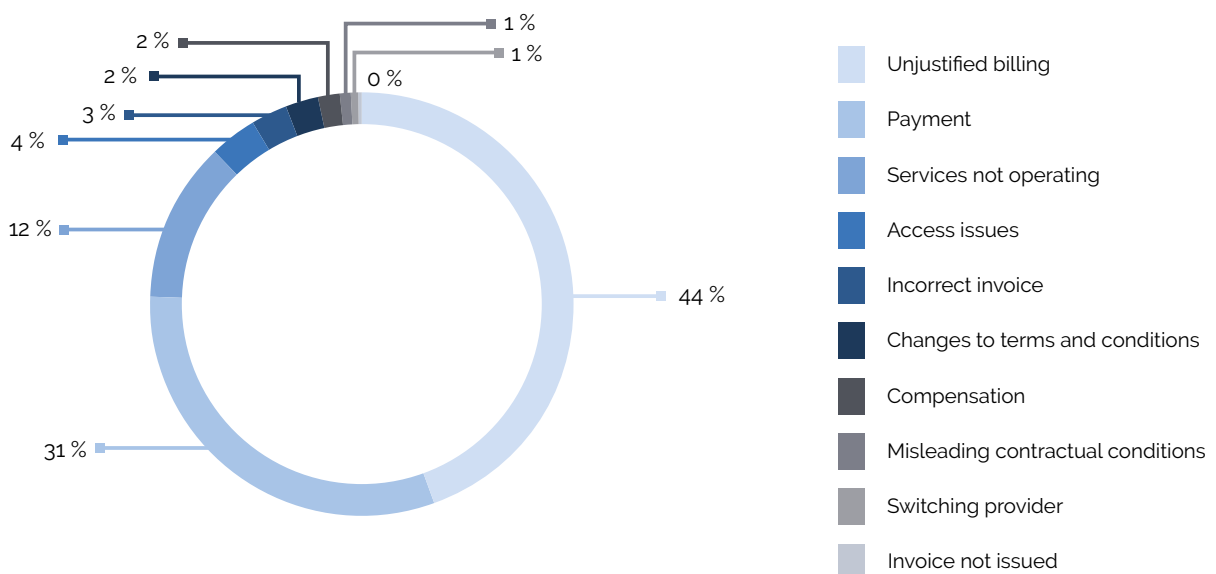
FIGURE 20: USER DISPUTES IN TERMS OF HOW THEY WERE RESOLVED



In 2022 end users of electronic communications again turned to the Agency most frequently over invoices which operators issued without grounds (44% of all received disputes). They claimed that they did not use the services or did not order them, but the operator still charged them for it. Somewhat fewer cases (31%) related to payments for services with users disputing the payment of contract penalties, i.e. costs related to terminating subscriber agreements. A smaller share were disputes related to services not operating or operating poorly (12% of all received disputes) and issues with access (4% of all received disputes). The shares of remaining cases were at 3% or below, and the data is displayed in the figure below.

Compared to the previous period the Agency achieved an even better result in the resolution of user disputes related to electronic communications with mutually agreed solutions, as the number of stopped procedures was 6 percentage points higher than in 2021, when this share stood at 55%. The number of dismissed proposals was nearly the same as the previous year (26%), while the number of disputes resolved through an administrative decision declined (a total of 13%), which is 6 percentage points less than in 2021.

FIGURE 21: RECEIVED CASES BY SUBJECT OF USER DISPUTE



By type of service that caused the dispute between the end user and the electronic communications provider, in 2022 most disputes were once again related either to broadband services (51%) or to mobile telephone services (36%). A smaller share were disputes related to communication services (6%), television services (4%), fixed telephone services (2%) and universal service (1%).

2 OPERATOR DISPUTES IN ELECTRONIC COMMUNICATIONS

In electronic communications the Agency resolves the disputes related to technical and commercial questions of carrier access and network interconnection, and disputes that occur because of efforts to lower the costs of electronic communication networks, which aim to encourage more efficient construction of electronic communication networks and shared use of existing physical infrastructure. With ZEKom-2 coming into effect the Agency also gained the authority to resolve disputes between operators and public sector bodies who own or manage physical infrastructure that is suitable for installing small-area wireless access points (e.g. traffic equipment, street lamps, bus stops).

In 2022 the Agency received a total of 8 disputes for resolution, with one case being a repeated procedure, as a decision that had already been issued has been annulled by the administrative court. The inflow of new cases has increased, compared to the past, as the Agency has never received more than 6 cases per year. Of these, 4 were related to technical and commercial issues of carrier access and network interconnection, where parties were unable to agree on prices of SMS messaging termination, prices A2P SMS messages and on prices for capacities for services, set in the reference offer for central access at a fixed location for mass market products (WCA). The remaining disputes related to the efforts to lower costs of electronic communication services, with two disputes pertaining to access to the building physical infrastructure, one dispute to access to existing physical infrastructure, and one dispute to the method of dividing costs of shared construction. The Agency also resolved three disputes it received in the previous year.

In 2022 the Agency resolved 5 disputes. In 2 cases that were related to mutual billing for short P2P and A2P SMS messages, the parties of the dispute reached a mutually consensual solution, and the procedure was stopped. In one case the proposal for resolution of the dispute had to be dismissed, as the party did not complete their claim after the Agency called on them to do so, and in accordance with the Administrative Procedure Act (ZUP) it was not suitable for deciding. In 2 cases the Agency issued a decision. In the first case the Agency ruled on the terms and conditions for access to the poles and ruled that the owner of the poles is not permitted to condition shared use by demanding the interested operator first obtain easement or approval from owners of the plots, where the poles are located. In the second case the Agency ruled on access to building physical infrastructure in a multi-tenant building, and set the technical conditions and the price for shared use.

The Agency shall continue handling 6 cases in 2023 in accordance with ZEKom-2 and striving for an amicable resolution.

3 USER DISPUTES RELATED TO POSTAL SERVICES

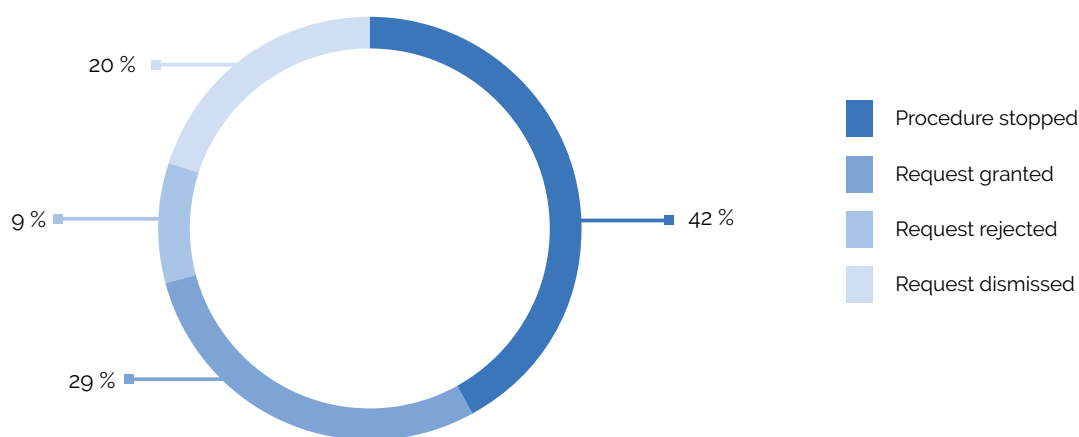
In 2022 the Agency received 39 requests for dispute resolution with a provider of postal services from users of postal services, which is somewhat fewer than in 2021, however still more than in the past years, when there were about 20 new cases per year. The Agency also continued to resolve the 8 disputes that were launched in 2021, but carried over to 2022.

The total number of disputes between users and providers of postal services in 2022 was 47. Of these, 45 were resolved by the end of the year, and the Agency will continue resolving the remaining 121 disputes in 2022. Three cases met the conditions for combining them into a joint procedure, so by the end of the year 42 final administrative acts were issued. The Agency resolved most postal services-related disputes within the 4-month prescribed deadline (72%), while it shall continue resolving 5 disputes in 2023. In 19 cases the

Agency achieved that the user and provider of postal services reached an amicable resolution, or the case was handed over to a different relevant body, which was followed by a decision halting the procedure. The Agency concluded 17 cases with an administrative decision, and dismissed 9 proposals for resolution, as it did not have the authority to resolve them or because the application was incomplete and the person submitting it did not complete it by the deadline.

Compared to 2021 the Agency achieved lower number of amicable resolutions in user disputes, as the number of stopped procedures was 7 percentage points lower than in 2021, when 49% of all cases were resolved amicably. The number of dismissed cases dropped by 8 percentage points compared to 2021 to 20% of all resolved cases, with a high increase in the number of disputes that were resolved with an administrative decision. Their share stood at 38%, which is 15 percentage points more than the year before, when their share stood at 23%.

FIGURE 22: POSTAL SERVICES DISPUTES BY OUTCOME



In 2022 users of postal services most often turned to the Agency for payment of damages (90%), with a smaller share going to disputes related to irregularities in postal delivery.

4 PASSENGER COMPLAINTS IN RAILWAY TRAFFIC

In 2022 the Agency received four complaints from passengers in railway transport. In 2021 the Agency resolved three complaints within the legal deadline of six weeks from receiving all the required information. All three procedures were stopped, as in two of them the passengers revoked the request for resolution of dispute after receiving additional explanations, and in one procedure the passenger managed to reach an agreement with the carrier after the Agency's intervention. The Agency shall continue resolving the fourth complaint which it received at the end of 2022 in the next year.

5 USER DISPUTES RELATED TO AUDIOVISUAL MEDIA SERVICES

As ZAvMS-B came into effect at the start of 2022, the Agency was granted authority for dispute resolution between users and providers of video sharing platforms. The Agency has not yet received any proposals for dispute resolution related to this new authority.

X CARE FOR END USERS

1 CONSULTATIONS WITH OPERATORS AND CONSUMER ORGANIZATIONS

In 2022 the Agency continued with the activities for raising the awareness of end users, which remains one of the Agency's main priorities. It cooperated with relevant bodies in consumer protection, responded to users' questions in a timely manner and also completely revamped and updated the FAQ segment on its website. Along with the entry point for persons with disabilities, the Agency put this topic to a more prominent place on the website. This move strives to bring as many answers and explanations to where users first look for them, online. The updated FAQ covers all the current issues and provides answers to the questions that users most frequently pose to the Agency's Call centre.

The Agency also published on its website a brochure titled Terminating your subscriber agreement because of changes to terms and conditions, which collects all the answers and the Agency's instructions on how to act, if an operator changes terms and conditions, also in light of ZEKom-2.

The Agency continued to provide numerous useful tips and data on its websites for end users, namely primerjajoperaterje.si, AKOS Geoportal and the increasingly popular MiPi.

The Agency continued collaborating in the network of public bodies for cross-border consumer protection (Consumer Protection Cooperation – CPC), which was established by Regulation (EU) 2017/2394. Because of new hirings at the end of 2022, it managed to process all the notifications they received through the internal market information system (IMI) from partner bodies from other EU member states, while the Agency did not give any initiatives. The Agency's representatives attended a local training session organised by the European Commission's e-Enforcement Academy and the Market Inspector of the Republic of Slovenia. The focus was on verifying websites from service providers and took place in Ljubljana.

2 PORTAL FOR ACCESS TO OPERATORS' PLANS AND OTHER PORTALS FOR END USERS

In 2022 the Agency continued updating the portal for comparing the operators' subscription plans »primerjajoperaterje.si«. The objective of the portal is to provide information on current retail offers from operator, allowing end users to find the offer that suits them the most. As part of this task the Agency continued to call on all participating operators to promptly update their data and any changes in existing plans.

In 2022 the Agency continued managing its AKOS Test Net website. AKOS Test Net is a measuring tool for end users that allows them to verify the quality and throughput of their current broadband connection. Users of mobile phones can measure the current radio signal strength of the base station or the local wireless network, and for example perform a test of additional network services, such as the transparency of the connection and the response speed of DNS servers.

In 2022 the Agency once again upgraded the AKOS Geoportal, as described in detail under 1.2.9.

3 CALL CENTRE

The Agency continued to provide the operation of the toll-free telephone number 0802735, where end users can obtain basic information regarding electronic communications and postal services and instructions on entering the proposal for dispute resolution. In this respect it also has a preventive role, as by clarifying a problem that has arisen, they reduce the need for end users to file complaints with their provider or a request for resolution before the Agency. The Agency received 321 calls in 2022, answering all of them.

4 CLARIFICATIONS TO END USERS

Besides the above activities the Agency also responds to questions from stakeholders or provides them with information relating to its field of operations. It is obligated with the provisions of the Regulation on administrative operations which calls for responses within 15 days of reception.

In 2022 the Agency received 178 different questions from end users for the clarification of a given situation, or for advice about a given problem in relation to electronic communications and postal services.

It prepared 176 written explanations, and the average time for preparing a response to the clarification in 2022 amounted to 7 days.

The Agency finds that partially the reason that the load of new cases was lower than expected lies in the fact that users have not yet begun turning to the Agency regarding new regulations in electronic communications (ZEKom-2 and supporting acts). Most new executive acts that detail the changes and impact end users had not yet come into effect, and consequently the operators have yet to implement them in their terms and conditions.

Most frequent questions from users were related to inquiries about broadband services (32 %), followed by inquiries regarding general questions that fall under the Agency's authority (32 %), inquiries related to mobile services (23 %), inquiries related to communication (5 %) and TV (3 %) services, universal service (3 %), and fixed telephone services (2 %).

Most questions related to postal services were focused on options of submitting a complaint to the postal service provider (33 %), to compensation from the postal service provider (25 %), irregularities in parcel delivery (25 %), and about charging for customs referral services (17 %).

5 COOPERATION WITH OTHER BODIES REGARDING END USERS

The Agency also participated with the Market Inspector of the Republic of Slovenia. It submitted the data on the disputes that it resolved with individual operators, and in the scope of annual operational plan of the Market Inspector the Agency also submitted some proposals for performing inspection supervisions. The Agency also cooperated with the Slovenian Consumers' Association (ZPS).

The Agency attended a local training session organised by the European Commission's e-Enforcement Academy and the Market Inspector of the Republic of Slovenia on verifying websites of service providers.

XI LEGISLATIVE AND JUDICIAL PROCEDURES

TABLE 11: XII LEGISLATIVE AND JUDICIAL PROCEDURES

Key objective: Encouraging competition and market development					
Task/Project	Activities	Objectives	KPI	Result	Comment
The Agency's general acts based on ZEKom-2	Preparing the Agency's general acts that will be required by ZEKom-2.	Updating existing or preparing new general acts, thus contributing to the implementation of changes to the legislation.	Publishing the general acts in accordance with deadlines from ZEKom-2.	■	After ZEKom-2 was approved the Agency prepared a timeline for preparing general acts. Draft general acts have already been prepared, and some were already put in public consultation in 2022. The deadline for issuing general acts related to ZEKom-2 is in May 2023.
The Agency's general acts based on ZAvMS-B	Preparing the Agency's general acts that will be required by ZAvMS-B.	Updating existing or preparing new general acts, thus contributing to the implementation of changes to the legislation.	Publishing the general acts in accordance with deadlines from ZAvMS-B.	■	6 general acts have been adopted by the deadline.

1 REPRESENTING THE AGENCY BEFORE THE COURTS

The Agency is also involved in judicial procedures in cases of pecuniary claims and claims from other civil liability relationship that legal or natural persons lodge against the Agency in employment relationship cases. Clients who receive decisions or rulings from the Agency that they disagree with may also opt for legal protection in an administrative dispute. The exception are decision related to access to public information, where the relevant body for reviewing complaints against the Agency's rulings is the Information Commissioner of the Republic of Slovenia. The Agency represents itself in administrative disputes, and in other judicial procedures it obtains legal representation when needed. The Agency engaged solicitors in the procedure, related to the claim for compensation for alleged damage in the procedure of awarding LTE radio frequencies which is currently underway at the Ljubljana District Court.

In 2022 the majority of activities was related to representing the Agency at the Administrative court, which includes preparing responses to lawsuits, preliminary submission and participating at hearings. It also includes representation at the Supreme Court of the Republic of Slovenia, which rules on revisions and appeals against the rulings of the Administrative court.

In 2022 the Administrative court handed the Agency a total of 36 lawsuits that had been lodged against its administrative acts and one lawsuit against a decision of the Information Commissioner, which ruled on the Agency's decision as the appeal body. The number of new cases was lower than in 2021.

In 2022 the Agency received from the Administrative Court 21 decision in concluded administrative disputes. Of these 7 were granted, and the cases were returned to the Agency for a new decision, while 3 cases that pertained to extending DARFs were deemed void and the procedures were stopped. In 11 cases the court did not grant the appeal. 5 lawsuits were fully rejected, 2 eliminated, 3 procedures were stopped because the cases were withdrawn, 1 lawsuit was partially granted, but rejected in the remaining part.

The parties to the dispute may continue the judicial procedure at the court of second instance, namely the Supreme Court of the Republic of Slovenia, should they find the ruling to be unfavourable to them. Legal remedies available to them are a revision of a ruling and an appeal against a decision.

In 2022 the Agency received 1 revision that pertained to a decision in a postal dispute. The Supreme Court of the RS has yet to rule on the revision, but it has ruled on an appeal lodged in 2021, as it has been withdrawn, and has issued a decision on withdrawing the lawsuit. The Agency also lodged one proposal to permit revision, which was partially granted, and has therefore lodged a revision against the ruling of the Administrative court. The Supreme Court has also yet to rule on this revision.

Beside the lawsuit, the parties to the dispute also have the option to lodge proposal for issuing a temporary suspension, thereby attempting to withhold the implementation of the administrative act until the final ruling in the administrative dispute is issued. In 2022 The Agency received from the Administrative Court of RS responses on 5 proposals for issuing a temporary suspension. The Administrative Court of the RS ruled a total of 5 of them, dismissing 3 and rejecting 2, together with the lawsuits. With regard to one proposal for a temporary suspension, the court appointed a court expert who submitted her expert opinion, but has yet to rule on the proposal for temporary suspension. In 2022 one appeal was lodged against a decision on rejecting a proposal for issuing a temporary suspension at the Supreme Court, which the latter rejected as unfounded, and approved the ruling of the Administrative Court of the Republic of Slovenia.

