



AUTORITÀ PER LE
GARANZIE NELLE
COMUNICAZIONI

2017 Annual Report

on the activity performed and work programmes

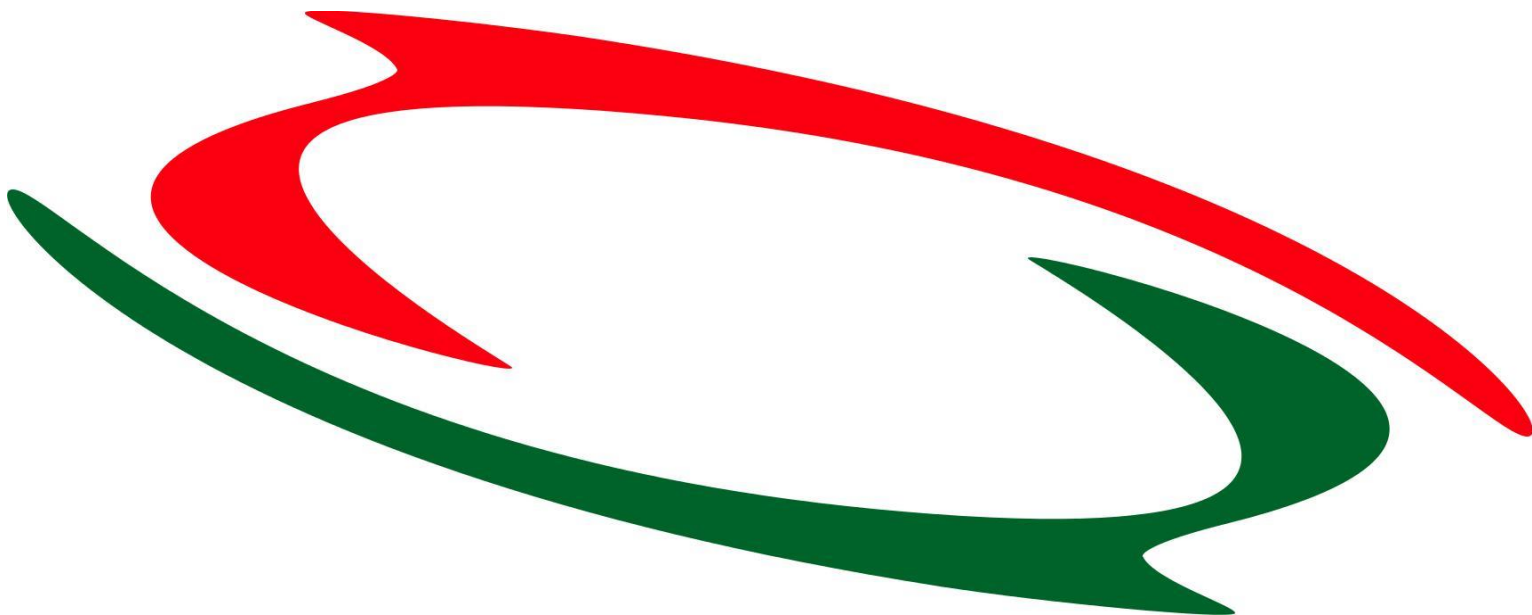




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2017 ANNUAL REPORT

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Autorità per le garanzie nelle comunicazioni

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ANNALISA D'ORAZIO

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The *2017 Annual Report on the activities performed and work programmes*, unless otherwise specified, shows data and reports on the work carried out by the Authority for Communications Guarantees (AGCOM) between 1 May 2016 and 30 April 2017.

Data processing, unless otherwise indicated, is performed by AGCOM. The source of data processed by the Authority is omitted.

In most cases, the percentages are automatically rounded up to the first decimal place. The total of the percentages calculated in this way may not be equal to 100.

Moreover, it should be noted that the data are not always directly comparable with those reported in the previous Annual Reports. In some cases, companies have made integrations and re-classifications due to variations and integrations in calculation methods (for example, drivers for the allocation of revenues or investments) and changes in the areas of business/economic activity; this has often led to major adjustments in terms of economic amounts.

In-depth information and any corrigenda are available at www.agcom.it.



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President's preface

THE

past year, the Authority has been in the frontline in many significant events in the field of communication and information in Italy. It was the year of important consolidation measures (Wind / H3G, Vivendi / Mediaset, Mondadori / Mediaset / Finelco, L'Espresso / Itedi Group), but also the year of the entry of new operators in the market (Iliad, Open Fiber). It was the year of the start of projects financed by public funds for the development of ultra-broadband and the year of strong momentum of private investment in innovation and development of fixed and mobile ultra-broadband networks. Simultaneously, we witnessed the start of the renewal of the Convention between the State and Rai and of the debate on the future of the public radio-television company in a digital and multimedia context.

It was also the year when the consumer and the citizen were clamoring for a new role, but also new protections within the economy and the digital society. Positive demands - given the increasing quantity and quality of services, the greater degree of digital literacy and the lower level of discrimination and digital social exclusion (digital divide) - but also negative, looking at the many objections raised against the distorting and distorted phenomena from the web (hate speech, fake news). New performances and new protections, higher quality and greater protection are challenges but also duties that the Authority is called to face.

The Report, in the wake of the logical and methodological system of the past year, is mainly to be intended as compendium of data. Too many, to be addressed in a preface. However, some general pictures can facilitate the reading of the following chapters.

The fixed network sector shows some positive signs. As for its coverage, the availability of fixed network access services at speeds ranging between 2 and 20 Mbit/s has now reached 97% of households. 35% of households have a connection of 30 Mbit/s and above. The active broadband network lines reach nearly 15.6 million units out of little over 20 million lines. At the end of 2016, for the first time broadband fixed-network lines with speeds of 10 Mbit/s exceeded 50% of the total.

The mobile sector recorded an annual increase of 1.3 million lines. Out of 98 million, the number of SIMs with Internet access grew by 5.7% over the last year, exceeding 53 million units. Even average individual consumption of Internet traffic is growing strongly (+32.6%). At the end of 2016, overall data traffic increased by about 46% compared to the volumes recorded in 2015.

