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XI. CONTROL OF THE COMMUNICATIONS

As a feedback needed for management of Communications Regulation Commission the control is entrusted to the General Directorate "Communications Control" including 6 regional units. Among the priorities of this Directorate are:

- Through means of control the Directorate should supervise the application of the requirements set by the special acts of parliament – Telecommunications Act, Postal Services Act, Electronic Document and Electronic Signature Act, and other secondary legislation instruments, during the installation and operation of communication facilities and provision of telecommunications services.
- The Directorate continues the stage-by-stage installation and operation of the National Monitoring System – a network of serviceable and remotely controlled stations for spectrum monitoring as part of the management of radio frequency spectrum for civil needs.

For this purpose, several contracts under the Public Procurement Act were concluded with leading manufacturers of specialized equipment in accordance with the program for purchase of fixed tangible assets and subject to the allocated funds: mobile monitoring station equipped with a direction finder, high-class desktop PCs, special software modules, antenna-feeder systems with rotation possibilities, etc.

The adoption of the rules of operation on the arrangement, activity, work organization and structure of Communications Regulation Commission in October 2002 created an opportunity for establishment of a postal sector supervisory unit (Postal Services Act) within the Directorate and organized the implementation of the functions assumed by the Communications Regulation Commission under the Electronic Document and Electronic Signature Act.

In practice, the controlling activities throughout the year aimed at checking the adherence to the license conditions by the licensed operators, curbing the violations and illegal provision of telecommunications services in the following directions:

1. Radio frequency spectrum – fixed control and monitoring:

- Checking the occupancy of the radio frequency spectrum on the territory of Bulgaria with regard to planning of frequencies of the third national TV program – in 120 measure points.
- Checking the occupancy of the radio frequency spectrum on the territory of Bulgaria with regard to planned change of frequencies of the Bulgarian National Radio – I and II national networks within the frequency range 87.5-108 MHz – in 98 measure points.
- Checking the occupancy of the PMR frequency channels in the larger towns – over 3000 channels and 100 ranges.
- Examination and analysis of EMC between users of the radio frequency spectrum and air traffic radio navigation complexes – VOR "Baylovo", VOR "Sofia" и VOR "Kalotina".
- The total of 90 check-ups were carried out with respect to the compliance with the approved technical projects implemented by the licensed operators on the construction, maintenance and operation of public telecommunications networks for radio broadcasting with local coverage.
- The total of 26 check-ups were carried out with respect to the compliance with the individual licenses for construction, maintenance and operation of public telecommunications networks for radio broadcasting with local coverage.
- Observance of the radio frequency spectrum and measurements based on 172 warnings and complaints of different citizens and authorities were made with respect to detection, localization and identification of the interference sources and illegal users of the radio frequency spectrum.
- A permanent air control was exerted over the parameters of the VHF FM radio stations.
- A permanent air control was exerted over the frequency ranges used by very important authorities such as Ministry of Internal Affairs, Ministry of Defense, Air Traffic Control Administration, Ministry of Transport and Communications and Ministry of Health.

- Participation in the international monitoring campaign of the PT22 workgroup on behalf of PT40 with the aim to study the channels within the frequency range 3200-9900 kHz.

2. Inspections:

- The total of 269 inspections were made in connection with the implementation of the terms and conditions of the individual licenses for construction, maintenance and operation of public telecommunications cable networks for distribution of radio and TV signals.
- The total of 82 inspections were made in connection with the implementation of the terms and conditions of the individual licenses for construction, maintenance and operation of private mobile networks – PMR;
- The total of 10 inspections were made with respect to terrestrial fixed satellite stations for own needs.
- The total of 207 inspections were made in connection with denials of issuance of individual licenses.
- Inspectors of CRC made check-ups on the authority of Chapter 13 of the Telecommunications Act, “Administrative Penal Provisions”, and found 262 violations sanctioned by 262 statements of administrative offence.
- The legal requirements for the air broadcasting electronic media were enforced by termination of the activities of 29 local radio broadcasters. Thirteen of them had never had a legal ground to conduct such activities. The other ones had failed to win the competitions held in the respective towns or the term of their licenses issued under §14 was not extended.
- The activities of 17 terrestrial TV broadcasters with local coverage were discontinued. Fourteen of them had never had a legal ground to conduct such activities and the licenses of the other ones were expired.
- Within the said period the total of 172 inspections were made on the grounds of complaints and warnings of citizens and authorities about interferences, poor quality of the services provided, non-compliance with the license conditions and health-adverse radiations from the radio facilities.
- The total of 96 expert examinations were made at the request of the Ministry of Internal Affairs, the Investigation and Prosecutor’s Office.

3. Records of Findings and Statements of Offences of the Telecommunications Act issued on the grounds of inspections.

Records of Findings on the grounds of inspections of:

Telecommunications cable networks, concerning:

- – compliance with the license terms and conditions – 269;
- – withdrawal from a license issued – 207;
- – program quality –4;
- – warnings given – 8;
- – illegal use of radio broadcasting license –10;
- – other – 9;

VHF FM radio operators, concerning:

- – compliance with the license terms and conditions – 204;
- – compliance with the approved preliminary technical projects – 27;
- – termination of radio station operation – 29;
- – illegal use of radio transmission license – 11;

Other telecommunications networks and activities:

- – private mobile networks /PMR/ – 82;
- – VSAT networks – 10;

- – air TV broadcasters – 7;
- – cut-off cables – 57;
- – distribution of unapproved terminals – 2;
- – complaints – 172;

B. Statements of Offence of the Telecommunications Act:

- – under §16/1 – 4;
- – under §16/3 – 2;
- – under art. 127/1 – 39;
- – under art. 127/2 – 16;
- – under art. 127/3 – 21;
- – under art. 127/5 – 1;
- – under art. 128/1 – 111;
- – under art. 133/1 – 10;
- – under art. 133/2 – 1;
- – under art. 136 – 57;
- Total:** – 262;