In 2022 the Agency also responded to two lawsuits that were lodged against decisions of the Information Commissioner in relation to the Agency's decision regarding access to public information. The Agency appears in such cases as party of interest, and strives to have its decision approved. The court has already ruled in one case, rejecting the lawsuit against the Information Commissioner's decision, while the second procedure is still ongoing.

In the scope of fulfilling its task of court representation the Agency strives to make sure that the court test is passed, and that as many of its decisions as possible are confirmed as legal. For this purpose, the Agency has set a very high goal, namely that 80% of all decisions under appeal pass through the judicial oversight. As the data above shows, the Agency has not fully achieved this goal in 2022. Of the total 21 administrative disputes completed in 2021, 11 of the Agency's decisions passed judicial oversight, which is 52.4% of all administrative disputes resolved in this year. The share is also lower because in five cases the ruling was on the same (serial) issue, and the court adopted its ruling based on a different interpretation or new judicial practice that could not have been foreseen when the decision was issued. If said practice had existed when these decisions were issued, the Agency would have taken it into account, therefore achieving a better result. Consequently, even though this result does not achieve the set goal, it does not represent a significant decrease of favourably resolved disputes, compared to the past years.

2 NORMATIVE ACTIVITY

2.1 ELECTRONIC COMMUNICATIONS ACT (ZEKOM-2)

In October 2022 new Electronic Communications Act (ZEKOM-2) was adopted, and came into effect on 10 November 2022. The Agency has collaborated with the relevant ministry during its preparation since the first public presentations in 2019. In 2022 the collaboration was mainly focused on exchanging expert opinions on individual provisions of the act. The Agency strived to contribute to a higher quality of solutions and the

transposition of the provisions of the European Electronic Communications Code into Slovenian legal order. After ZEKom-2 was adopted, the Agency immediately began preparing the planned general acts that detail areas of new legislation. The first draft general acts have already been prepared in 2021 and 2022. Because of the scope of the task – the new Act calls for at least 24 new general acts stakeholder the Agency has published a planned timeline for public consultation for individual general act in order to make it possible for stakeholders to plan their resources and to actively participate in the procedure of adopting these general acts. It put a higher priority on those that significantly impact the operators' general terms and conditions.

In accordance with the adopted timeline the Agency prepared and held 30-day public consultation in relation to the following 14 draft general act that arise from ZEKom-2.

- General act on the use of the RDS system and identification in DAB networks
- General act on limiting signals of analogue audio broadcasting stations
- General act on the conditions for the use of radio frequencies for amateur radio and satellite amateur radio services
- General act on the plan for the use of radio frequencies (NURF-5)
- General act on the calculation method for payments for the use of radio frequencies
- General act on the method for determining coverage areas for decisions on awarding radio frequencies for providing analogue broadcasting
- General act on the classification of channels in public communication networks intended for distribution of digital television services
- General act on the requirements for interoperability between digital interactive services and digital television equipment used by consumers
- General act on monitoring and controlling the use services
- General act on the method for determining refunds due to public communication services outages or reduced service quality
- General act on transparency and information publication
- General act on number porting and switching internet service provider
- General act on determining the quality of public communication services
- General act on internet access services and related end user rights

This gave the stakeholders the option to take a position on proposed solutions, and has already responded to some of the comments received. Public consultation on remaining general acts will take place and conclude in 2023, and by May the general acts should also be adopted.

2.2 AUDIOVISUAL MEDIA SERVICES ACT (ZAVMS-B)

After the amended Audiovisual Media Services Act (ZAvMS-B) came into effect in January 2021 the Agency successfully adopted 6 general acts, which it began preparing at the end of 2021, when ZAvMS-B was adopted. This made it possible for the Agency to successfully adopt all 6 general acts related to the implementation of this Act within the planned 6-month timeframe:

- General act on dispute resolution between users and providers of video sharing platforms,
- General act on the protection of vulnerable groups,
- General act on product placement and sponsorship,
- General act on the methodology for monitoring audiovisual media services, radio programming and video sharing platforms,
- General act on declaring on demand audiovisual media services and on registering video sharing platform services, and
- General act on the protection of children in audiovisual media services.

2.3 COOPERATION WITH RELEVANT MINISTRIES ON PREPARING LEGISLATION

The Agency regularly cooperated with the Ministry of Culture also in the preparation of the proposal for Rules on the method of calculating charges based on the television broadcasting license or entry in the official records of providers of the audiovisual media services on demand, and entry in the official records of video sharing platforms.

The Agency prepared comments and specific proposals for the working group of the Ministry of Labour, Family and Social Affairs, as it prepared amendments to the Accessibility of People with Disabilities to Audiovisual Media Services Act, which will ensure accessibility to audiovisual media services and electronic communication services for users with various types of disabilities, and the Agency has submitted its amendments.

The Agency cooperated with the relevant ministry for infrastructure in the preparation of the Act on Changes and Amendments to the Railway Transport Act that details the implementation of Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations, with which the Agency will receive authority of the body for enforcing this European regulation. As part of the Inspection Council the Agency's representatives also participated in the preparation of the Whistleblower Protection Act, which was approved.

In preparing European regulations the Agency's representatives also participated in the proposed European act on harmonised rules on fair access to data and their use (Data Act). Cooperation took place as part of the 20th working group for forming the positions of the Republic of Slovenia in the procedure of adopting legal proposal and other EU acts to the records from telecommunications. In relation to executive acts the Agency provided comments to the draft regulation for secure connectivity programme.

At the end of 2022 the Agency held a public consultation on the draft Recommendation on operators' actions in the event of discovered abuses in voice call termination or origination in individual public mobile or fixed network in the Republic of Slovenia, which was published in January 2023.

2.4. ADOPTED RECOMMENDATION

In 2022 the Agency prepared and published three non-binding recommendations which were described in more detail above:

- Recommendation on the procedures for providing mobile network coverage to areas with no or poor coverage,
- Recommendation regarding shared use of physical infrastructure, and
- Recommendation on operators' actions in the event of discovered abuses in voice call termination or origination in individual public mobile or fixed network in the Republic of Slovenia.

XII INSTITUTIONAL ADMINISTRATION

1 ORGANISATION AND NEW HIRINGS AT THE AGENCY

THE AGENCY IS NOT PART OF THE STAFFING PLAN FOR ENTITIES GOVERNED BY PUBLIC LAW. THE HUMAN RESOURCE PLAN IS APPROVED ALONG WITH THE OPERATIONAL AND FINANCIAL PLAN (OFP), AND IN THE SCOPE OF THIS THE AGENCY SYSTEMATIZES ITS WORK POSITIONS.

In the approved operations and financial plan for 2022 the Agency planned to have 107 employees. In accordance with this plan one position was planned in the Operator supervision, one in Legal affairs, and one in Telecommunications regulation, all due to new tasks after the adoption of the new Electronic Communications Act (ZEKom-2), which came into effect at the end of October 2022.

In 2022 we also filled the position from the approved OFP for 2021 in Legal affairs, related to consumer protection tasks, especially those from Regulation (EU) 2017/2394 of the European Parliament and Council on cooperation between national bodies and user dispute resolution.

The adoption of the amended ZAvMS-B and the Agency's new authorities and tasks the conditions required two positions in the Electronic media, which were also confirmed back in 2021 OFP. In 2022 the Agency actively approached finding suitable employees and has already filled one position.

At the end of 2022 the Agency employed 92 public servants for indefinite period, with one employee entitled to half-time employment by decision of the Pension and Disability Insurance Institute of Slovenia. The Agency also has an employee with a 70% disability and the status of a civilian war-disabled, who nonetheless works full time. In 2022 fluctuation was somewhat lower than the year before, as only 5 public servants left the Agency. Of these, 2 continued their careers with other employers, one was dismissed, and two employees retired.

In 2022 the Agency published job openings for 19 positions; however, it had to repeat them several times for most positions, so it published a total of 47 job openings. It was unsuccessful in finding employees with appropriate know-how or experience in telecommunications and radio frequency spectrum management. It also has problems finding suitable employees for positions that are classified for the Agency's authorised persons. It was still partially successful in finding new employees, as it managed to employ 11 new colleagues for an indefinite period. These new employments allowed the Agency to replace those colleagues who left, and obtain new ones for positions that were not yet filled.

As the Agency has emphasised before, it is very difficult to attract qualified experts with required work experience that mostly comes from the private sector. Besides the high level of expertise, the Agency's employees are also expected to have a certain level of responsibility. As a public sector employer, the Agency

is bound to the pay system and related non-stimulative financial awards and lack of flexibility in setting the pay, making it difficult to compete with the private sector. With job classifications the Agency is limited to the Regulation on classifying job positions in public agencies, public funds and public institutions into pay grades, and does not have a lot of manoeuvrability within this framework, as, unlike with other agencies, there are no special, specialised positions planned for the Agency. The Agency has also not obtained any approvals for promotion in higher pay grades for new employees for some time now, and consequently they are stuck in the lowest range, and this is in spite of the fact that the legislation provides this option, and consequently the Agency is unable because of legislation to offer a higher pay grade to new job seekers from the private sector than the entry level. Such a starting salary is often not interesting enough for job seekers with appropriate expert know-how. All of the above makes it difficult for the Agency to find new employees, and also to retain its employees who obtained a lot of experience and a high level of specific knowledge, and are therefore eagerly employed by others. In 2022 the labour market across the country faced significant shortage of suitable job seekers for all types of profiles and across all industries. The Agency was no exception, and the problems with finding suitable employees have only gotten more severe.

Despite the high level of education of the Agency's employees, with nearly three-quarters holding at least a university degree, the Agency strives towards the constant education and development of its employees, as an appropriately professional regulator operating in an industry that has developed, intensive and competitive human resources must constantly provide expert and specialist training to its employees. Focused employee development was planned for 2022 through individual and group training modules, prepared in cooperation with renowned external experts and organizations. Because of the measures related to the COVID-19 epidemic, which were still active at the beginning of the year, the Agency was unable to realise all planned trainings, however, employees mostly participated in online trainings, where possible with regard to the subject, as well as in trainings they attended individually. When the measures were loosened and the danger of spreading the infection decreased, the Agency also organised three joint trainings, which were very well accepted among employees.

The Agency was only partially successful in organising expert trainings. Potential providers were not interested in performing certain types of trainings through public tenders and did not even submit offers.

For preserving employees' health in accordance with legislation on work safety and health the Agency maintains regular temporary or goal-oriented periodical medical check-ups and training courses on work safety with the help of an authorized doctor and an external authorized expert on work safety. Employees in the risk group (those who conduct field measurements) received preventive vaccinations against tick-borne encephalitis.

The Agency successfully continued the activities for promoting health at work in 2022, however, some activities were only performed in a limited scope because of occasional spikes in infections. However, the Agency did make sure to complete the activities that were possible when the epidemic subsided, such as encouraging a healthy lifestyle and nature-based activities. It also encouraged its employees to participate in activities that were run remotely. The Agency also provided its employees information by sharing articles on maintaining health and disease prevention through its whiteboard and by email.

In order to coordinate human resources with the overall strategy, the Agency adopted the Human resource strategy in 2022, and began activities to obtain the Family Friendly Employer certificate. Through the certification process it shall formalise activities that have already been performed, and will be adding new ones following recommendations from external consultants. In the first phase, namely obtaining the basic certificate, it will be focusing on two of four areas of certification, namely on the coordination of professional, family and private lives, and the importance of workplace health and safety. The Agency plans to conduct activities for obtaining the advanced certificate for these two areas. In the second phase it shall also strive to fulfil the conditions related to comprehensively addressing social responsibility and inter-generational cooperation, and just like in the first two phases conduct activities for obtaining the basic and the advanced certificate.

Through all of these measures, and especially by establishing and maintaining a healthy work environment, increasing employee dedication, improving risk management, reducing churn and operating on high ethical measures, the Agency will strive to become an even more competitive partner in the labour market and increase the power and reputation of the national regulator.

In November the 5-year term of the Agency's director mag. Tanja Muha expired, and following a decision of the Government of the Republic of Slovenia she has been heading the Agency as acting director since November 2022. The public tender for the director of the Agency was not completed in 2022.

2 ENSURING PUBLIC TRANSPARENCY AND INFLUENCE

In 2022 the Agency prepared and published the Agency's Communication Strategy, which includes a list of tasks across all areas of public communication, from internal to general and expert. In accordance with this strategy the Agency launched Reg.la, a new portal for internal communication, which serves to connect employees with one another and effectively inform them of changes, measures and decisions of the Agency, as well as of employees' participation at events organised by other stakeholders. The Agency has published 39 posts on this portal.

In accordance with the communication strategy the Agency also upgraded its posts on social networks where it has an account, namely on Twitter and LinkedIn, with the goal of improving the Agency's recognition and of the impact its decisions have on everyday lives of users and the competition on the markets that fall under the Agency's authority. The Agency posted 96 posts on LinkedIn and Twitter.

Along with these the Agency also publishes articles on the Media and information literacy (MiPi) portal. The Agency also upgraded Facebook posts for this portal and opened an Instagram account. Throughout the year the Agency published a total of 58 articles on MiPi. Their content was then adapted and prepared for both social network posts, with a total of 81 posts.

In 2022 the Agency published 63 press releases. Along with these, the Agency also published 168 other types of content on its website, from invitations to public consultation, workshops, general acts, decisions, notifications, job listings and other. If we add website posts, MiPi posts and social network posts, the total number of posts made by the Agency in 2022 stood at 464. Compared to the year before this is a 22.7% increase, which is also in accordance with goals for improving recognition from the Agency's Communication Strategy.

The total number of published posts, both for internal use on Reg.la, and across external channels, namely on the Agency's website and social networks, stood at 503 for 2022.

In 2022 the Agency managed to respond to media questions within deadlines. The Agency received 52 requests from journalists for providing a statement from the Agency or for recording a statement by an Agency's representative. This means that the number of new cases was bigger than the year before when the number of journalists' requests reached 45.

Along with these the Agency also received 4 requests for providing answers from other members of the public and provided responses.

3 SUSTAINABLE ACTIVITIES

In 2022 the Agency prepared and published the Agency's Environmental, social, and corporate governance. With a sustainable focus on the environmental, social and governance level the Agency aims to contribute towards creating a safer future, and has prepared and published its Environmental, Social and Governance guidelines in 2022. The Agency is also aware of the importance of digital and green transformation. It strives to achieve its objectives both through governance of its organisations, and through the regulation it conducts. The Agency's ESG is based on eight core pillars: low-carbon organisation, partnership with employees and the social environment, and sustainable regulation. In its operations the Agency strives to make a low carbon footprint both for the organisation, as well as for its employees. A responsible approach to employees is one of key pillars of the Agency's sustainable development, as the Agency's quality of operations depends on the quality of its employees. For this purpose, the Agency is in its sustainable policy pursuing the goal to care for the development and satisfaction of its employees when performing its legal authority. At the same time the Agency in its role of an independent regulatory body can in the scope of imposing regulatory obligations and the supervision of legal obligations significantly contribute towards lower environmental impacts of independent and the provision of services to end users.

4 INFORMATION SUPPORT

In 2022 the Agency focused on information security, which is especially essential for it. With the goal of improving the understanding and management of cyber incidents the Agency prepared and adopted plans for detecting, handling and responding to information security incidents. It also put a lot of focus on raising employee awareness and verified their grasp of the importance of information security. In accordance with the information security rules it also held security forums. We also conducted a security audit of the security code of the information solution still in development.

In 2022 the Agency introduced a new solution for registering working time and logging employee arrivals and departures. Because the old system had become outdated, the Agency urgently needed to replace both the logging system and the software.

In 2022 the Agency continued to ensure that users of information technologies manage to operate without interruptions through regular maintenance of the Agency's hardware and software. Only regular and appropriate updates software and hardware updates and upgrades can support secure, fast and efficient work. It also automated some procedures whose manual processing meant a loss of precious time, accelerating work processes both for system administrators, and for users. In order to ensure effective information transfer in the Agency, the Agency made and put into production a new intranet site.

In 2022 the Agency complete three major public tenders, namely for purchasing energy efficient computers, servers, printers and peripheral devices for them, obtaining toners and servicing existing devices, which was completed in 6 groups, a public order for maintenance and administration of network equipment and a public tender for the development, implementation and maintenance of an enterprise resource planning system. The latter was finally entrusted to a selected contractor after several failed public tender rounds. For the same reason in 2023 the Agency will have to repeat three rounds of the public tender for purchasing energy efficient computers, servers, printers and peripheral devices for them, obtaining toners and servicing existing devices, and the public order for maintenance and administration of network equipment.

Because of the need to replace two key software solution, the Agency launched two major projects in 2022 – developing an information solution for data collection and processing, and developing the eAKOS information solution to replace the current ageing system for issuing decisions and licenses. These two solutions are essential for the Agency's operations.

In its operation the Agency follows legislation and legal developments, and has in 2022 appropriately updated the operation of issuing electronic documents through the documentation system, in accordance with the instructions from the Ministry of Public Administration.

5 OTHER SUPPORT ACTIVITIES

In 2022 the Agency worked towards improving the integrity of its management and employees. As part of its activities directed at raising awareness about corruption and its consequences among employees, the Agency in 2022 performed all the required activities, and reported to the Corruption Prevention Commission in accordance with the law. It also provided information to its employees through the monthly newsletter KPK VESTniK, which the Commission for the Prevention of Corruption informs the public of its activities.