As for the use of online services, the relationship between citizens and Internet access shows slow but significant progress. According to "Digital In 2017", in 2016, the number of people in Italy who connected to the Internet at least once grew by 4% (almost 40 million people) compared to the previous year. According to Audiweb in the "average day", 23 million Italians are online. The data of our Observatory indicate that in December 2016, over 30 million people connected to the Internet every day. Google, Facebook and Microsoft rank first among the most clicked sites, data unchanged since 2015.

As far as the postal sector is concerned, the most tangible result is the increase in total revenues by 2.3% at the end of 2016, with express delivery services increasing by 8.2% and postal services down by 4.2% compared to December 2015. In this dichotomous context, the volume of services included in the universal service decreased by 15.8%, while deliveries of parcels show an increase of 12.4%. Here we are witnessing a case of e-substitution - not the only one, however, within the sphere of the markets regulated by AGCOM - which questions public sector policies and market strategies of operators, rather than regulation.

In the free-to-air television, Rai and Mediaset confirm their predominant role in terms of audience, respectively with 36% and 31% of audience shares (both -1% compared to 2015). Other increases are recorded for Sky (8.4%, + 1.7% compared to 2015), Discovery (6.9%, + 0.7% compared to 2015) and La7 (4.1%, + 0.5% compared to 2015). Over time, therefore, the gap in terms of audience existing with other operators is gradually decreasing, although the role of the two historical operators remains significant. As for the revenue, the sector seems to have absorbed the economic crisis of the past years, and shows signs of resilience and recovery. However, this positive signs are observed in national market only. The local television, with some exceptions in the regional context, has recorded a significant decline, also due to the progressive reduction of public support.

The radio market records a stable audience, encouraging signs in terms of stable revenue and a modest inclination to the concentration as a response to the crisis. This is particularly the case of audiences that tend to join the top ten of the market. The radio sector remains a plural and very articulated market, thanks also to the liveliness of the local sector that, unlike TV, keeps its identity and its raison d'etre.

In print publishing the contraction of turnovers, revenues and sales continues. In the last eight years, the newspaper sector has lost over 40% of its turnover and about half of the copies. In December 2016, the sale of newspapers was just over 2.5 million copies, down by 9.8% compared to the same month of the previous year. The phenomenon of the e-substitution does not allow solving the crisis of the traditional newspaper (only one digital copy out of ten paper copies lost is recovered).

Let me conclude by recalling a criticality found in the operation of the Authority, which in my opinion should be reviewed for all the independent authorities: the relationship between the mission/activities carried out and the mechanism for recovering operating resources. In the last year, the legislator provided AGCOM with new competences (census of call centers, secondary ticketing supervision, rules on rights related to copyright, vigilance on advertising in terms of betting and online games, measures for the protection of populations affected by seismic events in the electronic communications system). All this happened without receiving new resources, neither financial nor human, but above all in the face of a dispute never settled with the companies already subject to contributions. It might be appropriate to rethink about a private financing model: another relevant theme on our agenda.

I would also like to dedicate this Report to the memory of our colleague Antonio Preto, who passed away last year.

ANGELO MARCELLO CARDANI
AGCOM President

CHAPTER I

The Authority's activity in the period 2016-2017

Introduction

The markets regulated by the Authority, namely the markets for telecommunication services, audiovisual media, radio and publishing services, and - since 2012 - postal services, relate to industrial sectors having specific characteristics, such as the use of network infrastructures for the provision of services, the presence of strong economies of scale, or other entry barriers, or a market structure based on two or more branches.

Because of the presence of all or even only some of these features, the markets regulated by the Authority have traditionally been characterised by a high level of concentration, and sometimes by the presence of a single company operating as a monopoly. In the past, this has also responded to the need to offer public services (and, therefore, to ensure maximum national spread of the services and the maximum accessibility of economic conditions) and to bear the huge investments necessary to build the network infrastructures.

Although technological progress has reduced the consistence of entry barriers by allowing competition in several segments of the aforementioned industries, the regulatory activity of the Authority continues every time the *ex post* intervention is not able to ensure, on the one hand, the competitiveness of the communication markets and, on the other hand, cultural diversity and media pluralism.

During the reference period of this Report, between 1 May 2016 and 30 April 2017, the Authority's activity, which accepts and adopts the guidelines of the European and international community, has proceeded in line with its strategic approach described in the Annual Report of last year. In addition, it has moved on according to a regulatory approach marked by a careful assessment of the effectiveness of the measures proposed in the various areas of competence, redesigning, where necessary, new and more effective methods of intervention.

The pillars identified last year, which combine the promotion of competition and protection of pluralism, efficient allocation of scarce resources and support for the development of optical fiber networks, ensuring equal access to the media and promoting legality, still represent the guidelines that the Authority intends to pursue in the foreseeable future (see Chapter III), with a view to improving the administrative action in a context of efficiency, effectiveness and transparency.

This chapter will describe the activity carried out by the Authority in the various fields of competence during the reference period of this Report. The following pages will describe how the Authority has directed its activities according to a virtuous cycle of regulation which, as desired by the European *better regulation* strategy, imposes a strict method to evaluate the goals achieved during one year of activity, in order to allow more and more adequate regulatory responses in the following years.

In particular, in the telecommunications sector, the Authority carried out regulatory, supervisory and sanctioning functions in the field of wholesale interconnection services and access to electronic communications networks, scarce resources (such as numbers and frequencies), retail services for telephony and data transmission, regulatory accounts, roaming, net neutrality and universal service.

As far as the media are concerned, the Authority's functions were also focused on the identification and analysis of the relevant markets in the audiovisual media sector, on the verification of concentrations in daily publishing, on the programming of frequencies for digital television and radio, on copyright and press freedom protection, as well as on the verification of compliance with pluralism and electoral fairness.

Finally, within the postal sector, the Authority made efforts to promote competition and protect final users, pending full effectiveness of the regulatory process undertaken, granted by an activity of supervision on the compliance with the obligations on the universal service provider, the monitoring and analysis of the postal markets, the tackling of illegal activities by operators working without any authorisation.

