



Press Release

TIM: SANCTIONED UNDULY, WILL APPEAL

Rome, 6 March 2020

TIM acknowledges the decision taken today by the Italian Antitrust Authority (AGCM) in relation to actions dating back years and will appeal against it in administrative court. AGCM's decision also raises concerns, not least because the Italian telecoms watchdog AGCOM has taken an entirely different view of TIM's alleged anti-competitive behaviour.

In fact, AGCOM has on several occasions dealt with the issues discussed in the preliminary investigation, adopting specific regulations on most of the cases covered by the provision.

However, AGCM has welcomed the fact that TIM immediately halted the investments in the 'White Areas', never marketed its ultrabroadband services and has waived all existing claims on the Infratel tenders involving Open Fiber.

Moreover, AGCM has recognised the value of TIM's recent major initiatives to foster the development of competition in the ultrabroadband market, including for infrastructure: the launch of a plan to build fibre networks in 39 cities, inviting co-investment from competitors in order to reduce costs and time to completion, and the introduction of new and cheaper offers for competitors to build proprietary fibre networks.

Furthermore, in light of AGCM's evaluations, TIM has proven through facts and independent third-party analysis that its alleged actions had no distortive effects on the market.

The main objection of the decision refers to an investment project in market failure areas (so-called White Areas), considered by AGCM to be abusive towards Open Fiber which should build a fibre infrastructure to the homes with public resources (as recalled by the AGCM), which though did not take place as also highlighted by several institutional offices.

In conclusion, TIM is surprised to have been sanctioned for planning to invest private funds in the modernisation of the country to achieve the objectives of the Digital Agenda, while having promptly adapted its proposition to meet regulatory requirements.

Regrettably, the only ones damaged in this story are the residents of the White Areas who are not yet connected to the fibre network.

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