6 INTERNAL AUDIT

Internal audits at the Agency are commissioned to a contractor in accordance with Articles 10 and 12 of the Rules laying down the policies for a coordinated function of public internal financial control system and the public procurement regulations. In 2022, the Agency performed one internal audit for business year 2022, while pursuing the following goals:

- to verify that internal controls are in place, and that these controls are effective in the various areas of the Agency's work, to identify any flaws or irregularities or their reasons, and to propose measures for improvements;
- to verify whether laws and regulations, standards and policies, and internal rules governing the Agency's work were obeyed in individual areas;
- to verify whether risks in individual areas of work are under control;
- to verify whether financial information (financial statements, internal/external reports) and information used in decision-making are correct, complete, reliable, and timely;
- to propose measures and recommendations for improvements based on audit findings;
- to check whether recommendations from the preceding audit are being implemented.

The Agency also performed an internal audit for the 2022 financial year, focusing on inspection procedures and carrier disputes which it arbitrates based on current legislation. The objectives of the internal audit were to verify the existence and to improve internal controls and the suitability and effectiveness of operation of the established internal controls, as well as to provide recommendations for improving the Agency's operations while taking into account more important risks. The Agency urgently approached resolving work processes, adhering to the recommendations from the external contractor who conducted the internal audit.

The Agency prepared and adopted internal Action items for organising and coordinating the work of the Agency's authorised persons in inspection procedures with the aim of further optimising these procedures.

7 SUPPORT FOR THE SLOVENIAN COMMITTEE FOR ELECTRONIC COMMUNICATION AND THE BROADCASTING COUNCIL

The Agency provides the funding for the work of the Broadcasting Council (SRDF) and provides technical, expert, financial and administrative support. The Agency's representatives attended all of SRDF's meetings, and held preparatory meetings of the Agency and SRDF beforehand. In 2022 there were 12 regular meetings. In 2020 the Agency cooperated with SRDF in public tenders for awarding radio frequencies for analogue audio broadcasting and in public tenders for awarding the license to disseminate radio programming on

two national and one local network in digital broadcasting technology. SRDF also provided the Agency with provisional opinions in the procedures of issuing or transferring licenses for radio or television activity and in the procedures of obtaining or revoking the statuses of a station of special importance.

The Agency also provides financial resources and administrative support to the Slovenian Committee for Electronic Communications (SEK) which has the function of a consulting body. SEK provides opinions, recommendations, and proposals regarding electronic communications issues, including the protection of consumers, persons with disabilities and users with special social needs in this area. In 2022 the Agency's representatives participated at all of SEK's meetings, with 12 regular ones and 3 conducted through correspondence. The Agency regularly responded to the questions and initiatives from SEK and provided clarifications. At the meetings it informed SEK with its activities. The Agency always carefully reviewed SEK's opinions and comments and took positions on them.

Both bodies also collaborated with the Agency in other areas that fall under their authority.

XIII IMPLEMENTATION OF THE FINANCIAL PLAN

THE AGENCY DREW UP ITS 2022 OPERATIONAL AND FINANCIAL PLAN IN ACCORDANCE WITH THE RELEVANT LEGISLATION, AND SET THE TARIFFS FOR 2022 ON ACCRUAL BASIS, AND DETAILED NOTES ON THE STRUCTURE OF PLANNED EXPENSES FOR MATERIALS, GOODS, AND SERVICES AND OTHER EXPENSES BY THE TYPE OF ACTIVITY ARE GIVEN IN THE CHAPTER FINANCIAL PLAN REALIZATION ON ACCRUAL BASIS.

The Agency strove to realize the planned activities and financial targets from its Operational and financial plan for 2022 in the areas it regulates. By cash flow principle the Agency realised 125.2% of the planned revenue and 82.3% of the planned expenditures. The higher realisation on the revenue side is especially the result of payments for decisions for the year 2021, which were issued at the end of the year 2021 due to their complexity, with the due date for payment falling into 2022. The lower realisation on the expenditure side is mainly the result of lower labour costs, as the Agency did not realise the planned scope of employment in line with the Human resource plan. Lower realisation of expenditure is also the result of delayed local public auction, with the draft tender documentation going into second public consultation because of the comments received, and because ZEKom-2 was adopted so late, and consequently some tasks were pushed into the next year, as well as from savings for better offers for services, lower fewer business trips, trainings, and conferences, and lower or even zero demand for some services. Investment expenditures are also lower than planned, especially because the investment in the eAKOS enterprise resource planning system was delayed, because the public tender had to be repeated, which pushed the conclusion of the agreement with the contractor to the end of 2022.

When recognizing revenue and expenses, the Agency complied with the rules on cash basis accounting. The Statements of Revenue and Expenses for specific users compiled on cash basis for the period between 1 January 2022 and 31 December 2022, shows that the Agency recorded EUR 7,693,468 in revenue, EUR 6,204,647 in expenditures, and a profit of EUR 1,488,821. Notes regarding the changes in separate revenue and expense items that resulted in the profit are presented below.

Revenue and expenditure account categorized according to the cash flow method for the year 2022 is shown in tables 12 and 13. Cash flow for the year 2022 is shown compared to the realisation for the year 2021 and the adopted 2022 Financial Plan.

TABLE 12: STATEMENT OF REVENUE AND EXPENSE FOR SPECIFIC USERS ON CASH BASIS FROM 1 JANUARY TO 31 DECEMBER 2022, 1ST PART

Classi- fication by ac- count	Account title	Label for ADP	Amount		in EUR (without cents)		Index current year/ previous year	Index current year/ 2021 FP
			2022 FP	2021 FP	2022 FP	2021 FP		
			Current year	Previous year	2022 FP	2021 FP		
1	2	3	4	5	6	7=4/5	8=4/6	
	I. TOTAL REVENUE (402+431)	401	7.693.468	5.496.239	6.143.006	140,0	125,2	
	1. REVENUE FOR PROVIDING PUBLIC SERVICES (403+420)	402	7.693.468	5.496.239	6.143.006	140,0	125,2	
	A. Revenue from public funds (404+407+410+413+418+419)	403						
	a. Funds received from the government budget (405+406)	404						
part of 7400	Funds received from the government budget for current expenditure	405						
part of 7400	Funds received from the government budget for investments	406						
	b. Funds received from the municipal budgets (408+409)	407						
part of 7401	Funds received from municipal budgets for current expenditure	408						
part of 7401	Funds received from the municipal budgets for investments	409						
	c. Funds received from social insurance funds (411+412)	410						
part of 7402	Funds received from social insurance funds for current expenditure	411						
part of 7402	Funds received from social insurance funds for investments	412						
	d. Funds received from public funds and agencies (414+415+416+417)	413						
part of 7403	Funds received from public funds for current expenditure	414						
part of 7403	Funds received from public funds for investments	415						
part of 7404	Funds received from public agencies for current expenditure	416						
part of 7404	Funds received from public agencies for investments	417						
part of 740	e. Funds received from budgets associated with foreign grants	418						

741	f. Funds received from the government budget financed from EU budget	419					
	B) Other revenue for providing public services (421+422+423+424+425+426+427+428+429+430)	420	7.693.468	5.496.239	6.143.006	140,0	125,2
part of 7102	Interest received	422	14.987	289	1.000	5.185,8	1.498,7
part of 7100	Revenue from profit sharing and dividends, and surplus	423					
7103	Revenue from rents and leases, and other property income	487					
part of 7141	Other current revenue from providing public services	424	7.664.040	5.487.225	6.107.826	139,7	125,5
72	Capital revenue	425	270	7.742		3,5	-
730	Grants received from domestic sources	426					
731	Foreign grants	427					
732	Grants for natural disaster relief	428					
782	Other funds received from the EU structure funds budget	488					
783	Other funds received from the EU Cohesion fund budget	489					
784	Other funds received from the EU budget for centralised and other EU programmes	490					
786	Other funds received from the EU budget	429	14.171	983	34.180	1.441,6	41,5
787	Funds received from other European institutions	430					
	2. REVENUE FROM THE SALE OF GOODS AND SERVICES IN THE MARKET (432+433+434+435+436)	431					
part of 7130	Revenue from the sale of goods and services in the market	432					
part of 7102	Interest received	433					

The statement of revenue and expense for specific users compiled on a cash basis continues on the next page.

TABLE 13: STATEMENT OF REVENUE AND EXPENSE FOR SPECIFIC USERS ON CASH BASIS FROM 1 JANUARY TO 31 DECEMBER 2022, 2ND PART

Classification by account	Account title	Label for ADP	Amount		in EUR (without cents)		Index current year/ previous year	Index current year/ 2021 FP
			Current year	Previous year	2022 FP			
			4	5	6			
1	2	3	4	5	6	7=4/5	8=4/6	
	II. TOTAL EXPENSES (438+481)	437	6.204.647	6.216.939	7.539.152	99,8	82,3	
	1. EXPENSES FOR PROVIDING PUBLIC SERVICES (439+447+453+464+465+466+467+468+469+470)	438	6.204.647	6.216.939	7.539.152	99,8	82,3	
	A. Salaries and other employee benefits (440+441+442+443+444+445+446)	439	3.489.940	3.402.878	3.936.033	102,6	88,7	
part of 4000	Salaries and premiums	440	3.081.132	3.080.724	3.524.413	100,0	87,4	
part of 4001	Holiday allowance	441	112.233	94.588	112.350	118,7	99,9	
part of 4002	Reimbursements and compensations	442	176.942	130.574	191.063	135,5	92,6	
part of 4003	Performance bonuses	443	59.356	56.903	78.303	104,3	75,8	
part of 4004	Funds for overtime	444	5.186	10.044	-	51,6	-	
part of 4005	Salaries of non-residents with contracts	445						
part of 4009	Other employee-related expenditure	446	55.091	30.045	29.904	183,4	184,2	
	B. Social security contributions paid by the employer (448+449+450+451+452)	447	548.621	539.901	633.940	101,6	86,5	
part of 4010	Pension and disability insurance contributions	448	275.500	273.227	318.840	100,8	86,4	
part of 4011	Health insurance contributions	449	228.652	224.684	255.433	101,8	89,5	
part of 4012	Unemployment insurance contributions	450	1.993	1.902	2.162	104,8	92,2	
part of 4013	Parental protection insurance contributions	451	3.205	3.169	3.603	101,1	89,0	
part of 4015	Premiums for collective supplementary pension insurance based on ZKDPZJU	452	39.271	36.919	53.902	106,4	72,9	
	C. Expenses for goods and services associated with the provision of public services (454+455+456+457+458+459+460+461+462+463)	453	1.564.515	1.868.790	2.049.579	83,7	76,3	
part of 4020	Office and general supplies and services	454	449.369	823.427	779.188	54,6	57,7	
part of 4021	Special supplies and services	455	62.067	48.304	44.600	128,5	139,2	
part of 4022	Energy, water, utility services, and communications	456	148.147	123.295	129.333	120,2	114,5	
part of 4023	Transportation costs and services	457	28.925	24.675	34.200	117,2	84,6	

part of 4024	Expenses for business trips	458	85.987	10.411	202.897	825,9	42,4
part of 4025	Regular maintenance	459	426.347	477.121	409.922	89,4	104,0
part of 4026	Operating rent and lease fees	460	133.324	112.436	173.764	118,6	76,7
part of 4027	Fines and damages	461					
part of 4028	Payroll tax	462					
part of 4029	Other operating expenses	463	230.349	249.121	275.675	92,5	83,6
403	D. Domestic interest payments	464	15				
404	E. Foreign interest payments	465					
410	F. Subsidies	466					
411	G. Transfers to individuals and households	467					
412	H. Transfers to non-profit organizations and institutions	468					
413	I. Other current domestic transfers	469					
	J. Capital expenditure (471+472+473+474+475+476+477+478+479+480)	470	601.556	405.370	919.600	148,4	65,4
4200	Purchase of buildings and premises	471	30.903		70.000		
4201	Purchase of vehicles	472		16.000	-	0,0	-
4202	Purchase of equipment	473	168.732	307.742	480.000	54,8	35,2
4203	Purchase of other operating fixed assets	474					
4204	Construction, reconstruction, and renovation	475					
4205	Major maintenance and renovation	476	270.709	70.032		386,6	-
4206	Purchase of land and natural resources	477					
4207	Purchase of intangible assets	478	131.212	11.596	369.600	1131,5	35,5
4208	Feasibility studies for projects, project documentation, supervision, project engineering	479					
4209	Purchase of reserves of goods and intervention stocks	480					
	2. EXPENDITURE FROM THE SALE OF GOODS AND SERVICES IN THE MARKET (482 + 483+ 484)	481					
part of 400	A. Salaries and other employee benefits from the sale of goods and services in the market	482					
part of 401	B. Social security contributions paid by the employer from the sale of goods and services in the market	483					
part of 402	C. Expenditure for goods and services from the sale of goods and services in the market	484					
	III/1 SURPLUS (401-437)	485	1.488.821	-	-	-	-
	III/2 DEFICIT (437-401)	486	-	720.700	1.396.146	-	-

1 REVENUE

Based on cash flow the Agency generated EUR 7,693,468 in revenue in 2022, EUR 7,664,040 (AOP = 424) of which was operating revenue in the framework of providing a public service, i.e. regular operating revenue (99.6 %) from payments made by regulated entities based on issued decisions, invoices, and other authentic documents, and EUR 29,428 from received interest, capital revenue and other received funds from the budget of the European Union (0.4 %).

The Agency's operating revenue (ADP code = 424) increased by EUR 2,176,815, i.e., 39.7 %, in 2022, compared to the previous year. Significant changes are primarily the result of:

- higher revenue based on the notification in the value of EUR 1,826,925, i.e., 424.6 %, because of the received payments for decisions from the year 2021, where the Agency verified derogations between the data reported to the Agency and the data that the operators reported to AJPES. Because these cases were extensive and demanding, the Agency issued the decisions by the end of the calendar year 2021;
- an increase in revenue because of the use of radio frequencies in the value of EUR 1,138,080, i.e. 48.3 %, primarily because of the increase in tariff by 20 % and a higher number of points;
- a decrease in the revenue from payments for the use of numbering elements in the amount of EUR 152,009, i.e. 20.9 %, primarily due to the tariff value decrease by 13.9 %;
- a decrease in the revenue from payments for railways in the amount of EUR 96,651, i.e. 21.6 %, primarily due to the decrease of the tariff and the surcharge;
 - an increase in the revenue from decisions determining fees for providing media services in the value of EUR 89,302; i.e. 19.9 %, mainly due to the tariff value increase by 16 %;
 - an increase in the revenue from issuing decisions determining fees for providing postal services in the amount of EUR 37,993, i.e. 9.8 %, mainly due to the tariff value increase by 10.4 %;
 - and a decrease in revenue from administrative costs of the public auction, which amounted to EUR 678,735 in 2021, and which there were none in 2022.

TABLE 14: REVENUE ON CASH BASIS FOR THE PERIOD FROM 1 JANUARY TO 31 DECEMBER 2022

	2021	2022	FP2022	Index 2022/ FP2022
Revenue from the provision of postal services	388.531	426.524	423.616	100,7 %
Revenue from fees for numbering resources	724.825	572.816	629.257	91,0 %
Revenue based on notifications	430.239	2.257.164	963.634	234,2 %
Revenue from frequencies	2.358.096	3.496.176	3.187.440	109,7 %
Revenue from railways	446.944	350.293	350.359	100,0 %
Revenue from media services	447.738	537.040	547.520	98,1 %
Revenue from the public auction administrative costs	678.735	0	0	-
Revenue from sale of stickers banning the delivery of unaddressed mail to the mailbox	6.959	5.329	6.000	88,8 %
TOTAL OPERATING REVENUE (ADP code = part of 424)	5.482.067	7.645.342	6.107.826	125,2 %

Source: AKOS internal accounts

2 EXPENSES

Based on cash flow, the Agency's expenses in 2022 totalled EUR 6,204,647, of which EUR 4,038,561 (65.1 %) were expenses for salaries and other employee benefits, and associated social contributions paid by the employer, EUR 1,564,515 (25.2 %) were expenses for the purchase of materials, goods, and services, 15 EUR (0.0%) were interests and EUR 601,556 (9.7 %) were capital expenditure.

The Agency's expenses in 2022 were EUR 1,334,505, i.e., 17.7 % below the financial plan, especially in the following three categories of expenses: salaries and other labour costs, expenses for the purchase of goods and services, and capital expenditure.

2.1 SALARIES AND OTHER LABOUR COST

The Agency's labour costs were EUR 531,412 or 11.6 % lower than planned (ADP codes = 439 + 447), primarily due to the lower amount of salaries, compensations, associated social security contributions and other labour cost (reimbursements, holiday and other allowances) paid to employees.

The average number of employees per working hours (ADP code for revenue and expenses = 894) stood at 87 for 2022, which is 20 employees fewer than the Agency planned. In 2022 the main reason for underutilisation is in the Agency's inability to fully realise its hiring plan. Compared to the previous year, the average number of employees based on the hours worked in 2022 was lower by 2 public servants. The Agency's uncompetitive salary policy compared to the private sector and the limitations in the rewarding policy, which are the result of the legal frameworks of the public sector, as well as the lack of appropriate human resources with specific knowledge and experience from the fields regulated and supervised by the Agency. Consequently, the hiring dynamics in 2022 were below plans, as finding suitable candidates took a long time, as is evident from the lack of new employees for certain positions.

2.2 EXPENSES FOR GOODS AND SERVICES

The Agency's expenses for goods and services were EUR 485,064, i.e., 23.7 % below the amount budgeted in the approved 2022 financial plan (ADP code = 453), primarily due to:

—— EUR 329,819, i.e., 42.3 % lower expenses for office and general supplies (ADP code = 454) as the result of postponing some activities to the next year, and savings created by obtaining better offers for certain services, contracting certain services to a smaller extent than planned and not requiring others, and partially also because certain tasks were not realized in the scope that was planned, and this also affected the related costs;

—— EUR 116,910, i.e., 57.6 % lower than planned expenses for business trips (ADP code = 458), primarily because of the intervention measures still in force for limiting the spread of the COVID-19 epidemic;

—— EUR 45,326, i.e., 16.4 % lower other operating expenses (ADP code = 463), primarily because of lower costs of attendance fees, professional seminars and training, and the smaller extent of work provided by students, as the result of intervention measures for limiting the spread of the COVID-19 epidemic.

—— EUR 40,440, i.e., 23.3 % lower cost of rents and leases (ADP code 460), especially because the lease of new premises was not completed.