1.1 Regulatory and supervisory activities in the telecommunications markets

As for the telecommunications sector, last year the Authority completed the regulatory framework for fixed and mobile networks, also defining the conditions for the implementation of the regulatory obligations set in the previous reference period.

With regard to the regulation provided for the fixed network, the Authority concluded the third cycle of analysis of the interconnection services markets, launched the fourth cycle of the analysis of access markets and regulated the conditions for implementing the obligation of non-discrimination imposed on Telecom Italy as part of the analysis of access markets. It also initiated two procedures aimed at defining the switch-off procedures of the local access network and reviewing the Service Level Agreement system and penalties. As for the regulation in the electronic communications markets on the mobile network, the fifth cycle of analysis of the voice call termination markets on a single mobile network was launched.

During the reference period, the Authority also monitored the quality parameters relating to the supply of wholesale access services by Telecom Italia, and took action in cases of reported contractual criticalities between electronic communications operators, in order to favor the renegotiation of the related conditions of access and interconnection and to avoid the interruption, without due notice, of the services provided to the final customers. The Authority also carried out a supervisory activity aimed at ensuring compliance with the obligation to provide the universal service for the Telecom Italia operator.

The Authority also adopted the new methodology for repeatability tests, providing for a new methodological system of non-discrimination checks in order to simplify and streamline - without reducing accuracy and effectiveness of controls - the previous system for evaluating the notified operator's retail offers.

Finally, the Authority continued with its technical/regulatory support activities for the achievement of the strategic goals regarding the development of the networks envisaged by the Italian Digital Agenda, by devising the Guidelines for the definition of the conditions for wholesale access to ultra-broadband benefiting from public funds that, in

turn, translate the principles and guidelines identified in the European guidelines.

Regulatory interventions in the markets of electronic communications on fixed network

During the reference period, the Authority completed the third round of analysis on fixed network interconnection services markets, which covers the 2016-2019 regulatory period (Resolution No. 425/16/CONS), and defined the conditions implementing the regulatory obligations imposed on Telecom Italia in the markets for wholesale access to the fixed network with resolution no. 623/15/CONS.

With regard to the analysis of the fixed network interconnection markets, compared to the previous analysis cycle, the Authority considered the market for district transit services no longer characterised by strong entry barriers due to the effect of the IP interconnection and, therefore, removed the related obligations for Telecom Italia starting from October 2017. Conversely, the ex-ante regulatory susceptibility for the other two markets analyzed was confirmed, identifying as strongest operators on the market, Telecom Italia into the collection services market, and Telecom Italia with other 18 competitors in the termination services markets. The obligations of access, non-discrimination, transparency, accounting separation, price control and cost accounting were imposed on Telecom Italia, whereas only the obligations considered to be proportionate were imposed on the competitors (access, non-discrimination, transparency and price control). Finally, similarly to the provisions for mobile termination services, the obligation to control prices for call termination services originating outside the European Economic Area was removed.

As provided for by resolution no. 425/16/CONS, in March 2017, the Authority started a technical round table for the definition of the technical specifications for the implementation of direct routing methods for calls from fixed networks to portable numbers. The direct routing model avoids the higher costs arising from the technical solution based on the onward routing that requires the a third party operator (the donor) for the actual delivery of the call to the operator on whose network the called user is registered.

With reference to the implementation of the regulatory obligations set in the markets for wholesale access services to the fixed network, the Authority adopted resolution no. 652/16/CONS, which regulates the conditions for implementing the non-discrimination obligation imposed on Telecom Italia by resolution no. 623/15/CONS. The resolution approves the proposals made by Telecom Italia pursuant to article 64 of resolution no. 623/15/CONS, containing the measures aimed at strengthening guarantees of non-discrimination, including the implementation of the New Equivalence Model (NME), with some amendments and integrations necessary to implement the results of the public consultation referred to in resolution no. 122/16/CONS.

With the purpose of completing the framework of the regulatory obligations relating to wholesale access services to fixed network, with Resolution no. 122/16/CONS, the Authority also launched a public consultation about the proposal made by Telecom Italia regarding the procedures for the unbundling and outsourcing of the *provisioning* and *assurance* activities of *unbundling of local loop* (ULL) and *sub-loop unbundling* (SLU) services, made pursuant to article 22 of resolution no. 623/15/CONS.

Pursuant to the aforementioned resolution of market analysis (article 82, paragraph 3, resolution No. 623/15/CONS), the Authority started an investigation to define the switch-off procedures of the local power stations of the access network of Telecom Italia and, pursuant to article 82, paragraph 1, of the same resolution, a proceeding concerning the revision of the penalty system and SLAs (Service Level Agreements) relating to wholesale access services to Telecom Italia network , in addition to a proceeding concerning the

overall revision of the non-discrimination Key Performance Indicator (KPI) system.

In the same reference period, by Resolution no. 451/16/CONS, the Authority approved the new Regulation on the Operation of Supervisory Authority (OdV) of Telecom Italia, established pursuant to resolution no. 718/08/CONS, which complies with the provisions of article 64, paragraph 17, of resolution no. 623/15/CONS on the strengthening of the governance model of the OdV, so that it is consistent with the new regulatory framework (see also Chapter IV).

In February 2017, the Authority launched the fourth round of analysis of the markets for wholesale access services to the fixed network, in order to verify whether, on the basis of existing national circumstances, it is advisable to update the definitions of the relevant markets and amend, where necessary, the current regulatory provisions. Specifically, by resolution no. 43/17/CONS, the Authority started the preliminary investigation concerning the analysis of the markets for local wholesale access services at a fixed location (market No. 3a of Recommendation 2014/710/EU) and central access services for consumer products at a fixed location (market No. 3b of Recommendation 2014/710/EU), currently regulated by resolution no. 623/15/CONS. The Authority also launched (by Resolution No. 44/17/CONS) the preliminary investigation concerning the analysis of the market of high quality wholesale access services at fixed location (market No. 4 of Recommendation 2014/710/EU), currently regulated by regulation no. 412/15/CONS.

As for the supervisory activity, in 2016 and during the first months of 2017, the Authority completed the approval cycle of Telecom Italia's Reference Offers for the years 2015-2016 (see resolutions No. 596/16/CONS, No. 653/16/CONS, No. 78/17/CONS, No. 106/17/CONS, No. 33/17/CIR).

In particular, resolution no. 653/16/CONS, related to the unbundled access services to copper network, defines the economic conditions of the one-shot contributions to activate and deactivate the ULL and SLU services on the basis of a specific bottom-up model which, in order to disaggregate provisioning performances, takes into account that the related on-field activities are carried out by Telecom Italia using the so-called external network companies (System companies). By resolution no. 78/17/CONS, relating to bit stream access services, with the aim of promoting technological migration from the ATM transport network (less efficient and more expensive) to Ethernet, the Authority approved *i)* a significant reduction in the economic conditions of the Ethernet bandwidth, allowed by the higher volumes of band used by final customers; *ii)* the adoption of the principle of the so-called "Administrative migration", aligning the cost of the ATM bandwidth to the Ethernet one, upon commitment from the other operator (*Other Authorized Operator* - OAO) to migrate its customers to the new platform. By resolution no. 106/17/CONS, the Authority approved the technical and economic conditions – applying a general reduction of the latter - relating to the *Wholesale Line Rental* (WLR) services, harmonizing the cost models of the one-shot contributions to those defined by resolution no. 653/16/CONS for unbundled access services and revaluating of the fee of the WLR ISDN PRA service, in compliance with the cost steering mechanism envisaged by the market analysis, using a model designed to carefully reflect the plant building chain and the costs actually incurred for the supply of the service. Resolution no. 33/17/CIR approved the technical and economic conditions for the interconnection services to the Telecom Italia network (collection, termination and transit of calls). The best efficiencies achievable with networks based on new IP technologies and the mechanisms for encouraging the migration from TDM to IP, introduced by the Authority with resolution no. 52/15/CIR, allowed introducing lower economic conditions compared to those provided in the previous year. Furthermore, resolution no. 33/17/CIR, reduced the wholesale price paid by operators for the provision of number portability on the fixed network according to international best practices, leading to a reduction of these economic conditions in

order to allow final users to easily switch operators.

Starting from 2017, the same resolution introduced the so-called *bill & keep* regime. With Resolution no. 596/16/CONS on the provision of high quality wholesale access services at a fixed location, the Authority updated the valuation of the economic conditions of the new Ethernet *terminating* circuits on optical fiber based on the cost orientation through the *bottom-up* model referred to in resolution no. 167/15/CIR.

Finally, with resolution no. 186/16/CIR, the national public consultation, currently being concluded, was launched for the approval of Telecom Italia's Reference Offers for NGA services (Next Generation Access) and for the end-to-end access service for the years 2015 and 2016 and for backhaul services for 2016, of a new introduction on the Italian market, with particular regard to the areas subject to public subsidies for the construction of new networks.

Further initiatives of the Authority, aimed at updating the framework of the rules implementing the standards of the Electronic Communications Code for the promotion of competition and protection of final customers, are focused on the progress of the activities of the technical roundtable, attended by operators. The aim is to promote the use of the emerging ultra-broadband access technologies (VDSL2, VDSL plus and GFAST) and the coordinated use of vectoring by means of the MOV techniques (so-called *multioperator vectoring*).

Pursuant to resolution no. 652/16/CONS, the Authority also launched a technical roundtable to monitor the migration of final customers from the previous *redelivery* platform to the new one (NPD), whose completion is expected in 2017.

Technical and economic replicability tests (price test)

During the reference period, the Authority completed the update of the methodology for replicability tests, following the conclusion of the analysis of the markets for access to the fixed network (resolution No. 623/15/CONS). Specifically, following the outcome of the public consultation carried out with resolution no. 660/15/CONS, the Authority adopted the new methodology for replicability tests, pursuant to resolution no. 584/16/CONS, effective from 23 March 2017.

The new methodological system of non-discrimination checks simplifies and streamlines - without affecting the accuracy and effectiveness of checks - the previous evaluation system (referred to in Resolution No. 499/10/CONS and subsequent amendments) of retail offers of the notified operator, based on a *Discounted Cash Flow* (DCF) and *period by period* double-checking system.

In particular, resolution no. 584/16/CONS, in line with the indications provided by the European Commission in the Recommendation 2013/466/EU on non-discrimination obligations and costing methodologies, provides for the application of a single test, to be carried out through DCF analysis. The criteria of the DCF test were distinguished between *narrowband* and *broadband* offers on the copper access network and *ultrabroadband* offers of at least 30 Mbit/s on the fiber network, to adapt the testing methods to different competitive scenarios and market contexts.

The Authority is also working on the implementation of the IT system provided for by resolution no. 584/16/CONS, based on a default online form for the transmission, by Telecom Italia, of the data and information necessary for the checks. In addition, this system should also allow, in a short time, the automation of the preliminary phases of calculation and periodic updating of the input data, leading to positive effects on the speed of the valuation activity.

Moreover, during the reference period, the Authority started the ordinary evaluation of the technical and economic replicability of all the fixed network offers, and especially those relating to new generation access services, both broadband and ultra-broadband. These activities aim at verifying the compliance, by Telecom Italia, of the obligation of non-discrimination in the conditions for supplying regulated wholesale services. The goal is to ensure a fair internal and external treatment and, consequently, prevent any behavior that would endanger the correct functioning of the competitiveness, with negative implications on the well-being of final customers.

Lastly, in line with the general strategic aim of strengthening the supervisory activity with regard to

the prohibition of *margin squeeze* practices, the Authority continued its monitoring activities on retail offerings, both ADSL on copper network and ultra-broadband on NGA network, traded by the various operators.

The revision of the Key Performance Indicator non-discrimination system

As pointed out, after the market analysis approved by resolution no. 623/15/CONS, the Authority identified Telecom Italia as an operator with significant power in the markets for local wholesale access services (market No. 3a) and wholesale central access services (market No. 3b)) at a fixed location. Therefore, the Authority imposed on Telecom Italia regulatory obligations concerning: *i)* access to and use of specific network resources; *ii)* transparency; *iii)* non-discrimination; *iv)* accounting separation; *v)* price control and cost accounting.