Detailed notes on the structure of planned expenses of materials, goods and services and other expenses by the type of activity are given in the chapter Financial plan realization on accrual basis.

2.3 INVESTMENT EXPENSES

As part of capital expenditures, the Agency planned investments into intangible and tangible assets in the amount of EUR 919,600. In 2022 the Agency invested in fixed assets in the amount of EUR 650,408, i.e. 70.7 % of planned investments. The realisation by cash flow is EUR 601,556, i.e. 65.4 % of planned investments. The payments for procurements made in 2022 in the amount of EUR 48,852 were made in January 2023.

The investment in windows was planned as part of purchases of real estate and facilities (account 4200), and was reassigned to investment maintenance and renovation (account 4205). The investment in heating and ventilation air conditioning was planned as part of purchases of equipment (account 4202), and was reassigned to investment maintenance (account 4205).

In 2022 the Agency's investment expenses were EUR 318,044, i.e. 34.6 % below its plan (ADP code = 470), primarily as the result of the following planned major investments:

— As part of maintenance and upgrades of ICT and user support (activity ID 497) the Agency planned investments in the amount of EUR 344,600 for the purchase of appropriate hardware, replacing the employee attendance system, developing the enterprise resource planning system eAKOS and the Portal for task overview in notifications. The realisation is below plans by EUR 249,445, especially because the eAKOS ERP system has been delayed (EUR 200,000), because the Agency had to repeat the public order and the agreement with the contractor was signed only at the end of 2022, and the investment in the development of the Portal for task overview and notifications (EUR 9,600) was also not completed. The purchase of the system for employee attendance was completed in full. In hardware and purchasing the Agency did not reach the planned investment funds, because the Agency does not purchase equipment for stock, as this can result in unnecessarily outdated equipment. Because of the changes in legislation the Agency invested in upgrading and purchasing additional modules for calculating salaries and other revenue in the total amount of EUR 5,803.

— As part of the activity Monitoring BB QoS (activity ID 302), the Agency budgeted EUR 125,000 for the purchase of equipment to increase the capacities of the AkosTestNet network and to purchase licensed software. The purchases were fully completed in the amount of EUR 119,613. Lower realisation than planned is the result of obtaining a better offer on the public tender for the GBP router than what was planned. Payments for 2022 purchases were made in 2022 in the amount of EUR 70,761 and in January 2023 in the amount of EUR 48,852.

— As part of the activity of upgrading and updating RSMS (activity ID 172), the Agency planned EUR 200,000 for the purchase of measurement instruments and software for monitoring new technologies. The purchases were fully completed. As part of this task a simple facility was also constructed. Because of the sale of the building in which the Agency had a measurement station, it needed to obtain a new suitable facility for it (DRNP Novo mesto). The realisation was below planned budgeted by EUR 39,597 because the offer for the software for monitoring new technologies was significantly lower than expected.

— The Agency budgeted EUR 250,000 in investments under infrastructure cost (activity ID 273), which were earmarked for an investment into a HVAC system and replacing windows, both of which were fully realised. The realisation was, however, above the planned budgeted by EUR 21,065 because the offer for the HVAC system was not as favourable as expected.

— As part of the activity Notifications on planned constructions online (activity ID 354) the Agency did not plan any investments; however, it spent EUR 4,172 for the upgrade of the website for monitoring infrastructure investments. During the preparation of the 2022 plan the development of the website for monitoring infrastructure investments in was planned to conclude in 2021. An error discovered in phase 2 caused a delay in the upgrade, and it was completed in the first quarter of 2022.

TABLE 15: SURPLUS CALCULATION BY FISCAL RULE

no.	Description	Amount
1.	Calculated surplus by cash flow	
1.1.	Revenue	7.693.468,33
1.2.	Expenses	6.204.647,69
1.3.	Surplus/deficit	1.488.820,64
2.	Calculated surplus by cash flow according to ZIPRS	
2.1.	Surplus (item no. 1.3)	1.488.820,64
2.2.	Liabilities R2 + R9 by balance sheet as at 31 December 2022	2.117.041,63
2.3.	Surplus/deficit	-628.220,99

In accordance with ZIPRS the Agency does not have a surplus by fiscal rule.

XIV DECLARATION REGARDING THE RESULT OF THE PUBLIC FINANCE INTERNAL AUDIT



Agencija Republike
Slovenije za javnopravne
evidence in storitve

IZJAVA O OCENI NOTRANJEGA NADZORA JAVNIH FINANC

AGENCIJA ZA KOMUNIKACIJSKA OMREŽJA IN STORITVE REPUBLIKE SLOVENIJE
Stegne 7, 1000 LJUBLJANA

Šifra: 28401
Matična številka: 1332899000

Podpisani se zavedam odgovornosti za vzpostavitev in stalno izboljševanje sistema finančnega poslovanja in notranjih kontrol ter notranjega revidiranja v skladu s 100. členom Zakona o javnih financah z namenom, da obvladujem tveganja in zagotavljam doseganje ciljev poslovanja in uresničevanje proračuna.

Sistem notranjega nadzora javnih financ je zasnovan tako, da daje razumno, ne pa tudi absolutnega zagotovila o doseganju ciljev: tveganja, da splošni in posebni cilji poslovanja ne bodo doseženi, se obvladujejo na še sprejemljivi ravni. Temelji na nepretrganem procesu, ki omogoča, da se opredelijo ključna tveganja, verjetnost nastanka in vpliv določenega tveganja na doseganje ciljev in pomaga, da se tveganja obvladuje uspešno, učinkovito in gospodarno.

Ta ocena predstavlja stanje na področju uvajanja procesov in postopkov notranjega nadzora javnih financ v / na AGENCIJA ZA KOMUNIKACIJSKA OMREŽJA IN STORITVE REPUBLIKE SLOVENIJE.

Oceno podajam na podlagi:

* ocene notranje revizijske službe za področja:

Izvajanje inšpekcijskih postopkov ter postopkov medoperaterskih sporov

* samooценitev vodij organizacijskih enot za področja:

SEKTOR ZA REGULACIJO TELEKOMUNIKACIJ, SEKTOR ZA UPRAVLJANJE RADIOFREKVENČNEGA SPEKTRA, SEKTOR ZA EKONOMSKE ANALIZE, SEKTOR ZA NADZOR OPERATERJEV, SEKTOR ZA MERITVE IN NADZOR RADIOFREKVENČNEGA SPEKTRA, SEKTOR ZA ELEKTRONSKE MEDIJE, SEKTOR ZA SPREMLJANJE INFRASTRUKTURNIH INVESTICIJ, SEKTOR ZA REGULACIJO IN NADZOR TRGA POŠTNIH STORITEV, SEKTOR ZA REGULACIJO TRGA ŽELEZNIŠKIH STORITEV, SEKTOR ZA PRAVNE ZADEVE, SVETOVALKA ZA ODNOSE Z JAVNOSTMI, SEKTOR ZA PODPORNE DEJAVNOSTI

* ugotovitev (Računskega sodišča RS, proračunske inšpekcije, Urada RS za nadzor proračuna, nadzornih organov EU,...) za področja:

V / Na AGENCIJA ZA KOMUNIKACIJSKA OMREŽJA IN STORITVE REPUBLIKE SLOVENIJE je vzpostavljen(o):

1. primerno kontrolno okolje

(predstojnik izbere eno od naslednjih možnosti):

- | | |
|---|----------------------------------|
| a) na celotnem poslovanju, | <input type="radio"/> |
| b) na pretežnem delu poslovanja, | <input checked="" type="radio"/> |
| c) na posameznih področjih poslovanja, | <input type="radio"/> |
| d) še ni vzpostavljeno, pričeli smo s prvimi aktivnostmi, | <input type="radio"/> |
| e) še ni vzpostavljeno, v naslednjem letu bomo pričeli z ustreznimi aktivnostmi | <input type="radio"/> |

2. upravljanje s tveganji

2.1. cilji so realni in merljivi, tp. da so določeni indikatorji za merjenje doseganja ciljev

(predstojnik izbere eno od naslednjih možnosti):

- | | |
|---|----------------------------------|
| a) na celotnem poslovanju, | <input checked="" type="radio"/> |
| b) na pretežnem delu poslovanja, | <input type="radio"/> |
| c) na posameznih področjih poslovanja, | <input type="radio"/> |
| d) še niso opredeljeni, pričeli smo s prvimi aktivnostmi, | <input type="radio"/> |
| e) še niso opredeljeni, v naslednjem letu bomo pričeli z ustreznimi aktivnostmi | <input type="radio"/> |

2.2. tveganja, da se cilji ne bodo uresničili, so opredeljena in ovrednotena, določen je način ravnanja z njimi

(predstojnik izbere eno od naslednjih možnosti):

- | | |
|---|----------------------------------|
| a) na celotnem poslovanju, | <input type="radio"/> |
| b) na pretežnem delu poslovanja, | <input checked="" type="radio"/> |
| c) na posameznih področjih poslovanja, | <input type="radio"/> |
| d) še niso opredeljeni, pričeli smo s prvimi aktivnostmi, | <input type="radio"/> |
| e) še niso opredeljeni, v naslednjem letu bomo pričeli z ustreznimi aktivnostmi | <input type="radio"/> |

3. na obvladovanju tveganj temelječ sistem notranjega kontroliranja in kontrolne aktivnosti, ki zmanjšujejo tveganja na sprejemljivo raven

(predstojnik izbere eno od naslednjih možnosti):

- | | |
|---|----------------------------------|
| a) na celotnem poslovanju, | <input type="radio"/> |
| b) na pretežnem delu poslovanja, | <input checked="" type="radio"/> |
| c) na posameznih področjih poslovanja, | <input type="radio"/> |
| d) še niso opredeljeni, pričeli smo s prvimi aktivnostmi, | <input type="radio"/> |
| e) še niso opredeljeni, v naslednjem letu bomo pričeli z ustreznimi aktivnostmi | <input type="radio"/> |

4. ustrezen sistem informiranja in komuniciranja

(predstojnik izbere eno od naslednjih možnosti):

- | | |
|---|----------------------------------|
| a) na celotnem poslovanju, | <input type="radio"/> |
| b) na pretežnem delu poslovanja, | <input checked="" type="radio"/> |
| c) na posameznih področjih poslovanja, | <input type="radio"/> |
| d) še niso opredeljeni, pričeli smo s prvimi aktivnostmi, | <input type="radio"/> |
| e) še niso opredeljeni, v naslednjem letu bomo pričeli z ustreznimi aktivnostmi | <input type="radio"/> |

5. ustrezen sistem nadziranja, ki vključuje tudi primerno (lastno, skupno, pogodbeno) notranje revizijsko službo

(predstojnik izbere eno od naslednjih možnosti):

- a) na celotnem poslovanju,
- b) na pretežnem delu poslovanja,
- c) na posameznih področjih poslovanja,
- d) še niso opredeljeni, pričeli smo s prvimi aktivnostmi,
- e) še niso opredeljeni, v naslednjem letu bomo pričeli z ustreznimi aktivnostmi

6. notranje revidiranje zagotavljam v skladu s Pravilnikom o usmeritvah za usklajeno delovanje sistema notranjega nadzora javnih financ

(predstojnik izbere eno od naslednjih možnosti):

- a) z lastno notranjerevizijsko službo,
- b) s skupno notranjerevizijsko službo,
- c) z zunanjim izvajalcem notranjega revidiranja,

Naziv in sedež **zunanjega izvajalca notranjega revidiranja:** Revizor, Polona Gostan s.p. Goriška cesta 97, 4000 Kranj

Navedite matično številko **zunanjega izvajalca notranjega revidiranja:** 3896196000

Ali (sprejeti) finančni načrt (proračun), za leto na katerega se Izjava nanaša, presega 2,086 mio evrov: DA NE

Datum zadnjega revizijskega poročila zunanjega izvajalca notranjega revidiranja je: 29.12.2022

- d) nisem zagotovil notranjega revidiranja.

V letu 2022 sem na področju notranjega nadzora izvedel naslednje pomembne izboljšave (navedite: 1, 2 oziroma 3 pomembne izboljšave):

- na področju obvladovanja tveganj v procesu varovanja podatkov priprava in sprejem Navodil o objavljanju podatkov in informacij z delovnih področij AKOS ter Registra varovanih podatkov;
- na področju obvladovanja tveganj v procesu upravljanja s človeškimi viri priprava in sprejem Kadrovske strategije AKOS;
- na področju obvladovanja tveganj v procesu varovanja osebnih podatkov posodobitev Pravilnika o zavarovanju osebnih podatkov in Pravilnika o zavarovanju osebnih podatkov pri izvajanju videonadzora;
- na področju obvladovanja regulatornih tveganj priprava in sprejem Izhodišča za organizacijo in koordinacijo dela pooblaščenih oseb agencije v inšpekcijskih postopkih in Potrjevanje dokončnosti in pravnomočnosti;
- na področju obvladovanja tveganj pri poslovanju priprava in sprejem Trajnostne zaveze AKOS in Komunikacijske strategije AKOS.

Kljub izvedenim izboljšavam ugotavljam, da obstajajo naslednja pomembna tveganja, ki jih še ne obvladujem v zadostni meri (navedite: 1, 2 oziroma 3 pomembnejša tveganja in predvidene ukrepe za njihovo obvladovanje):

- na področju obvladovanja tveganj poslovnih procesov – potrebna posodobitev posameznih registrov tveganj oziroma priprava enotnega registra Agencije
- na področju obvladovanja tveganj izvajanja vseh poslovnih procesov zaradi težav pri zaposlovanju manjkajočih kadrov (ki pa zaenkrat kljub trudu zmanjšanja tega tveganja v sedanjih pogojih ni odvisno zgolj od aktivnosti Agencije)

Predstojnik oziroma poslovodni organ proračunskega uporabnika:

mag. Tanja Muha, v.d.direktorja

Datum podpisa predstojnika:

30.01.2023

Datum oddaje:

28.02.2023

AKOS / ANNUAL REPORT 2022

FINANCIAL REPORT

DAT	BIT
jan	2.002
feb	2.568
mar	1.735

XV FINANCIAL STATEMENT

1 LEGAL FRAMEWORK, FORM AND CONTENT OF THE REPORT

THE AGENCY HAS COMPILED THIS ANNUAL REPORT IN ACCORDANCE WITH ALL THE LAWS, RULES AND REGULATIONS, AND THEIR AMENDMENTS THAT REGULATE THE PREPARATION AND STRUCTURE OF FINANCIAL DOCUMENTS:

- Public Finance Act (Official Gazette of RS 11/11 – official consolidated text 4, 14/13 – amendments, 101/13 and 13/18);
- Accounting Act (Official Gazette of RS 23/99, 30/02 – ZJF-C and 114/06 – ZUE; hereinafter referred to as ZR);
- Rules on drawing up annual reports for the budget, budget spending units and other entities of public law (Official Gazette of RS 115/02 and further);
- Instructions on preparing the annual financial statement of state and municipalities budgets and on methodology for preparing a report on the achieved goals and results of direct and indirect budget users (Official Gazette of RS 12/01 and further);
- Decision on the establishment of the Agency for Communication Networks and Services of the Republic of Slovenia (Official Gazette of RS 41/13 and 66/17);
- Slovenian Accounting Standards (Official Gazette of RS 118/05 and further).

In accordance with Accounting Act and Rules on the preparation of annual reports for the budget, budget users and other public bodies, this report comprises:

- The financial report, which comprises financial statements (a balance sheet and statement of revenue and expense) and notes to financial statements;
- The business report, which discloses the deviations and achievements from the reporting period i.e. the fulfilment of responsibilities and associated implementation of the financial plan (included in the first half of this annual report).

The content of information i.e. the accounting elements presented in these statements is defined by accounting regulations and standards. The Agency provided notes to the balance sheet and statement of revenue and expense in the form of mandatory appendices and statements, such as:

- balance of and changes in intangible assets and tangible fixed assets,
- balance of and changes in long-term financial investments and loans,
- a statement of revenue and expense for specific users, categorized by type of activity,
- a statement of revenue and expense for specific users compiled on cash basis,

- statement of account of financial receivables and investments for specific users,
- statement of account of financing for specific users.

The notes also comprise other accounting information that the Agency deems important for adequately and sufficiently disclosing the items on the balance sheet, and statement of revenue and expense.

On 18 December 2021 the Ministry of Public Administration as the line ministry approved the 2022 Operational and financial plan, while on 23 December 2019 the Government of the Republic of Slovenia approved the Agency's tariffs for 2022.

2 ACCOUNTING POLICIES

When compiling the financial statements and in its accounting the Agency followed the main goal of complying with regulations, as well as the goal of presenting the content of the financial statements and notes at the highest possible quality level. This means that it ensured, inter alia through appropriate internal accounting controls, that the financial statements are relevant, reliable, understandable and comparable. The Agency made the plans on the accrual basis.

2.1 INTANGIBLE ASSETS AND TANGIBLE FIXED ASSETS

The Agency initially recognized the intangible assets and tangible fixed assets at their original cost (historical cost). This cost comprises the purchase price, import and non-refundable purchase duties (e.g. VAT, which the Agency cannot claim as a deduction from the input tax, because it is not liable for VAT), and costs directly attributable to putting the asset in use (such as installation, commissioning, decommissioning costs, etc.). After the initial recognition these assets are carried at cost, less any amortization or depreciation in accordance with the selected cost model. The Agency records any subsequent cost related to tangible fixed assets as an increase of their historical cost, if it determines that the investment will increase future economic benefits compared to the initially estimated cost. The cost of repairs and maintenance for restoring or preserving future economic benefits are recognized as costs, i.e. operating expenses for the reporting period.