With particular reference to the non-discrimination obligations, the Authority decided to strengthen the current *Equivalence of Output* (EoO) model, by improving the equivalence in supplying processes. As for the implementation conditions, among other measures, the Authority provided for the monitoring of compliance with non-discrimination obligations through the measurement of specific non-discrimination Key Performance Indicators (KPI-ND)¹. By notice of 3 March 2016, the Authority started the revision of the KPI-ND system, as provided for by art. 82, paragraph 1 of resolution no. 623/15/CONS.

During the reference period, the Authority continued the in-depth investigations aimed at collecting information suitable for the analysis of the supply of the regulated access services and for the definition of non-discrimination KPIs able "*to measure the performances of the entire supply process or of the fundamental activities of the supply cycle, both copper and fiber-based*" for delivery and assurance activities.

Initiatives in the Italian strategy for ultra-broadband

¹ Art. 64, paragraph 11, of resolution no. 623/15/CONS.

In 2016, the Authority continued with technical-regulatory support activities in order to achieve the strategic goals for the development of the networks provided for by the Digital Agenda in Italy, adopting Resolution no. 120/16/CONS on "*Guidelines for the conditions of wholesale access to ultra-wideband networks for which public grants are awarded*". The Guidelines translate the principles and the strategic directions of the 2013 community guidelines², supporting the contracting authorities and parties (whether public or private operators) that awarded the tenders.

In particular, the Guidelines point out that the use of the direct funding model³ allows the widespread application of the "*pay per use*" wholesale price model, which provides for the remuneration of the concessionaire's costs by monthly fees according to the actual use of resources by the third party operator. In this way, it is possible to maximize access to the various areas of the country by several operators that will not incur advanced costs linked to the right to use optical fiber.

Following the approval of the Guidelines, in view of the structured and uniform actions started by the Government, the Authority has been questioned several times by the Ministry of Economic Development (MISE), delivering opinions in order to provide all the information necessary to make the tender documentation prepared by the in-house company (Infratel Italia S.p.A.) compliant with the principles of the Guidelines.

Following the approval by the European Commission⁴ of the state aid plan for the white areas - focusing on the use of the direct model applied to the passive network - Infratel Italia published the two invitations to tender to build the passive public property infrastructure in the Regions⁵ identified as "white NGA" areas and its concession for the management of services.

To encourage the development of new NGA infrastructures by reducing the installation costs for high-speed electronic communications networks and the associated social and environmental costs, on 1 July 2016, Legislative Decree no. 33/2016, implementing Directive 2014/61/EU of the European Parliament and of the Council entered into force. The use of existing infrastructures through the imposition of a specific obligation to contract in-house infrastructure managers and the availability of infrastructures funded by the Government plan, allow private telecommunications operators to reduce the cost for the implementation of ultra-broadband networks and thereby extend the coverage even in the "white NGA" areas. Article 9 of the aforementioned Decree provides for the possibility to resort to the Authority in case of failure to reach an agreement, which will define the economic conditions by binding act⁶.

During the reference period, the Authority's role in supporting the development of the new generation networks was further strengthened thanks to the adoption of resolution no. 646/16/CONS, which promoted a monitoring activity on the development of ultra-broadband, retail and wholesale broadband connectivity services in the areas benefiting from the funding set out in the aid scheme SA.34199 (2012/N)⁷.

In particular, the public funds referred to in the aforementioned aid scheme are intended the development of fiber-based infrastructures (*Fiber to the Home* - FTTH), whose tenders were banned in the two-year period 2013-2014, and involved about 750 Municipalities in the so-called "Eurosud" areas, including Basilicata, Sicily, Campania, Lazio, Molise, Abruzzo and Calabria, totaling over 4.5 million properties, with over five thousand public administration offices and more than two thousand companies.

² See C(016) 3931 final, Brussels, 30.6.2016.

³ This funding model establishes that all the capital shares of the passive infrastructure will be borne by public funding. The passive infrastructure therefore remains publicly owned.

⁴ See C(016) 3931 final, Brussels, 30.6.2016.

⁵ The first BUL call published in June 2016 concerns the following regions: Abruzzo and Molise, Emilia-Romagna, Lombardy, Tuscany and Veneto. The second BUL call, published in August 2016, involves the following regions: Piedmont Valle d'Aosta, Liguria, Friuli-Venezia Giulia, Trentino, Marche, Umbria, Lazio, Campania, Basilicata, and Sicily.

⁶ Following the publication of the invitation to tenders in 2016, Telecom Italia filed an administrative appeal for the annulment of both the Infratel call for tenders and all the acts resulting from it, including the annulment of the resolution with which the Authority approved the Guidelines. In March 2017, the Lazio Regional Administrative Tribunal (TAR) rejected Telecom Italia's appeal, also by declaring it partially inadmissible. The decision of the Administrative Judge, confirming the regularity of the invitation to tender which, moreover, had obtained the favorable opinion of the Authority for Communications Guarantees, of the Antitrust Authority, of the Authority for Electricity, Gas and the Water and of the National Anti-Corruption Authority, allowed the start of the works for the construction of a public network in the areas of market failure.

⁷ State Aid SA.34199 (2012/N) – Italia Piano digitale – Ultra-broadband, approved by Decision of the European Commission dated 18.12.2012 C(2012) 9833 final.

The Ministry of Economic Development, in light of the role recognized to the Authority by the European Commission and the Italian Government in the fulfillment of the Digital Agenda goals, requested the collaboration of the Authority in order to detect and analyze any critical issues arising during the provision of NGA services offered through the infrastructure financed under the aforementioned national aid scheme, and then identify, if needed, the corrective measures necessary to provide these services to public administrations based in these areas.

In particular, the main goal of the monitoring activity is to identify the reasons underlying the limited spread of ultra-broadband services by public administrations present in the areas where interventions were carried out, including public health facilities and schools, taking into account that the calls for tenders required the connection in FTTH mode of all the offices of the central and local public administration⁸.

At the end of January 2017, the Authority requested information to the operators awarding the contracts and to the main operators present on the market, aimed at acquiring the details to assess both the presence and the extent of distribution of wholesale offers of ultra-broadband services based on network infrastructures built thanks to public investments, as well as the existence of possible obstacles in the access and development of wholesale offers. The preliminary data collection ended at the end of March with the submission by the operators of the requested information, which are currently being analysed by the Authority's Offices.

Subsequently, the Authority sent a request for information - and received the related replies - to wholesale operators with the aim of acquiring information needed to assess the presence and extent of distribution of retail offers of ultra-broadband services based on the same network infrastructure.

The Authority also sent a questionnaire to a sample of approximately 350 public administrations located in the territory receiving public funding, to understand the reasons for any possible use of ultrabroadband services. The activity is underway, and at its end, the results of the monitoring will be notified to the MISE. The Authority and the Ministry, each within its sphere of competence, will be able to evaluate – according to the results obtained - the possibility to adopt further measures in order to achieve the objectives of the European Digital Agenda in line with the Italian Strategy for the ultrabroad band.

Regulation in the electronic communications markets on mobile network

Resolution no. 45/17/CON launched the fifth cycle of analysis of the voice-call termination markets on a single mobile network. Currently, pursuant to resolution no. 497/15/CONS, the MNOs (*Mobile Network Operators*), namely Telecom Italia, Vodafone, Wind and H3G (the latter companies recently merged) and the 4 *full* MVNO operators (*Mobile Virtual Network Operator*), namely BT Italy, Lycamobile, Noverca and PosteMobile are notified as operators having significant market power.

Review of the regulatory accounts for fixed and mobile network

During the reference period, the assessment of the regulatory accounts generated by the operators with significant market power, on which the requirement for cost accounting is based, was carried out. Resolution no. 189/16/CONS approved the publication of the Telecom Italia regulatory accounts relating to the year 2013.

⁸ The calls for tenders relating to Campania, Molise and Basilicata, also envisaged the fiber connection of the companies belonging to the Industrial Development Areas (ASI) located in the Municipalities included in the investment projects.

The checks of the regulatory accounts of the notified mobile operators for the years 2011, 2012 and 2013 were also completed (the compliance reports were published with Resolution No. 86/17/CONS).

Finally, resolution no. 609/16/CONS approved the open tender for the assessment of the regulatory accounts of fixed network and mobile network operators notified for 2014, 2015 and 2016.

Supervision in electronic communications services, numbering and universal service

During the last year, the Authority supervised the quality parameters (introduced by Resolution No. 309/14/CONS) regarding the supply of wholesale access services by Telecom Italia.

The Authority also took action in cases of serious contractual criticalities among electronic communication operators, in order to favor the renegotiation of the related access and interconnection conditions and avoid interruption, without due notice, of the services to final customers (about 150 reports were recorded).

The Authority also carried out supervisory activities after receiving reports about the procedures for the migration of users on the fixed network, concerning both the illegitimate use of reasons for rejection, and alleged unfair commercial practices in breach of the non-discrimination obligation.

As for the National Numbering Plan (NNP), the supervisory activity was focused on the compliance with the rules regarding the opening, by mobile network operators, of codes 43 and 48 (used to provide services via SMS, such as mobile ticketing, premium services, information, etc.), to operators holding such numbers. In particular, considering the numerous reports received on the issue of the retail pricing of text messages intended for codes 43 assigned to service providers, the Authority issued an interpretative provision of paragraph 3 of article 19 of the NNP, as well as of the related interoperability obligations with resolution no. 187/16/CIR. With regard to the revision of the rules contained in the NNP, the Authority, by resolution no. 158/16/CIR, launched a public consultation on the use of alphanumeric identification codes.

Resolution no. 639/16/CONS established the conditions for the use of extraterritorial or supranational numbers for the purpose of supplying the so-called *machine-to-machine* services. Resolution no. 527/16/CONS, provided for an increase in the threshold for telephone billing for mobile ticketing services, as well as transparency obligations on operators.

Moreover, during the reference period, a supervisory activity was performed on the use of codes 455 for the collection of funds by humanitarian associations. As a result of this activity, Resolution no. 561/16/CONS started a public consultation in order to revise the rules for the use of these codes and the self-regulation code of the operators. The public consultation ended with the adoption of resolution no. 17/17/CIR.

The Authority also carried out a supervisory activity aimed at ensuring compliance with the obligation for the Telecom Italia operator to provide the universal service. This activity concerned reports from the population residing in several small Italian municipalities concerning inefficiencies in the access to the telephone network from a fixed location, such as to impede voice communications and connection to the Internet (about 50 reports were recorded).

The supervision also involved the activities related to the alias archives in terms of registration/cancellation operations. Resolution no. 18/17/CIR provided for a one-year extension of the trial period.

Finally, the Authority carried out the activities referred to in resolution no. 113/16/CONS, regarding the review of the scope of universal service obligations in relation to Internet access and related quality objectives. The aim was to evaluate the need of a revision of the content of the universal service, in the light of technological progress and market developments, examining the need to include broadband access in ADSL technology in the universal service provision obligation.

Disputes between electronic communications operators and penalties

With resolution no. 449/16/CONS, the Authority adopted a new Regulation for the settlement of disputes between operators, which amends and integrates the previous one (Resolution No. 226/15/CONS), making it compliant with the provisions of Article 9 of the Legislative Decree no. 33/2016 on *"Implementation of Directive 2014/61/EU of the European Parliament and of the Council of 15 May 2014 on measures to reduce installation costs for high-speed electronic communications networks"*. Article 9 of the Decree, identifies the Authority as the competent body for the settlement of disputes between network operators and managers of physical infrastructures or between owners of property units, or residential complex, and network operators, in relation to rights and obligations set forth in articles 3, 4, 5, 6 and 8 of the Decree.