2.2 AMORTIZATION AND DEPRECIATION

Intangible assets and tangible fixed assets are amortized or depreciated by the Agency according to the straight-line method and in accordance with the Rules on the method and rates of depreciation of intangible fixed assets and tangible fixed assets. Since 2017, when the Court of Audit audited the Agency's operations, and in accordance with their recommendation, the Agency has in accordance with paragraph 2 of Article 44 of the Accounting Act, been recognising the total cost of amortisation and depreciation as revenue (before that the Agency put the total cost of amortisation and depreciation against liabilities for assets under management). This has led to a discrepancy in the assets for management, as the Agency included in the tariff also a part of the cost of amortisation and depreciation, and according to the Court of Audit policy it fully included it as a cost in the statement of revenue and expenditure. After receiving an opinion from the Ministry of Finance, the Agency changed how it recognises amortisation and depreciation for the year 2020. In 2022 the Agency recognises the part of the amortisation and depreciation of intangible assets that were purchased after 1 January 2017, or that was included in the tariffs against revenue (and recognizes the costs from this source), and for assets purchased before 1 January 2017 against the liabilities for intangible assets and fixed assets (for assets whose total historical cost was included in the tariff).

2.3 RECEIVABLES

The Agency recognizes receivables in amounts based on authentic accounting documents. The value of receivables is adjusted for impairments and the reversal of impairments. The Agency determines whether individual receivables are recognized at the correct value at the end of the accounting period based on the evidence of doubts regarding their recoverability. Allowances for receivables, which decrease the book value of receivables and increase revaluation operating expenses, are made separately for all uninsured accounts receivable overdue for over a year on 31 December, or for which there is a doubt regarding their recoverability.

2.4 LIABILITIES

The Agency recognizes liabilities in amounts based on authentic accounting documents, and in the case of short-term operating liabilities, which represent the major part of total liabilities, prove the receipt of goods, materials, or services or work done, i.e. the charged costs.

2.5 REVENUE

The Agency recognizes revenue in amounts based on issued decisions determining fees on the basis of notifications, for using numbering resources, for using radio frequencies, for the provision of railway services, for the provision of media services, and for the provision of postal services, as well as bills issued for stickers banning delivery of unaddressed mail to mailboxes. Revenue is calculated by multiplying the number of points for a specific type of fees and the value of that point i.e. tariff, which is determined in the annual financial plan based on the planned structure and extent of expenses for that specific type of fee.

3 FINANCIAL STATEMENTS WITH NOTES

The financial statement presented below is based on original cost. It is denominated in euros (EUR) and rounded to the nearest integer.

3.1 BALANCE SHEET

TABLE 16: BALANCE SHEET AS AT 31 DECEMBER 2021

Classifying group accounts	Title of the group of accounts	Label for ADP	in EUR (without cents)		Index current year/previous year
			Amount		
			2022	2021	
1	2	3	4	5	6=4/5
	A) LONG-TERM ASSETS AND ASSETS UNDER MANAGEMENT (002+003+004+005+006+007+008+009+010+011)	001	4.135.072	4.029.958	102,6
00	INTANGIBLE ASSETS AND LONG-TERM DEFERRED COSTS AND ACCRUED REVENUE	002	1.478.826	1.383.684	106,9
01	AMORTIZATION OF INTANGIBLE ASSETS	003	1.293.882	1.259.001	102,8
02	PROPERTY	004	5.526.939	5.225.327	105,8
03	DEPRECIATION OF PROPERTY	005	2.571.447	2.411.035	106,7
04	EQUIPMENT AND OTHER TANGIBLE FIXED ASSETS	006	6.013.936	5.824.745	103,2
05	DEPRECIATION OF EQUIPMENT AND OTHER TANGIBLE FIXED ASSETS	007	5.019.300	4.733.850	106,0
06	LONG-TERM FINANCIAL INVESTMENTS	008	-	-	-
07	LONG-TERM LOANS GIVEN AND DEPOSITS	009	-	-	-
08	LONG-TERM OPERATING RECEIVABLES	010	-	88	-
09	RECEIVABLES FOR ASSETS UNDER MANAGEMENT	011	-	-	-
	B) SHORT-TERM ASSETS; EXCEPT FOR INVENTORY AND DEFERRED COST AND ACCRUED REVENUE (013+014+015+016+017+018+019+020+021+022)	012	5.398.668	5.166.983	104,5
10	CASH IN HAND AND EASILY REALIZABLE SECURITIES	013	-	-	-
11	DEPOSITS IN BANKS AND OTHER FINANCIAL INSTITUTIONS	014	4.979.637	3.483.971	142,9
12	SHORT-TERM TRADE RECEIVABLES	015	192.310	1.425.134	13,5
13	ADVANCES AND SECURITY DEPOSITS GIVEN	016	-	86	-
14	SHORT-TERM RECEIVABLES FROM USERS OF THE STANDARD CHART OF ACCOUNTS	017	12.239	32.671	37,5
15	SHORT-TERM FINANCIAL INVESTMENTS	018	-	-	-
16	SHORT-TERM FINANCIAL RECEIVABLES	019	-	-	-
17	OTHER SHORT-TERM RECEIVABLES	020	7.809	17.670	44,2
18	UNPAID EXPENSES	021	-	-	-
19	DEFERRED COSTS AND ACCRUED REVENUE	022	206.673	207.451	99,6
	C) INVENTORIES (024+025+026+027+028+029+030+031)	023	-	-	-
30	ACCOUNT PURCHASES OF MATERIALS	024	-	-	-
31	INVENTORIES OF MATERIALS	025	-	-	-
32	INVENTORIES OF SMALL TOOLS AND PACKAGING MATERIAL	026	-	-	-
33	UNFINISHED PRODUCTS AND SERVICES	027	-	-	-
34	PRODUCTS	028	-	-	-
35	ACCOUNT PURCHASES OF GOODS	029	-	-	-

36	INVENTORIES OF GOODS	030	-	-	-
37	OTHER INVENTORIES	031	-	-	-
	I. TOTAL ASSETS (001*012*023)	032	9.533.740	9.196.941	103,7
99	OFF-BALANCE SHEET ASSETS ACCOUNTS	033	22.333	16.443	135,8
	D) SHORT-TERM LIABILITIES AND ACCRUED COSTS AND DEFERRED REVENUE (035*036*037*038*039*040*041*042*043)	034	594.746	445.472	133,5
20	SHORT-TERM LIABILITIES FOR ADVANCES AND SECURITY DEPOSITS RECEIVED	035	6.865	-	-
21	SHORT-TERM LIABILITIES TO EMPLOYEES	036	293.683	287.921	102,0
22	SHORT-TERM LIABILITIES TO SUPPLIERS	037	210.863	74.438	283,3
23	OTHER SHORT-TERM OPERATING LIABILITIES	038	52.131	51.297	101,6
24	SHORT-TERM LIABILITIES TO USERS OF THE STANDARD CHART OF ACCOUNTS	039	5.162	1.557	331,5
25	SHORT-TERM LIABILITIES TO SOURCES OF FINANCING	040	-	-	-
26	SHORT-TERM FINANCIAL LIABILITIES	041	-	-	-
28	UNPAID REVENUE	042	-	-	-
29	ACCRUED COSTS AND DEFERRED REVENUE	043	26.042	30.259	86,1
	E) OWN FUNDS AND LONG-TERM LIABILITIES (045*046*047*048*049*050*051*052- 053*054*055*056*057*058-059)	044	8.938.994	8.751.469	102,1
90	GENERAL FUND	045	-	-	-
91	RESERVE FUND	046	-	-	-
92	LONG-TERM ACCRUED COSTS AND DEFERRED REVENUE	047	-	-	-
93	LONG-TERM PROVISIONS	048	-	-	-
940	RESTRICTED ASSETS IN PUBLIC FUNDS	049	-	-	-
9410	ASSETS IN OTHER LEGAL ENTITIES GOVERNED BY PUBLIC LAW, WHICH ARE OWNED BY THEM, FOR INTANGIBLE ASSETS AND TANGIBLE FIXED ASSETS	050	-	-	-
9411	ASSETS IN OTHER LEGAL ENTITIES GOVERNED BY PUBLIC LAW, WHICH ARE OWNED BY THEM, FOR FINANCIAL INVESTMENTS	051	-	-	-
9412	SURPLUS	052	-	-	-
9413	DEFICIT	053	-	-	-
96	LONG-TERM FINANCIAL LIABILITIES	054	-	-	-
97	OTHER LONG-TERM LIABILITIES	055	-	-	-
980	LIABILITIES FOR INTANGIBLE ASSETS AND TANGIBLE FIXED ASSETS	056	5.652.380	5.277.862	107,1
981	LIABILITIES FOR LONG-TERM FINANCIAL INVESTMENTS	057	-	-	-
985	SURPLUS	058	3.286.614	3.473.607	94,6
986	DEFICIT	059	-	-	-
	I. TOTAL LIABILITIES (034*044)	060	9.533.740	9.196.941	103,7
99	OFF-BALANCE SHEET LIABILITIES ACCOUNTS	061	22.333	16.443	135,8

The Agency's total assets on 31 December 2022 amounted to EUR 9,533,740 which is EUR 336,799, i.e., 3.7% higher than at the end of 2021. The increase in total assets is primarily the result of the surplus, short-term liabilities to suppliers, an increase in long-term assets and cash in the account.

The structure of the Agency's assets is as follows:

- EUR 4,135,072, i.e., 43.4 % of long-term assets (of which 95.5 % are tangible fixed assets, 4.5 % intangible assets and long-term deferred cost and accrued revenue);
- EUR 5,398,668, i.e., 56.6 % of short-term assets (of which 4 % are short-term receivables from customers and users of the standard chart of accounts, and other operating receivables, 92.2 % are balance in the account, and 3.8 % deferred cost and accrued revenue).

The structure of the Agency's liabilities is as follows:

- EUR 8,938,994, i.e., 93.8 % of long-term liabilities, which comprise liabilities for assets under management (of which 63.2 % are for intangible assets and tangible fixed assets, and 36.8 % are surplus);
- EUR 594,746, i.e., 6.2 % of short-term liabilities (of which 46.2 % are short-term trade liabilities and other operating liabilities, 49.4 % short-term liabilities to employees, and 4.4 % accrued cost and deferred revenue).

The Agency's off-balance sheet assets and liabilities comprise:

- a contingent claim toward employees in the event of the failure to meet obligations under the contract on education in the total amount of EUR 12,057;
- a bank guarantee in the amount of EUR 10,276 received as a performance guarantee for obligations arising from the Agency's property and liability insurance.

3.1.1 LONG-TERM ASSETS AND ASSETS UNDER MANAGEMENT

The balance of the Agency's long-term assets and assets under its management on 31 December 2022 comprises the balance of intangible assets and tangible fixed assets recorded at their book value, and the balance of long-term operating receivables.

LONG-TERM DEFERRED COST AND ACCRUED REVENUE, INTANGIBLE ASSETS AND TANGIBLE FIXED ASSETS

The class of accounts 0 (group of accounts from 00 to 05) comprises long-term deferred cost and accrued revenue, intangible assets, and tangible fixed assets received from the relevant ministry when the Agency was established as an independent legal entity, and additional assets purchased in the following years and until 31 December 2022.

Intangible assets comprise mostly software and different software licenses, as well as long-term deferred cost. The historical cost of intangible assets and long-term deferred costs (ADP code = 002) increased by a total of EUR 95,142 in 2022 compared to the year before. Changes in the cost are primarily the result of:

- reduced long-term deferred costs of the advanced payment for software leases in the value of EUR 16,529;
- an increase in the original cost due to the procurement of additional software and licenses, as listed in Table 17 in the total value of EUR 139,788;
- a decrease in the original cost due to write-offs of useless software in the total value of EUR 28,117 based in the decision of the inventory commission.

TABLE 17: MAJOR INVESTMENTS IN INTANGIBLE FIXED ASSETS

classifying group accounts	Task ID	value in EUR	type of investment
003 long-term assets	172 Upgrade and updates to the RMMS	55.727 €	program for monitoring and managing mobile terminals and program for processing and analysing measured results
	302 Monitoring QoS BB	8.931 €	licence for IXIA network emulator
	354 Notifications on planned construction online	4.172 €	upgrade of the site for monitoring infrastructure investments
	497 Maintenance and upgrade of the ICT system and user support	70.958 €	system for employee attendance registration with accompanying modules and licences and the upgrade and upgrade of modules for salaries and other income
	total	139.788 €	

The amortization amount for intangible assets (ADP code = 003) increased by a total of EUR 34,881 in 2022 compared to the year before:

- an increase in the accumulated depreciation due to depreciation at the prescribed rates in the total amount of EUR 62,016.
- a decrease in the accumulated depreciation of useless software in the total value of EUR 27,135 based in the decision of the inventory commission.

Tangible fixed assets comprise:

- property (building and agricultural land, offices, radio supervision and measurement stations, etc.);
- equipment and other tangible fixed assets (telecommunication and audiovisual equipment, computer hardware, equipment for heating and cooling premises, printing and copying equipment, security equipment, office furniture and equipment, vans, cars, etc.).

The historical cost of intangible assets (ADP code = 004) increased by a total of EUR 301,612 in 2022 compared to the year before. As part of the activity ID 273 infrastructure costs the Agency invested in replacing windows and the installation of a HVAC system for the building in the total value of EUR 270,709, and as part of the activity ID 172 Upgrade and updates to the RMMS in the installation of a simple facility for the operation of the Novo mesto measurement station in the amount of EUR 30,903.

The accumulated depreciation of property (ADP code = 005) increased by a total of EUR 160,412 in 2022 compared to the year before due to depreciation at prescribed depreciation rates.

The original cost of equipment and other tangible fixed assets (ADP code = 006) increased by a total of EUR 189,191 in 2022 compared to the year before. Changes in the historical cost are the result of:

- an increase in the historical cost resulting primarily from the purchase of telecommunication equipment and wiring, and computer equipment, as detailed in Table 18, in the total amount of EUR 209,008;
- a decrease in the historical cost due to write-offs of old, broken, and useless equipment based in the decision of the inventory commission, and sale of equipment no longer in use in the total value of EUR 19,817;

TABLE 18: MAJOR INVESTMENTS IN TANGIBLE FIXED ASSETS – EQUIPMENT AND SMALL TOOLS

classifying group accounts	Task ID	value in EUR	type of investment
	172 Upgrade and updates to the RMMS	73.773 €	purchase of 4 Android 5G measurement terminals and a broadband receiver/RF scanner, two vector analysis circuits, mobile spectral analyser and an air conditioner
040 equipment	302 Monitoring QoS BB	110.682 €	purchase of BGP router SLX 9640-24S, environmental network sensors and the measurement system Viavi fusion RCF6349 QoS
	497 Maintenance and upgrade of the ICT system and user support	24.197 €	server upgrade and the purchase of computers and computer equipment
041 small tools	273 Infrastructure costs	356 €	purchase of a small device
	total	209.008 €	

The accumulated depreciation losses for equipment and other tangible fixed assets (ADP code = 007) increased by a total of EUR 285,450 in 2022 compared to the year before. Changes in the accumulated depreciation are the result of:

—— a decrease in the accumulated depreciation due to write-offs of old, broken, and useless equipment based on the decision of the inventory commission, and sale of equipment no longer in use in the total amount of EUR 19,817;

—— an increase in the accumulated depreciation due to depreciation at the prescribed rates in the total amount of EUR 305,267.

The Agency purchased EUR 650,408 worth of new intangible and tangible fixed assets in 2022. These purchases were financed from the surplus generated in preceding years.

The Agency uses tangible and non-tangible assets for its activities, and as at 31 December 2022 their total book value is 0, and whose total original cost is EUR 3,655,445.

LONG-TERM OPERATING RECEIVABLES

The Agency's long-term operating receivables recorded under the group of accounts 08 (ADP code = 010) comprise long-term receivables in the amount of EUR 176, based on decisions determining the fees after compulsory settlement, and also an impairment of this value.

3.1.2 SHORT-TERM ASSETS EXCEPT FOR INVENTORY AND DEFERRED COST AND ACCRUED REVENUE

The Agency's short-term assets on 31 December 2022 comprise deposits in banks and other financial institutions, short-term trade receivables, and receivables due from users of the standard chart of accounts, advances paid, securities given, and other short-term receivables and deferred cost and accrued revenue.

DEPOSITS IN BANKS AND OTHER FINANCIAL INSTITUTIONS

The Agency's cash deposits on the sub-account of the treasury single account at the Public Payments

Administration of the Republic of Slovenia, through which the Agency's payment transactions are made, amounted to EUR 4,979,637 on 31 December 2022 (ADP code = 014). The Agency's deposits increased by EUR 1,495,666, i.e. 42.9 % compared to the year before.

SHORT-TERM TRADE RECEIVABLES

The Agency's short-term trade receivables recorded under the group of accounts 12 (ADP code = 015) comprise receivables from issued decisions on determining the fees on the basis of notifications, for using numbering resources, for using radio frequencies, for the provision of media services, for the provision of railway services and for the provision of postal services, and bills issued for stickers banning delivery of unaddressed mail to mailboxes in the total amount of EUR 267,466, and allowances for impairments in the total amount of EUR 75,156. Compared to 31 December 2021, the net amount of receivables increased by EUR 1,232,824, i.e. 86.5 %.

The total amount of trade receivables is EUR 82,998, the amount of overdue receivables of up to 30 days is EUR 524, overdue receivables from 30 to 60 days is EUR 1,859, from 60 days to 90 days is EUR 103,845, overdue receivables from 90 days to 180 days is EUR 360, overdue receivables from 180 days to 270 days is EUR 3,009, overdue receivables from 270 days to 365 days is EUR 87, and overdue receivables above one year is EUR 74,784.

The Agency made allowances in the amount of EUR 733 for all overdue, unpaid, unsecured, or unimpaired claims that were overdue for over a year as at 31 December 2022, or for receivables for which there is reasonable doubt that they will be repaid, and recorded them as revaluatory operating expenses (ADP code for the Statement of Revenue and Expense = 886).

The Agency wrote off receivables from debtors against which bankruptcy proceedings were concluded or which were deleted from the court register and have no legal successor – acquirer from whom the Agency could demand these receivables, and for receivables after a completed compulsory settlement and for a receivable after a completed personal bankruptcy. It also wrote off receivable whose enforcement was completed based on a decision from FURS because of expiration or economic feasibility. Based on Article 47 of the Rules on accounting the Agency wrote off receivables to foreign legal persons which were not put into enforcement because of economic feasibility and have expired and are unenforceable, and the Agency also does not issue decision to these legal persons. The total value of write-offs is EUR 5,974.

In 2022 the Agency issued overdue reminders and reminders about pending debt collection to debtors, and carried out e-collection proceedings based on authentic documents through the eFURS system.

ADVANCES AND SECURITY DEPOSITS GIVEN

The Agency's advances and security deposits under the group of accounts 13 (ADP code = 016) has a balance of 0. Compared to 31 December 2021 the net amount of these liabilities increased by EUR 86.

SHORT-TERM RECEIVABLES FROM USERS OF THE STANDARD CHART OF ACCOUNTS

The Agency's short-term receivables from users of the standard chart of accounts under group of accounts 14 (ADP code = 017) comprise receivables from direct and indirect users of state and municipalities budgets based on issued decisions on determining the fees and interest claims to treasury single account in the amount of EUR 12,239. Compared to 31 December 2021, the net amount of these liabilities decreased by EUR 20,432 or 62.5 %.

OTHER SHORT-TERM RECEIVABLES

The Agency's other short-term receivables under the group of accounts 17 (ADP code = 020) comprise mostly receivables from the Health Insurance Institute of Slovenia for refunding the sick leave pay for sick leaves exceeding 30 days and claims to employees in the total amount of EUR 7,809. Compared to 31 December 2021, the net amount of these liabilities decreased by EUR 9,861 or 55.8 %.

DEFERRED COSTS AND ACCRUED REVENUE

The Agency's deferred cost and accrued revenue under the group of accounts 19 (ADP code = 022) comprise short-term deferred cost and accrued revenue in the total amount of EUR 206,673. Short-term deferred cost comprise mostly the cost of fees for IT support and software upgrades for an online application for recording, saving, archiving, and analysing television channels and audiovisual services on demand, fees for accessing databases, membership fees, insurance premiums, subscription fees, etc., all paid in advance for the period after the reporting date in the total amount of EUR 79,089 and EUR 127,584 of accrued revenue for invoiced or unbilled decisions on the amount of fee. The amount of deferred costs and accrued revenue decreased by EUR 778, i.e. 0.4 % compared to 31 December 2021.

3.1.3 SHORT-TERM LIABILITIES AND ACCRUED COST AND DEFERRED REVENUE

The Agency's short-term liabilities and accrued cost and deferred revenue as of 31 December 2022 comprise short-term liabilities for received advances and securities, liabilities to employees, suppliers and users of the standard chart of accounts, other short-term liabilities, and accrued cost and deferred revenue.

SHORT-TERM LIABILITIES FOR ADVANCES AND SECURITY DEPOSITS RECEIVED

The Agency's short-term liabilities for advances and security deposits received under the group of accounts 20 (ADP code = 035) has a liability for receiving advanced payment for the procedure of an international coordination in the amount of EUR 6,865 as at 31 December 2021. As at 31 December 2021 the Agency had a balance of 0.

SHORT-TERM LIABILITIES TO EMPLOYEES

The Agency's short-term liabilities to employees under the group of accounts 21 (ADP code = 036) comprise liabilities to employees for salaries for December 2022 in the total amount of EUR 293,683. Compared to 31 December 2021, the net amount of these liabilities decreased by EUR 5,762, i.e. 2 %.

SHORT-TERM LIABILITIES TO SUPPLIERS

The Agency's short-term liabilities to suppliers under the group of accounts 22 (ADP code = 037) comprise liabilities to domestic suppliers in the amount of EUR 201,863 and to foreign suppliers in the amount of EUR 9,000. All the liabilities not past due, and were settled within the legal deadline in 2023. The Agency generally settles its liabilities to suppliers within 30 days of receiving the e-invoice. Compared to 31 December 2021, the net amount of these liabilities decreased by EUR 136,425, i.e. 183,3 %.

OTHER SHORT-TERM OPERATING LIABILITIES

The Agency's other short-term operating liabilities under the group of accounts 23 (ADP code = 038) comprise mostly liabilities for social contributions paid by the employer and deductions from salaries for December salaries in the amount of EUR 47,673, and for VAT for goods and services purchased from EU states according to the December VAT return in the amount of EUR 4,458, for the total amount of EUR 52,131. Compared to 31 December 2021 the amount of these liabilities decreased by EUR 834, i.e., 1.6 %.

SHORT-TERM LIABILITIES TO USERS OF THE STANDARD CHART OF ACCOUNTS

The Agency's short-term liabilities towards users of the standard chart of accounts under group of accounts 24 (ADP code = 039) comprise liabilities towards direct and indirect users of state and municipalities budgets for purchases of goods, materials and services in the amount of EUR 5,162. All the liabilities not past due, and were settled within the legal deadline in 2023. Compared to 31 December 2021, the net amount of these liabilities decreased by EUR 3,605, i.e. by 231.5 %.

ACCRUED COST AND DEFERRED REVENUE

The Agency's accrued cost and deferred revenue under the group of accounts 29 (ADP code = 043) comprise the accrued cost of commissioned audit services, and accrued costs for employee bonuses for the last quarter of 2022 in the total amount of EUR 26,042. Employee bonuses for the final quarter of 2022 were paid in salaries

for January 2023 in February 2023. The amount of accrued costs and deferred revenue dropped by EUR 4,217, i.e. 13.9 % compared to 31 December 2021.

3.1.4 OWN RESOURCES AND LONG-TERM LIABILITIES

The Agency's own resources and long-term liabilities (ADP code = 044) comprise liabilities for assets under management in the amount of EUR 8,938,994, which comprise:

—— liabilities for intangible assets and tangible fixed assets under the group of accounts 980 (ADP code = 056) in the amount of EUR 5,652,380 increased in 2022 year-on-year by EUR 374,518, i.e., 7.1 %. New purchase of intangible and tangible fixed assets in the total value of EUR 650,408 and sale of intangible and tangible fixed assets in the total value of EUR 270 increased the value of assets under management by EUR 650,678. The amortisation and depreciation of intangible and tangible fixed assets purchased before 1 January 2017 in the value of EUR 275,178, and the carrying amount of the fixed asset written off in inventory notice in the value of EUR 982, decreased the value of assets under management by EUR 276,160.

—— surplus under the group of accounts 985 (ADP code = 058) amounted to EUR 3,286,614 which is an EUR 186,993, i.e., 5.4 %, increase compared to the year before, representing unallocated surplus from the current year in the amount of EUR 463,415 (ADP code for the Revenue and Expenditure Account = 891), and a surplus from the past years in the amount of EUR 2,823,199.

Compared to 31 December 2021, the net amount of these liabilities increased by EUR 187,525, i.e., 2.1%, mainly because of the effects of amortisation and depreciation and the achieved surplus in 2022.

3.2 STATEMENT OF REVENUE AND EXPENSE

Under the Rules on breaking down and measuring revenues and expenses of legal entities under public law the Agency, as a specific user of the standard chart of accounts, recognizes revenue and expenses and compiles separate financial statements:

- on accrual basis;
- on cash basis for the purpose of monitoring the changes in revenue and expenses, in which case revenue and expenses are recorded not when the cash is earned or costs incurred, but when cash or its equivalent is received or paid (including potential set offs).

In a separate Statement of Revenue and Expense for specific users, categorized by type of activity, the Agency presents only revenue and expenses from providing a public service, while the revenue and expenses from selling goods or services in the market are not recorded, because the Agency does not provide commercial services.

The Statement of Revenue and Expense for specific users compiled on a cash basis is an obligatory note to the mandatory Statement of Revenue and Expenses for specific users (account statement), which the Agency takes into account when drawing up its financial plan and which is presented in the context of disclosing its implementation (section Implementation of the Financial Plan).

The Agency's Financial Plan is drawn up on accrual basis, and comprises all planned revenue and expenses (cost) based on the time or period when the business event occurs. Secondly, the Agency applied the cash principle.

When recognizing revenue and expenses, the Agency complied with the rules on cash basis accounting and not the rules from the accounting standards. Due to different regulatory bases, data from both accounts cannot be directly compared. With the purpose of allowing at least limited comparison and providing a higher quality level of disclosures, all the major permanent and temporary discrepancies between the two accounts are explained below:

1. Permanent discrepancies are primarily associated with outflows for capital expenditure (ADP code for the Statement of Revenue and Expense compiled on cash basis = 470), which are not recorded in the account statement of revenue and expenditure, and the revaluation operating expenses from the impairment of receivables (ADP code for the Statement of Revenue and Expense = 879), and the costs of amortisation and depreciation (ADP code for Statement of Revenue and Expense = 879), which are only an account category.

2. Temporary discrepancies are associated primarily with the dynamics of cash inflows and outflows, i.e. delays in the payment of more significant revenue and expense items between 2020 and 2021.

In recording on an accrual basis for the year 2022 the Agency created a surplus in the value of EUR 463,415, while in the statement on the cash flow basis, i.e. statement of revenue and expense it created a deficit of EUR 1,488,821.

The statement of revenue and expense is EUR 1,025,406 lower than the account statement because of:

- the difference in revenue: the statement of revenue and expense has EUR 1,219,773 more revenue;
- the difference in expense: the statement of revenue and expense has EUR 194,367 higher expenses.

Higher revenue in the statement of revenue and expense are especially the result of delayed payments from the fees for payment for decisions issued at the end of 2021, for which the Agency received payment in 2022.

Expenditure for goods and services in the statement of revenue and expense are lower by EUR 131,475, mainly due to dividing costs that pertain to 2022.

Investment costs which are in the statement of revenue and expense are EUR 349,039 higher than the amortisation and depreciation in the account statement.

Labour costs differ between the statements because the salary for December 2022 is included in the account statement for 2022, while the statement of revenue and expense includes the salary for December 2022. The statement of revenue and expense has lower labour costs by EUR 22,463.

The statement of revenue and expense does not have any revaluation receivables and other revenue from settlement of fractions, which are included in the account statement, and amount to EUR 734.

TABLE 19: REVENUE AND EXPENDITURE ACCOUNT FOR THE PERIOD FROM 1 JANUARY 2022 TO 31 DECEMBER 2022

Classify- ing sub- groups of accounts	Account subgroup title	Label for ADP	Amount		index current year/ previous year
			Current year	Previous year	
1	2	3	4	5	6=4/5
	A) OPERATING REVENUE (861+862-863+864)	860	6.426.680	6.890.112	93.3 %
760	REVENUE FROM THE SALE OF PRODUCTS AND SERVICES	861	6.419.793	6.882.891	93.3 %
	INCREASE IN THE VALUE OF INVENTORIES AND WORK IN PROGRESS	862	-	-	
	DECREASE IN THE VALUE OF INVENTORIES AND WORK IN PROGRESS	863	-	-	

761	REVENUE FROM THE SALE OF GOODS AND MATERIALS	864	6.887	7.221	95,4 %
762	B) FINANCIAL INCOME	865	16.849	359	4693,3 %
763	C) OTHER REVENUE	866	30.166	22.734	132,7 %
	D) REVALUATION OPERATING REVENUE (868+869)	867	-	-	
part of 764	REVENUE FROM THE SALE OF OPERATING FIXED ASSETS	868	-	-	
part of 764	OTHER REVALUATION OPERATING REVENUE	869	-	-	
	E) TOTAL REVENUE (860+865+866+867)	870	6.473.695	6.913.205	93,6 %
	F) COST OF GOODS, MATERIALS, AND SERVICES (872+873+874)	871	1.695.990	2.139.390	79,3 %
part of 466	ORIGINAL COST OF MATERIALS AND GOODS SOLD	872	-	-	
460	COST OF MATERIALS	873	121.241	95.687	126,7 %
461	COST OF SERVICES	874	1.574.749	2.043.703	77,1 %
	G) LABOR COSTS (876+877+878)	875	4.061.024	3.962.040	102,5 %
part of 464	SALARIES AND WAGE COMPENSATIONS	876	3.110.403	3.080.503	101,0 %
part of 464	SOCIAL SECURITY CONTRIBUTIONS PAID BY THE EMPLOYER	877	558.610	556.280	100,4 %
part of 464	OTHER LABOR COSTS	878	392.011	325.257	120,5 %
462	H) DEPRECIATION AND AMORTIZATION	879	252.517	265.356	95,2 %
463	I) PROVISIONS	880	-	-	
465	J) OTHER COSTS	881	-	-	
467	K) FINANCIAL EXPENSES	882	15		
468	L) OTHER EXPENSES	883	1	2	50,0 %
	M) REVALUATION OPERATING EXPENSES (885+886)	884	733	17.617	4,2 %
part of 469	EXPENSES FROM THE SALE OF OPERATING FIXED ASSETS	885	-	-	
part of 469	OTHER REVALUATION OPERATING EXPENSES	886	733	17.617	4,2 %
	N) TOTAL EXPENSES (871+875+879+880+881+882+883+884)	887	6.010.280	6.384.405	94,1 %
	O) SURPLUS (870-887)	888	463.415	528.800	87,6 %
	P) DEFICIT (887-870)	889			
part of 80	Corporate income tax	890	-	-	
part of 80	Surplus for the period after income tax (888-890)	891	463.415	528.800	87,6 %
part of 80	Deficit for the period after income tax (889+890) or (890-888)	892			
	Surplus from preceding years allocated to covering expenses from the accounting period	893	-	-	
	Average number of employees based on the hours worked in the accounting period (whole number)	894	87	89	97,8 %
	Months of operation	895	12	12	100,0 %

The statement shows that the Agency recorded EUR 6,473,695 in revenue and EUR 6,010,280 in expenses between 1 January 2021 and 31 December 2021, which is a surplus of EUR 463,415. Notes regarding the changes in separate revenue and expense items that resulted in the deficit are presented below. The Agency shall spend the surplus from 2022 in accordance with the decision from its founder.

TABLE 20: STATEMENT OF REVENUE AND EXPENSE BY FINANCING SOURCE FOR THE PERIOD FROM 1 JANUARY 2022 TO 31 DECEMBER 2022

Yearly expenditure by financing source	2022
from the provision of postal services	434.017
from fees for numbering resources	647.084
from notifications	1.555.762
from frequencies	2.445.780
from railway services	378.221
from media services	549.416
Total (ADP code=887)	6.010.280

Source: AKOS internal accounts

3.2.1 REVENUE

The Agency generated EUR 6,473,695 in revenue in 2022, of which EUR 6,426,680 was operating revenue (99,3 %), and EUR 47,015 was other revenue (0,7 %).

OPERATING REVENUE

The Agency generates operating revenue by charging different fees used for covering the expenses incurred in carrying out different activities linked to the implementation of relevant laws, and the proportionate share of expenses of the Agency's common services. Operating revenue comprises:

- revenue based on notifications, charged based on ZEKom-1, and ZEKom-2, after it came into effect in November 2022;
- revenue from fees for using radio frequencies, charged based on ZEKom-1, and ZEKom-2, after it came into effect in November 2022, and the General act on the method for calculating fees for radio frequency usage;
- revenue from fees for using numbering resources, charged based on ZEKom-1, and ZEKom-2, after it came into effect in November 2022, and the General act on the method of calculating the charges for the use of numbering elements;
- revenue from postal service providers and the sale of stickers banning delivery of unaddressed mail to mailboxes, charged based on ZPSto-2 and the Rules on the method for calculating fees for providing postal services;
- revenue from railway service providers, charged based on the Railway Transport Act;
- revenue from fees based on television broadcasting licenses and/or entries in the official register (revenue from the media), charged based on ZAvMS and Rules on the method of calculating fees based on television broadcasting licenses or entry in the official register of on-demand audiovisual media services providers.

Revenue is calculated by multiplying the number of points for a specific type of fees and the value of that point i.e. tariff, which is determined in the annual financial plan based on the planned structure and extent of expenses for that specific type of fee. When calculating the fees for 2022, the Agency applied the 2022 tariffs approved by the Government of the Republic of Slovenia in December 2021:

- tariff for annual fees charged based on notifications, with the value of one point set at EUR 1.00;
- tariff for annual fees for using numbering resources, with the value of one point set at EUR 1.05;
- tariff for annual fees for using radio frequencies, with the value of one point set at EUR 0.72;
- tariff for annual fees based on television broadcasting licenses or entry into the official register of on-demand audiovisual media service providers, with the value of one point set at EUR 0.87;

- tariff for annual fees for providing postal services, with the value of one point set at EUR 8.39;
- tariff setting the value of the point, and specifying the share of the charged usage charge for public railway infrastructure to be paid for the operations of the railway regulator at EUR 19.11 and 1.18%, respectively.

The Agency calculated the fees in 2022 by applying the economic premises from the 2022 financial plan, primarily applying the accrual principle, and planning the payments based on the cost of the Agency's operations.

TABLE 21: AGENCY'S OPERATING REVENUE

	2021	2022
Revenue from the provision of postal services	384.459	424.534
Revenue from fees for numbering resources	714.681	616.914
Revenue based on notifications	1.686.120	1.013.523
Revenue from frequencies	2.506.368	3.323.717
Revenue from railway services	446.944	350.294
Revenue from media services	465.584	690.811
Revenue from the public auction administrative costs	678.735	0
Revenue from sale of stickers banning the delivery of unaddressed mail to the mailbox	7.221	6.887
TOTAL OPERATING REVENUE (ADP code = 860)	6.890.112	6.426.680

Source: AKOS internal accounts

The presented structure reveals that the Agency generated the largest share of its operating revenue from fees for using radio frequencies (51.7 %), and from fees based on notifications (15.8 %), media services (10.7 %), numbering space (9.6 %) postal services, including stickers banning the delivery of unaddressed mail to mailboxes (6.7 %), and railway services (5.5 %).