In particular, among the new and significant elements introduced, there was the extension of the subjective scope of application. In fact, the Authority is also responsible for settling disputes between companies supplying electronic communications networks or services and non-electronic communications operators having infrastructures for laying fiber-optic networks. The request of one of the parties is sufficient for the Authority to proceed with the settlement of the dispute, differently from the provisions of the previous Regulations, in which the Authority's ability to settle a dispute between an electronic communications operator and a manager of physical infrastructure was subject to the agreement of both parties. This solution is in line with the aim of speeding up the removal of any obstacles that may have arisen during the quick installation of new infrastructures. During the reference period, the Authority settled 13 disputes (started in the current or prior year) and started 23 disputes, of which three pursuant to Article 9 of the Decree. In four cases, the applicant requested the adoption of precautionary measures. Among those settled, a dispute was appealed, five were settled by directorial measure, six with a ruling by the Corporate Body, while an application to initiate the constitutional was declared inadmissible due to a lack of the requirements provided for by the Regulation.

The most important issues addressed in the disputes started by the Authority are:

access to the infrastructures available for laying fiber-optic networks. In particular, it should be noted that in one case the applicant complained about the violation of the obligations of access to the physical infrastructure of the operator in compliance with the principles of transparency, non-discrimination, fairness and reasonableness. The dispute is still underway and the Authority for Electricity, Gas and Water has been asked to deliver an opinion as provided for by the aforementioned Decree. By resolution no. 104/17/CONS, the Authority also settled a dispute between an electronic communications operator and a physical infrastructure operator in relation to the obligation of transparency, non-discrimination, fairness and reasonableness in terms of access to physical infrastructures available for laying optical fibre cables. The Authority established the economic conditions (maximum price) related to the sale of unlit optical fibers and access to light pipes, in line with the general criteria of fairness and reasonableness and in accordance with the bottom-up model referred to in Resolution no. 623/15/CONS, considering the peculiarity of the circumstance were the construction and use of infrastructure took place in the historic center.

Procedures for transferring fixed network users.

In particular, the Authority filed a dispute due to the impossibility of taking further proceedings, as one of the parties sued before the Judicial Authority and decided on the dispute by issuing Resolution no. 121/16/CIR, a general interpretative act. This provision clarifies that the operators authorized to provide electronic communications services must use the reason for the rejection for a service not requested only in the event that the customer holding the contract expressly declares that "he has never requested" the service. Furthermore, this reason can not be used in order to stop the migration procedure in the event of afterthought or change in the client's will or for reasons regarding the free and proper contractual will between the recipient and the customer.

termination price on MVNO's mobile network.

In this regard, the Authority settled three disputes, with resolutions no. 655/16/CONS, no. 656/16/CONS and no. 657/16 / CONS, relating to the setting of the price of the termination service on the mobile network applied by Poste-Mobile to Fastweb, H3G and Telecom Italia for the period in which the former has not been subject to regulatory obligations (from 14 July 2014 to 30 September 2015). Specifically, the Authority, following the exchange of views with the European Commission, to which the provisioning measures were notified pursuant to Article 7 of the Framework Directive, defined the efficient termination price of PosteMobile, using the same bottom-up LRIC model (long run incremental cost) used to calculate the mobile termination price of the notified MNO operators.

With regard to the penalties, resolution no. 652/16/CONS approved the commitments submitted by Telecom Italia in the context of joint penalty proceedings no. 1/15/DRS and no. 2/15/DRS, arising from the reporting of competitors and the supervisory activity carried out by the Authority. These proceedings concerned delays and anomalies detected in the provisioning and assurance processes of access services to the Telecom Italia network.

1.2 "Media" services: analysis, rules and checks

During its activity aimed at protecting information pluralism, in accordance with the Legislative Decree of 31 July 2005, no. 177 (TUSMAR), in order to verify that there are no dominant positions in the Integrated Communications System (SIC) and related markets and that the so-called "Anti-concentration limits" are complied with, the Authority concluded the first phase of the proceeding (initiated with Resolution No. 286/15/CONS) aimed at the identification of the relevant markets, as well as the establishment of dominant or which could damage pluralism in the field of audio-visual media services.

In particular, after a complex analysis - during which data, information and contributions of the main operators and associations in the category were collected, and the results of which were discussed in a public consultation - by resolution no. 41/17/CONS of 26 January 2017, the Authority identified, in the audiovisual media services sector, the relevant markets for the protection of pluralism, also considering the spread of new production methods of production, distribution and use of audiovisual content on the Internet.

In compliance with the provisions of article 43 of the TUSMAR, the aforementioned analysis was carried out following the methodological approach typical of competition law, whose definition of the relevant markets is subject to the combined analysis of the product and geographic profile of the same markets, on both the demand and the supply side. More specifically, the different features of the profiles of users of free-to-air audiovisual media services and pay audiovisual media services (in terms of preferences, spending ability), the various business models supporting the television broadcasting activities, the different types of content conveyed and their different degree of diversification (vertical), the consequent different structure of the costs incurred by the operators, which separates the industrial chain of pay-TV from free television, were taken into consideration.

In addition, considering factors (language barriers, cultural factors, different legislations and specific features in the advertising segment) able to influence the geographical demarcation of the different areas, the Authority identified three relevant markets: *i)* free-to-air audiovisual media services market, at national level; *ii)* the free-to-air audiovisual media services market, at local level; *iii)* the pay audiovisual media services market, at national level.

After the first phase of the proceeding, the second phase starts, aimed at evaluating the possible existence of significant positions in the two markets identified in the national context, as well as the possible adoption of the measures envisaged by the article 43, paragraph 5 of the Consolidated Law⁹.

⁹ In view of the changes taking place in the local television broadcasting sector, following the implementation of the legislative provisions introduced by the Decree Law no. 145 of 23 December 2013, converted, after amendments by law no. 9 and subsequent amendments and integrations of 21 February 2014, the market for free-to-air audiovisual media services at local level does not undergo the following phase of assessment of any dominant positions.

Moreover, the Authority continued the activities related to the proceeding (started by Resolution No. 687/15/CONS) aimed at identifying the relevant market as well as the ascertaining dominant positions or positions that may harm pluralism in the radio sector.