The Agency's operating revenue in 2022 decreased by EUR 463,432, i.e., 7 %, compared to the year before. Significant changes are primarily the result of:

- an increase in revenue from frequencies in the value of EUR 817,349, i.e. 32.6 %, primarily because of the increase in tariff by 20 % and a higher number of points;
- revenue for the reimbursement of administrative costs of the public auction, which were in 2021 realised in the value of EUR 678,735, and which did not occur in 2022;
- a EUR 672,597, i.e., 39.9 % decrease in the revenue based on notifications, primarily due to the tariff being cut by 41.2 %;
- an increase in revenue from media service provision in the value of EUR 225,227, i.e. 48.4 %, primarily because of the increase in tariff by 16 % and a higher number of points;
- a EUR 97,767, i.e., 13.7 % decrease in the revenue from numbering elements due to the tariff being cut by 13.9 %;
- a EUR 96,650, i.e., 21.6 % decrease in the revenue from railway services due to the tariff being cut by 14 %, and a surcharge of 1.18 %;
- a EUR 40,075, i.e. 10.4 % increase in the revenue from the provision of postal services due to the tariff value increase by 10.4 %;
- a EUR 334, i.e., 4.6 % increase in the revenue from the sale of stickers banning the delivery of unaddressed mail to the mailbox;

FINANCIAL REVENUE

The Agency's financial revenue in 2022 amounted to EUR 16,849 (ADP code = 865) and comprised primarily interest on time deposits with the treasury single account. The total amount of financial revenue decreased by EUR 16,490 compared to 2021.

OTHER REVENUE AND REVALUATION OPERATING REVENUE

The Agency's financial income in 2022 amounted to EUR 30,166 (ADP code = 866) and comprised from reimbursements on audits, collected already impaired receivables and from reimbursements for costs of business trips in the EU. The Agency's other revenue increased by EUR 7,432, i.e. 32.7% compared to 2021, especially because of higher reimbursements of costs for business trips to the EU.

3.2.2 EXPENSES

The Agency's total expenses in 2022 amounted to EUR 6,010,820, of which EUR 1,695,990 represented the cost of purchasing goods, materials and services (28.2% of total expenses), EUR 4,061,024 were labour cost (67.6 % total expenses), EUR 252,517 amortisation and depreciation (4.2 % of total expenses), EUR 749 revaluation expenses (0.3 % total expenses), and EUR 2 EUR other expenses (0.0 % total expenses). Expenses also include the input VAT, as the Agency is not liable for VAT.

The Agency's expenses in 2022 decreased by EUR 374,125, i.e., by 5.9 % compared to the year before. Changes are primarily the result of:

- a EUR 443,400, i.e., 20.7 % decrease in the cost of purchasing goods, materials and services (ADP code = 871), especially because of the correction in recognising total auction related costs from 2021;
- a EUR 98,984, i.e., 2.5 % increase in the labour cost (ADP code = 875), especially because of the increase in other labour costs, in spite of on the average smaller number of employees, based on work hours;
- a EUR 12,839, i.e., 4.8 % decrease in amortisation and depreciation cost (ADP code = 879), because the amortisation and depreciation of already depreciated and amortized assets is higher than the depreciation and amortization of new assets;
- a total of EUR 16,870, i.e., 95.7 % decrease in revaluation expenses and other expenses (ADP code =882+883+884), especially because of a decrease in revaluation expenses due to impairment of receivables for which there is a doubt to their recoverability because of illiquidity, start of bankruptcy or enforced settlement procedures.

LABOUR COST

The Agency's labour costs comprise the cost of salaries and compensations, and the associated social contributions paid by the employer, including expenses for the collective voluntary pension insurance for public servants, contributions for the disabled and accrued pension and disability insurance for older workers, meal, commuting, and holiday allowances, and other employee benefits, such as jubilee benefits, severance pay, bonuses, etc., for 87 public servants on average, based on work hours. The Agency calculated the salaries and other income from employment relationships in accordance with the relevant laws and regulations, which determine the basis for salaries and performance bonuses, and in compliance with the Agreement regulating measures relating to salaries and other labour costs in the public sector for the years 2022 and 2023 (Official Gazette RS, no. 136/2022).

Compared to 2021 the Agency's labour costs rose by EUR 98,984, i.e., 2.5 % in 2022, in spite of the average lower number of employees based on working hours. The increase is the result of regular promotions and the effect of the agreement between the government and the trade unions that the value of salary grades increases by 4.5 % on 1 October, which also affected regular work performance, bonus for years of employment and other bonuses that are tied to the base salary. The holiday allowance and the lunch allowance also increased. The Agency also had higher costs related to severance pay.

COSTS OF GOODS, MATERIAL AND SERVICES

The costs of goods, materials, and services recorded by the Agency comprise the costs of purchasing office and general supplies and services (mostly costs of contractors), purchasing special supplies and services, purchasing energy, water, and utility and communication services, purchasing materials for regular maintenance, transportation costs and services, cost of business trips, operating rents and leases, and other operating expenses.

TABLE 22: COST OF GOODS, MATERIALS, AND SERVICES

Classifi- cation by account	REVENUE AND EXPENDITURE ACCOUNT FOR SPECIFIC USERS	ADP code	2021	2022
			1	2
	E) STROŠKI BLAGA, MATERIALA IN STORITEV (872+873+874)	871	2.139.390	1.695.990
part of 466	ORIGINAL COST OF MATERIALS AND GOODS SOLD	872	-	-
460	COST OF MATERIALS	873	95.687	121.241
4600	Office and general supplies		71.664	108.822
4601	Special supplies		24.023	12.419
461	COST OF SERVICES	874	2.043.703	1.574.749
4610	Office and general services		1.018.928	472.981
4611	Special services		29.597	32.801
4612	Energy, water, utility services, communications		115.529	105.044
4613	Transportation costs and services		24.219	28.191
4614	Expenses for business trips		24.701	85.874
4615	Regular maintenance		481.492	467.769
4616	Operating rent and lease fees		118.787	157.934
4617	Other Operating Expenses		230.450	224.155

Source: AKOS internal accounts

The structure of these costs shows that the major part of these expenses was spent on office and general supplies and services (34.3 %), while the remaining part comprises purchases of materials and services for regular maintenance (27.6 %), other operating expenses (13.2 %), operating rents and leases (9.3 %), purchases of energy, water, and utility and communication services (6.2 %), business trips (5.0 %), purchases of special materials and services (2.7 %), and transportation costs and services (1.7 %).

COST OF OFFICE AND GENERAL SUPPLIES AND SERVICES

The major share of these costs comprise the cost of contracting experts for preparing studies, models, analyses, impact assessments, background papers, and cost of accounting, auditing and legal services, etc. for high-budget projects, such as:

- an independent review of the cost model and calculating WACC for the obligated party in Regulation and supervision of postal services (ID=115 Regulation of separate accounting);
- research and analysis of the efficiency of providing the universal postal service (ID=116 Encouraging competition);
- conducting an internal audit on verifying inspection procedure and carrier dispute procedures (ID=494 Bookkeeping, accounting and financial operations, and coordination of public orders);
- conducting an external audit of the financial statement and the annual report (ID = Bookkeeping, accounting and financial operations, and coordination of public orders);
- access to databases in the Department for regulation of telecommunications (ID=474 Market regulation);
- analyses of received data on television programming content, and for electronic measurements of the

viewership of individual content and whole television programme, and the technical, expert and consultation support in using the software for data processing, the purchase of the study on behavioural patterns of monitoring TV programming in RS (ID=267 TV and AVMS activity monitoring);

—— access to Slovenian radio stations' recordings with analysing software, and data on broadcast music (ID=270 RA activity monitoring);

—— survey of ratings of radio stations in the Republic of Slovenia (ID=272 Radio activity and regulation);

—— reviewing the methodology of letter mail for 2021 and reviewing the methodology for parcels for 2021 (ID=107 Regulation and supervision of USO);

—— a comparative analysis of postal services providers' prices and delivery periods in cross-border delivery of parcels, and on customer satisfaction/needs after the closing down of contact points, a survey and an analysis of the state of efficiency of the universal postal service provider with a comparison of at least three foreign providers, and a survey on user satisfaction/needs related to postal services – general business users (ID=108 State of the postal services market);

—— the survey an analysis of demand for higher internet access speeds and e-content and a survey and analysis of monthly household spending on electronic communications services (ID=486 Analysis of retail and wholesale prices of broadband connections in RS);

—— maintenance, upgrades and design of the online GIS viewer (ID = 387 Mapping);

—— representation in national and foreign courts;

—— market regulation and following regulatory activities in other EU members (access to databases about the measures put in place, and European Commission's commentaries) on the postal, media and electronic communications markets;

—— translations of the Agency's texts, publications in the Official Gazette of RS, cleaning and secure for facilities, lobby service, documentation storage, installation of secure containers, transportation, secure disposal.

Compared to 2021 the cost in this group decreased by EUR 508,789, i.e., 46.7%, which can be primarily because of the correction to the recognition of costs for the public tender with a public auction in 2021.

COST OF SPECIAL SUPPLIES AND SERVICES

Costs of special supplies and services comprise mostly the cost of media monitoring services (clipping) and the STA information service, cost of arraigining AKOS's archives, and small items, tools and devices for maintenance. Compared to 2021, the total amount of the group of expenses decreased by 15.7 %, i.e. EUR 8,400.

COSTS OF ENERGY, WATER, UTILITY SERVICES AND COMMUNICATIONS

The majority of these costs were utility costs (heating fuels and heating, water, utility services, etc.) for the offices and radio supervision and measurement stations, while other costs comprised fixed and mobile communication services, postal services, and insurance premiums for buildings, equipment, and vehicles. Compared to 2021 the total amount of this group of expenses decreased by EUR 10,485, i.e. 9.1%. Lower costs are mainly due to costs of leasing light fibre and leasing testing plans (AkosTestNet), which were moved lease costs in 2022.

TRANSPORTATION COST AND SERVICES

These costs comprise cost of fuel and lubricants for company vehicles (measurement and other vehicles), cost of their maintenance, registration fees, and other transportation costs. Compared to 2021, the total amount of this group of costs increased by EUR 3,972, i.e., 16.4 %.

COSTS OF BUSINESS TRIPS

The cost of business trips primarily comprises the costs of purchasing airline tickets, as well as other costs of transport in Slovenia and abroad, accommodation costs, per diems for business trips in Slovenia and abroad, and any other costs related to business trips. When calculating employee reimbursements, the Agency complied with the Decree on the reimbursement of costs for traveling abroad on official mission, and the collective agreement for the public sector. Compared to 2021, the total amount of this group of expenses increased by EUR 61,173, i.e., 247.6 %.

REGULAR MAINTENANCE COSTS

The major share of these costs are costs of managing and maintaining the offices and equipment at Stegne 7, regular maintenance of communication equipment and computers, and maintenance of the radio supervision and measurement system (buildings, equipment and devices). Compared to 2021, regular maintenance costs decreased by EUR 13,723, i.e., 2.9 %, mainly due to lower cost of communication equipment and computer maintenance.

TABLE 23: REGULAR MAINTENANCE COST REALISATION

Task ID	value in EUR	type of maintenance
Task ID	value in EUR	type of maintenance
171 RMMS maintenance	16.493	Regular software maintenance and maintenance and upgrades to the radio monitoring and measurement system
267 TV and AVMS activity – monitoring	9.699	Regular maintenance of the software for monitoring TV programming content
273 Infrastructure costs	159.626	The majority share of the maintenance expenses are costs related to the management, maintenance and insurance of the office building at Stegne 7
279 Website maintenance	14.043	Upgrades and updates to online portals
302 Monitoring QoS BB	31.092	Maintenance and upgrades to the AKOS Test Net platform
506 Media literacy	9.179	Maintenance of the Media literacy site
497 Maintenance and upgrade of the ICT system and user support	223.141	The majority share of the expenses are costs of software maintenance, network device maintenance, annual fees, ensuring support and maintenance of the virtual server environment and the archiving systems
total	463.273	98.7 % maintenance costs

Source: AKOS internal accounts

RENT AND OPERATING LEASE COST

These costs mostly comprise rents for offices and conference rooms, rents for land on which radio supervision and measurement stations are located, charges for the use of building land, and duties from fees paid to external contractors and attendance fees chargeable to the employer. Compared to 2021, the costs decreased by EUR 39,147, i.e. 33.0 %, mainly due to costs of leasing light fibre and leasing testing plans (AkosTestNet), which were moved lease costs in 2022.

OTHER OPERATING EXPENSES

The majority of costs in this group comprises the cost of expert and general educational and training courses, the costs of monthly bonuses including benefits and travel expenses for the members of councils (the Agency Council, Electronic Communications Council, and Broadcasting Council), and cost of membership fees for

international and Slovenian organizations, and other operative costs. Compared to 2021 the total amount of other operative expenses decreased by EUR 6,295, i.e. 2.7 %.

3.2.3 REALIZATION OF THE FINANCIAL PLAN ON THE ACCRUAL BASIS

The Agency's Financial Plan for 2022 was prepared in accordance with the Agency's operational plan for 2022, and comprises all planned revenue and expenses (costs) based on the time or period when the business event occurred. The unspent (accumulated) depreciation and amortization of fixed assets, procured after 1 January 2017, is thus also recorded as a source of investments in new fixed assets, in addition to the surplus from the preceding years.

The Agency worked towards realizing the planned activities and financial targets from its operating and financial plans for 2022 in the areas it regulates, however its financial operations were affected by certain new facts and circumstances, as well as unforeseen measures affecting both revenue and expenses. The Agency generated 105.4 % of the planned revenue, while the discrepancy between the plan and realization was higher when it comes to expenditure, with spending amounting to 86.5 % of the plan.

The higher level of realization on the revenue side was the result of a bigger number of points from media, frequencies and notifications.

Discrepancies in expenses were especially the result of:

- the Agency being unable to realise the scope of new employment in line with the human resources plan, which is the result of the Agency's uncompetitive salary policy and its limitations in rewarding policy compared to the private sector, as well as the lack of appropriate human resources with specific knowledge and experience from the fields regulated and supervised by the Agency;
- the delay of the multi-frequency auction in 2021, and consequently the delay in holding the local public auction;
- smaller scope of the costs of services than planned due to obtaining better offers for services and consequent savings;
- the late adoption of ZEKom-2 and consequently the delay in preparing executive acts;
- smaller scope of realised individual tasks than planned, and the resulting lower incurred cost, due to the lack of supply for certain specialized services related to training and education;
- no or lower demand for certain services, e.g., representation in legal disputes against Italian radio stations and representation in court (administrative disputes, legal procedures);
- measures for limiting the COVID-19 epidemic that in 2022 again impacted business trips, as well as holding and attending planned conferences, seminars and trainings.

TABLE 24: STATEMENT OF REVENUE AND EXPENSE FOR THE PERIOD FROM 1 JANUARY TO 31 DECEMBER 2022

Classifying subgroups of accounts	Account subgroup title	Label for ADP	Amount		
			Current year	FP 2022	Index current year/2022 FP
1	2	3	4	5	6=4/5
	A) OPERATING REVENUE (861+862-863+864)	860	6.426.680	6.107.826	105,2 %
760	REVENUE FROM THE SALE OF PRODUCTS AND SERVICES	861	6.419.793	6.101.826	105,2 %
	INCREASE IN THE VALUE OF INVENTORIES AND WORK IN PROGRESS	862	-	-	

	DECREASE IN THE VALUE OF INVENTORIES AND WORK IN PROGRESS	863	-	-	
761	REVENUE FROM THE SALE OF GOODS AND MATERIALS	864	6.887	6.000	114,8 %
762	B) FINANCIAL INCOME	865	16.849	1.000	1684,9 %
763	C) OTHER REVENUE	866	30.166	34.180	88,3 %
	D) REVALUATION OPERATING REVENUE (868+869)	867	-	-	
part of 764	REVENUE FROM THE SALE OF OPERATING FIXED ASSETS	868	-	-	
part of 764	OTHER REVALUATION OPERATING REVENUE	869	-	-	
	E) TOTAL REVENUE (860+865+866+867)	870	6.473.695	6.143.006	105,4 %
	F) COST OF GOODS, MATERIALS, AND SERVICES (872+873+874)	871	1.695.990	2.049.579	82,7 %
part of 466	ORIGINAL COST OF MATERIALS AND GOODS SOLD	872	-	-	
460	COST OF MATERIALS	873	121.241	130.435	93,0 %
461	COST OF SERVICES	874	1.574.749	1.919.144	82,1 %
	G) LABOR COSTS (876+877+878)	875	4.061.024	4.569.975	88,9 %
part of 464	SALARIES AND WAGE COMPENSATIONS	876	3.110.403	3.602.716	86,3 %
part of 464	SOCIAL SECURITY CONTRIBUTIONS PAID BY THE EMPLOYER	877	558.610	580.037	96,3 %
part of 464	OTHER LABOR COSTS	878	392.011	387.222	101,2 %
462	H) DEPRECIATION AND AMORTIZATION	879	252.517	328.047	77,0 %
463	I) PROVISIONS	880	-	-	
465	J) OTHER COSTS	881	-	-	
467	K) FINANCIAL EXPENSES	882	15	-	
468	L) OTHER EXPENSES	883	1	-	
	M) REVALUATION OPERATING EXPENSES (885+886)	884	733	2.000	36,7 %
part of 469	EXPENSES FROM THE SALE OF OPERATING FIXED ASSETS	885	-	-	
part of 469	OTHER REVALUATION OPERATING EXPENSES	886	733	2.000	36,7 %
	N) TOTAL EXPENSES (871+875+879+880+881+882+883+884)	887	6.010.280	6.949.601	86,5 %
	O) SURPLUS (870-887)	888	463.415	-	
	P) DEFICIT (887-870)	889	-	806.595	
part of 80	Corporate income tax	890	-	-	
part of 80	Surplus for the period after income tax (888-890)	891	463.415	-	
part of 80	Deficit for the period after income tax (889+890) or (890-888)	892	-	806.595	
	Surplus from preceding years allocated to covering expenses from the accounting period	893	-	-	
	Average number of employees based on the hours worked in the accounting period (whole number)	894	87	107	81,3 %
	Months of operation	895	12	12	100,0 %

REVENUE

In 2022 the Agency generated a total of EUR 6,473,695 in revenue. The Agency generated EUR 330,689, i.e., 5.4 % less in total revenue than originally planned, with the operating revenue coming at EUR 318,854, i.e., 5.2 % below the plan, and other revenue at EUR 11,835, i.e., 33.6 % below the plan, with the biggest discrepancies in the following categories:

- EUR 143,291, i.e., 26.2 % higher revenue from issuing decisions on defining payments based on licenses for performing television activities or entry into the official record because of achieving a higher number of points;
- EUR 136,277, i.e., 4.3 % higher revenue from payments for licenses for using radio frequencies, because of achieving a higher number of points;
- EUR 49,889, i.e., 5.2 % higher revenue from notifications because of achieving a higher number of points;
- EUR 12,343, i.e., 2.0 % lower revenue from the utilisation of the numbering space, especially because numbering elements were returned or revoked;
- EUR 11,835, i.e. 33.6 % higher other revenue, mainly from financial revenue for interest received on depositing free monetary assets to the treasury single account.

Other categories of revenue from the sale of goods and services as part of providing public services and other revenue did not significantly change compared to the year before.

TABLE 25: COMPARISON OF REALIZED AND PLANNED OPERATING REVENUE ON ACCRUAL BASIS

	2022	2022 FP	Index 2022/2022 FP
Revenue from the provision of postal services	424.534	423.616	100,2
Revenue from fees for numbering resources	616.914	629.257	98,0
Revenue based on notifications	1.013.523	963.634	105,2
Revenue from frequencies	3.323.717	3.187.440	104,3
Revenue from railway services	350.294	350.359	100,0
Revenue from media services	690.811	547.520	126,2
Revenue from the public auction administrative costs			
Revenue from sale of stickers banning the delivery of unaddressed mail to the mailbox	6.887	6.000	114,8
TOTAL OPERATING REVENUE (ADP code = 860)	6.426.680	6.107.826	105,2

Source: AKOS internal accounts

COSTS

The Agency's expenses in 2022 amounted to EUR 6,010,280, which is EUR 939,321, i.e. 9 % less than planned, especially in the following three cost categories:

WAGES AND SALARIES

The Agency's labour costs were EUR 508,951, i.e., 11.1% lower than planned (ADP codes = 875), primarily due to the lower amount of salaries, compensations, associated social security contributions and other labour cost (reimbursements, holiday and other allowances), due to only partially realized hiring plan, and not replacing the employees who left the Agency (retirement and employment contract termination). The average number

of employees per working hours in stood at 87 for 2022, which is 20 employees, i.e., 18.7% fewer than the Agency planned in its human resources plan for 2022, as it planned to have 107 employees.

Unused funds, planned for salaries and wages and accompanying employer social security contributions are mostly the result of the Agency's uncompetitive salaries compared to the private sector and the limitations in the rewarding policy, which are the result of the legal frameworks of the public sector, as well as the lack of appropriate human resources with specific knowledge and experience from the fields regulated and supervised by the Agency.

COSTS OF GOODS, MATERIAL AND SERVICES

The Agency's costs for goods and services were EUR 353,589, i.e., 17.3% below the plan (ADP code = 871), primarily due to EUR 344,395, i.e., 17.9 % lower cost of services (ADP code = 874), as well as because of lower costs of office and general materials, because some tasks and projects were not completed or were completed only partially, and because business trips were not performed and conferences, seminars and training were not attended, which is mainly the result of measures related to halting the spreading of the COVID-19 epidemic.

TABLE 26: COMPARISON OF REALIZED AND PLANNED COST OF GOODS, MATERIALS AND SERVICES (ACCRUAL PRINCIPLE)

Classification by account	Revenue and expenditure account for specific users	ADP code	2022	2022 FP	INDEX 2022/2022 FP
			1	2	3=1/2
	F) COST OF GOODS, MATERIALS, AND SERVICES (872+873+874)	871	1.695.990	2.049.579	82,7
part of 466	ORIGINAL COST OF MATERIALS AND GOODS SOLD	872	-	-	
460	COST OF MATERIALS	873	121.241	130.435	93,0
4600	Office and general supplies		108.822	115.435	94,3
4601	Special supplies		12.419	15.000	82,8
461	COST OF SERVICES	874	1.574.749	1.919.144	82,1
4610	Office and general services		472.981	663.753	71,3
4611	Special services		32.801	29.600	110,8
4612	Energy, water, utility services, communications		105.044	129.333	81,2
4613	Transportation costs and services		28.191	34.200	82,4
4614	Expenses for business trips		85.874	202.897	42,3
4615	Regular maintenance		467.769	409.922	114,1
4616	Operating rent and lease fees		157.934	173.764	90,9
4617	Other Operating Expenses		224.155	275.675	81,3

Source: AKOS internal accounts

In relation to unrealized expenses for office and general supplies and services in the total amount of EUR 197,385, i.e., 25.3 % of the plan (groups of accounts no. 4600/4610), the Agency would like to highlight:

- lower costs because of the late adoption of ZEKom-2, as consequently some tasks were pushed into 2023;
- lower costs because of the delay of the public auction, which is the result of the delay of the multi-

frequency auction in 2021, and whose draft tender documentation will go into second public consultation because of the received comments;

- lower costs because more favourable agreements;
- lower costs of solicitors' services because the judicial procedure was successful, and because there was less need for solicitors' services;
- lower costs of external experts because job positions were filled successfully in finance and accounting and in public procurement;
- lower costs for the purchase of data on radio station ratings, because one of the contractors stopped performing the survey;
- unused funds for payments of court procedure costs, as court cases were not heard, and because there was no need for preparing a legal opinion/study;
- lower costs of maintenance and upgrades to AkosTestNet, which were moved to maintenance costs (account 4615);
- lower costs for toners and printer spare parts because of the purchase of new ones, as no issues are expected for at least a year.

In addition to the lower cost of office and general supplies and services, expenses for goods and services were also different than planned, due to:

- higher cost of special materials and services (group account items 4601/4611) in the total value of EUR 620, i.e., 1.4 % (ADP code = 874 and 874);
- lower cost of energy, water, utilities and communications (group account item 4612) in the value of EUR 24,289, i.e., 18.8 % (ADP code = 874), especially because of costs related to the lease of light fibre and the lease of plans for testing AkosTestNet, which were moved to the costs of leases (account 4616) and because of changing the mobile service provider;
- lower cost of transport and transport services (group account item 4613) in the value of EUR 6,009, i.e., 17.6 % (ADP code = 874); There were fewer business trips because of COVID-19, and consequently less use of company vehicles and lower costs for gas and maintenance and repair;
- lower cost of business trips (group account item 4614) in the value of EUR 117,023, i.e., 57.7 % (ADP code = 874). Business trips were realized in a lower scope, primarily because of the intervention measures still in force for limiting the spread of the COVID-19 epidemic. Many meetings, conferences and training sessions were organised online;
- higher cost of regular maintenance (account group item 4615) in the value of EUR 57,847, i.e., 14.1 % (ADP code 874), especially because AkosTestNet maintenance, which was planned in the scope of general services (account 4610), however, during realisation it was booked to current maintenance of communications equipment for more appropriate treatment, and because of higher needs for communication equipment maintenance;
- lower cost of rents and leases (account group item 4616) in the value of EUR 15,830, i.e., 9.1 % (ADP code 874), especially because the CEPT meeting was not held because of intervention measures for limiting the spread of the COVID-19 epidemic;
- lower other operating expenses (account group item 4617) in the value of EUR 51,520, i.e., 18.7 % (ADP code = 874), primarily because of smaller scope of training sessions, and the smaller extent of work provided by students. Some conferences, seminars and training sessions were held online, while other were not held at all.

DEPRECIATION AND AMORTIZATION

Because of the changes to the accounting policy of recognising amortisation and depreciation in 2022, the Agency only recognised the amortisation and depreciation for fixed assets purchased after 1 January 2017 in the amount of EUR 252,517 (ADP code = 879), while it recognised amortisation and depreciation of fixed assets purchased after 1 January 2017 against liabilities for intangible assets and fixed assets. Because some major investments were realised late and some were not realised in 2022, and in order for the investment into the HVAC system to be treated more correctly, namely as increasing the purchase value of the building, and not as equipment, the Agency realised 77 % of the planned depreciation and amortisation costs.

REVALUATION OPERATING EXPENSES

In 2022 the Agency created EUR 733 expenses from revaluation operating expenses (ADP code = 884), i.e., 36.7 % above plans, as the Agency formed corrections for values of claims for all unpaid, unimpaired claims for which there is reasonable doubt that they will be repaid.

4 OTHER DISCLOSURES

In relation to the lawsuit from A1 Slovenija against the Agency and the Republic of Slovenia, in which A1 Slovenija demands payment in the amount of EUR 3,309,051.21, plus statutory interest accruing from 24 May 2018, and the payment of cost of the proceedings plus the statutory interest. The reason for the lawsuit states that areas were determined incorrectly, leading to incorrect determination of locations at public tender with the public auction for awarding radio frequencies, which was announced in the Official Gazette of RS no 114/13 of 31 December 2013. The court of first instance ruled on 24 September 2020 to reject the lawsuit. A1 Slovenija appealed this. Ljubljana Higher court approved the appeal by a ruling on 25 May 2021, overruling the judgement of the court of first instance, and returned the case to the court of first instance. In the repeated procedure the court conducted an inquiry with GURS and ordered several hearings, with the last one held on 24 November 2022, and the next one is scheduled for 2 February 2023. The Agency did not make any provisions in the form of long-term accrued cost or expenses based on Article 18 of the Accounting Act.

V Ljubljani, 21. 3. 2023
Številka: 450-11/2023/9



POROČILO NEODVISNEGA REVIZORJA

Svetu
AGENCIJE ZA KOMUNIKACIJSKA OMREŽJA IN STORITVE REPUBLIKE SLOVENIJE
Stegne 7
Ljubljana

Mnenje

Revidirali smo računovodske izkaze Agencije za komunikacijska omrežja in storitve Republike Slovenije, ki vključujejo bilanco stanja na dan 31. decembra 2022, izkaz prihodkov in odhodkov za tedaj končano leto ter povzetek bistvenih računovodskih usmeritev in druge pojasnjevalne informacije.

Po našem mnenju so priloženi računovodski izkazi Agencije za komunikacijska omrežja in storitve Republike Slovenije (v nadaljevanju Agencija) za leto, ki se je končalo na dan 31. decembra 2022, v vseh pomembnih pogledih pripravljeni v skladu z Zakonom o računovodstvu in z njim povezanimi podzakonskimi predpisi.

Podlaga za mnenje

Revizijo smo opravili v skladu z Mednarodnimi standardi revidiranja (MSR). Naša odgovornost na podlagi teh standardov je opisana v poročilu v delu Revizorjeva odgovornost za revizijo računovodskih izkazov. V skladu z Mednarodnim kodeksom etike za računovodske strokovnjake (vključno z Mednarodnimi standardi neodvisnosti), ki ga je izdal Odbor za Mednarodne standarde etike za računovodske strokovnjake (Kodeks IESBA) ter etičnimi zahtevami, ki se nanašajo na revizijo računovodskih izkazov v Sloveniji, potrjujemo svojo neodvisnost od agencije in, da smo izpolnili vse druge etične naloge v skladu s temi zahtevami in Kodeksom IESBA.

Verjamemo, da so pridobljeni revizijski dokazi zadostna in ustrezna podlaga za naše mnenje.

Druge informacije

Za druge informacije je odgovorno poslovodstvo. Druge informacije obsegajo poslovno poročilo, ki je sestavni del letnega poročila Agencije, vendar ne vključujejo računovodskih izkazov in našega revizorjevega poročila o njih.

Naše mnenje o računovodskih izkazih se ne nanaša na druge informacije in o njih ne izražamo nobene oblike zagotovila.

V povezavi z opravljeno revizijo računovodskih izkazov je naša odgovornost prebrati druge informacije in pri tem presoditi ali so druge informacije pomembno neskladne z računovodskimi izkazi, zakonskimi zahtevami ali našim poznavanjem, pridobljenim pri revidiranju, ali se kako drugače kažejo kot pomembno napačne. Če na podlagi opravljenega dela zaključimo, da obstaja pomembno napačna navedba drugih informacij, moramo o takih okoliščinah poročati. V zvezi s tem na podlagi opisanih postopkov poročamo, da:

- so druge informacije v vseh pomembnih pogledih usklajene z revidiranimi računovodskimi izkazi;
- so druge informacije pripravljene v skladu z veljavnimi zakoni in predpisi; ter
- na podlagi poznavanja in razumevanja agencije in njenega okolja, ki smo ga pridobili med revizijo, v zvezi z drugimi informacijami nismo ugotovili bistveno napačnih navedb.



Odgovornost posloводства in pristojnih za upravljanje za računovodske izkaze

Posloводство je odgovorno za pripravo in pošteno predstavitev računovodskih izkazov v skladu z Zakonom o računovodstvu in za tako notranje kontroliranje, kot je v skladu z odločitvijo posloводства potrebno, da omogoči pripravo računovodskih izkazov, ki ne vsebujejo pomembno napačne navedbe zaradi prevare ali napake.

Posloводство je pri pripravi računovodskih izkazov družbe odgovorno za oceno njene sposobnosti, da nadaljuje kot delujoče podjetje, razkritje zadev, povezanih z delujočim podjetjem in uporabo predpostavke delujočega podjetja kot podlago za računovodenje, razen če namerava posloводство podjetje likvidirati ali zaustaviti poslovanje, ali če nima druge možnosti, kot da napravi eno ali drugo.

Pristojni za upravljanje so odgovorni za nadzorovanje postopka računovodskega poročanja agencije.

Revizorjeva odgovornost za revizijo računovodskih izkazov

Naša cilja sta pridobiti sprejemljivo zagotovilo o tem ali so računovodski izkazi kot celota brez pomembno napačne navedbe zaradi prevare ali napake, in izdati revizorjevo poročilo, ki vključuje naše mnenje. Sprejemljivo zagotovilo je visoka stopnja zagotovila, vendar ni jamstvo, da bo revizija, opravljena v skladu s pravili revidiranja in Uredbo, vedno odkrila pomembno napačno navedbo, če ta obstaja. Napačne navedbe, lahko izhajajo iz prevare ali napake, ter se smatrajo za pomembne, če je upravičeno pričakovati, da posamič ali skupaj, vplivajo na gospodarske odločitve uporabnikov, sprejete na podlagi teh računovodskih izkazov.

Med izvajanjem revidiranja v skladu s pravili revidiranja uporabljamo strokovno presojo in ohranjamo poklicno nezaupljivost. Prav tako:

- prepoznamo in ocenimo tveganja pomembno napačne navedbe v računovodskih izkazih, bodisi zaradi napake ali prevare, oblikujemo in izvajamo revizijske postopke kot odzive na ocenjena tveganja ter pridobivamo zadostne in ustrezne revizijske dokaze, ki zagotavljajo podlago za naše mnenje. Tveganje, da ne bomo odkrili napačne navedbe, ki izvira iz prevare, je višje od tistega, povezanega z napako, saj prevara lahko vključuje skrivne dogovore, ponarejanje, namerno opustitev, napačno razlago ali izogibanje notranjih kontrol;
- opravimo postopke preverjanja in razumevanja notranjih kontrol, pomembnih za revizijo z namenom oblikovanja revizijskih postopkov, ki so okoliščinam primerni, vendar ne z namenom izraziti mnenja o učinkovitosti notranjih kontrol družbe;
- presodimo ustreznost uporabljenih računovodskih usmeritev in sprejemljivost računovodskih ocen ter z njimi povezanih razkritij posloводства;
- na podlagi pridobljenih revizijskih dokazov o obstoju pomembne negotovosti glede dogodkov ali okoliščin, ki zbujejo dvom v sposobnost organizacije, da nadaljuje kot delujoče podjetje, sprejmemo sklep o ustreznosti poslovske uporabe predpostavke delujočega podjetja, kot podlage računovodenja. Če sprejmemo sklep o obstoju pomembne negotovosti, smo dolžni v revizorjevem poročilu opozoriti na ustrezna razkritja v računovodskih izkazih ali, če so taka razkritja neustrezna, prilagoditi mnenje. Revizorjevi sklepi temeljijo na revizijskih dokazih pridobljenih do datuma izdaje revizorjevega poročila. Vendar kasnejši dogodki ali okoliščine lahko povzročijo prenehanje organizacije kot delujočega podjetja;
- ovrednotimo splošno predstavitev, strukturo, vsebino računovodskih izkazov vključno z razkritji, in ali računovodski izkazi predstavljajo zadevne posle in dogodke na način, da je dosežena poštena predstavitev;



- pristojne za upravljanje med drugim obveščamo o načrtovanem obsegu in času revidiranja in pomembnih revizijskih ugotovitvah vključno s pomanjkljivostmi notranjih kontrol, ki smo jih zaznali med našo revizijo.

Ljubljana, 23. marec 2023

Audit-i.n.g., revizijske storitve, d.o.o.
Ukmarjeva ulica 6
1000 Ljubljana



Milan Jerič,
pooblaščen revizor

A handwritten signature in blue ink, appearing to read "Milan Jerič", is written over a horizontal line.

IMPLEMENTATION OF THE FINANCIAL PLAN

The Agency strove to realize the planned activities and financial targets from its Operational and financial plan for 2022 in the areas it regulates. By cash flow principle the Agency realised 125.2% of the planned revenue and 82.3% of the planned expenditures. The higher realisation on the revenue side is especially the result of payments for decisions for the year 2021, which were issued at the end of the year 2021 due to their complexity, with the due date for payment falling into 2022. The lower realisation on the expenditure side is mainly the result of lower labour costs, as the Agency did not realise the planned scope of employment in line with the Human resource plan. Lower realisation of expenditure is also the result of delayed local public auction, with the draft tender documentation going into second public consultation because of the comments received, and because ZEKom-2 was adopted so late, and consequently some tasks were pushed into the next year, as well as from savings for better offers for services, lower fewer business trips, trainings, and conferences, and lower or even zero demand for some services. Investment expenditures are also lower than planned, especially because the investment in the eAKOS enterprise resource planning system was delayed, because the public tender had to be repeated, which pushed the conclusion of the agreement with the contractor to the end of 2022.



AKOS

Address

Stegne 7, 1000 Ljubljana

Telephone

+386 (0)1 583 63 00

Website

www.akos-rs.si