In this context, the Authority, in carrying out its usual annual activity, also concluded the proceeding for the assessment of the economic dimensions of the SIC for 2015 (Resolution No. 10/17/CONS).

The analysis carried out showed that the total value of the SIC amounts to about 17.1 billion euro (see Table 1.2.1), without significant changes compared to 2014¹⁰. Specifically, the audiovisual and radio media services sector (also on the Internet) represents, with 49.5% (equal to over 8 billion euro), the area with the greatest impact on total economic resources. The daily and periodical editors (and press agencies) also on the Internet, rank second with 24.4% (over 4 billion euro). The publishing sector is completed by revenues generated by yearly publishing and other electronic publishing (including online), which totaled 321 million euros (1.9% of SIC). Revenues from online advertising amount to around 1.7 billion euros (9.7% of SIC).

The cinema sector, amounting 872 million euro, represents 5.1% of the total, while the outdoor advertising, which in 2015 accounted for 2.2% of the total revenues of the SIC, is worth 380 million euro. Finally, with regard to the communication initiatives of products/services and sponsorships, they reach a total of 1.2 billion euros, equal to 7.2% of total resources.

With reference to the distribution of the shares of the main entities present in the SIC, it should be noted that no one achieved, in 2015, revenues exceeding the limit of 20% referred to in Article 43, paragraph 9, of TUSMAR (see Table 1.2.2). Specifically, in 2015, the 21st Century Fox group (Sky Italia, Nuova Società Televisiva Italiana, Fox Networks Group Italy), with a 15.4% share, was confirmed as the first operator. Then we find the Fininvest groups (Mediaset, Arnoldo Mondadori Editore, Mediamond) and Rai, with shares respectively of 14.9% and 13.7%, followed by Gruppo Editoriale L'Espresso (3.3%), Google (3.2%) and RCS MediaGroup (3.0%). The remaining portion of SIC's total revenues is ascribable to other operators, including Seat Pagine Gialle (now Italiaonline), Facebook, Gruppo 24 Ore and Cairo Communication.

Tab 1.2.1 - Total revenues of the SIC and related economic areas (€ million)

Economic areas	Revenues (€ million)		Var. %	Distribution %	
	2014	2015		2014	2015
1. Audiovisual and radio media services also on the Internet	8.435	8.449	0,2	49,2	49,5
2. Daily and periodical editors (and press agencies) also on the Internet	4.447	4.168	-6,3	25,9	24,4
3. Yearly publishing and other electronic publishing also on the Internet	235	321	36,6	1,4	1,9
4. Online advertising	1.624	1.660	2,2	9,5	9,7
5. Cinema	811	872	7,5	4,7	5,1
6. Outdoor advertising	364	380	4,4	2,1	2,2
7. Communication initiatives of products/services	422	387	-8,3	2,5	2,3
8. Sponsorships	799	839	5,0	4,7	4,9
Total	17.137	17.076	-0,4	100,0	100,0

¹⁰ For a more detailed analysis of the evolutionary dynamics of the entire media sector, see Chapter II

Tab 1.2.2

Shares of the main entities operating in the SIC (%)

	2015
21st Century Fox	15,4
– <i>Sky Italia</i>	15,1
– <i>Fox Networks Group Italy</i>	0,3
Fininvest	14,9*
– <i>Mediaset</i>	13,3
– <i>Arnoldo Mondadori editore</i>	1,4
RAI Radiotelevisione Italiana	13,7
Gruppo Editoriale L'Espresso	3,3
Google	3,2
RCS MediaGroup	3,0
Seat Pagine Gialle	1,4
Facebook	1,3
Gruppo 24 Ore	1,3
Cairo Communication	1,3
Other operators	41,2

The amount relating to Fininvest also includes the revenues generated by Mediamond.

Among the different powers to protect external pluralism, the Authority, pursuant to art. 43, paragraph 1, of the TUSMAR, on the occasion of mergers or agreements between parties operating in the SIC, carries out the specific checks on compliance with the anti-concentration limits - provided for by the same article in paragraphs 7, 8, 9, 10, 11 and 12 - on the number of authorizations for the provision of television or radio programs and the revenues generated. The Regulation approved by resolution no. 368/14/CONS regulates the aforementioned proceedings.

Table 1.2.3 shows the measures taken by the Authority during the reference period related to the checks pursuant to art. 43, paragraph 1, of the TUSMAR on merger transactions and agreements between entities operating in the SIC.

In addition, the examination (Article 23 of the Regulation annexed to Resolution No. 353/11/CONS) on compliance with the anti-concentration limits on provision of television programs

Tab 1.2.3

Verification of compliance with the standards set forth in art. 43 of TUSMAR regarding merger transactions and agreements

Verification of compliance with the principles pursuant to art. 43 of the Consolidated Law	
Decisions not to start the investigation pursuant to Art. 5 of Regulation 368/14/CONS adopted with resolution	6
Decisions not to start the preliminary investigation pursuant to Art. 5 of Regulations 368/14/CONS taken with determination	13

envisaged both for the national context (Article 43, paragraph 7 of the TUSMAR) and for the local context (Article 5). As required by the Regulations, the examination was carried out on the data provided by the entities operating locally and nationally through the Communication Operators Register (COR); in this regard, following some amendments on the models no. 21 and no. 24 (aimed at improving the completeness and correctness of the data relating to the declarations of audiovisual media service providers and network operators on the broadcasted programmes, as well as on their transportation relations), for this year, in order to complete the activity on time, a trial transmission of additional communication by network operators and audiovisual media service providers was requested.

As for the activities aimed at monitoring compliance with the specific concentration limits imposed by art. 3, paragraph 1, of law no. 416/1981, as renewed by law no. 67/1987, the Authority monitored and analyzed the data collected from the declarations provided by companies publishing newspapers in Italy during the 2016 calendar year.

At the end of the period set for compliance, 15 February 2017, the Authority carried out specific checks to verify compliance with the reporting obligations, crossing the communications relating to the Economic Information System (EIS), acquired for the previous fiscal years 2014 and 2015, with the registrations of new companies publishing newspapers of newspapers at the ROC, for the years 2015 and 2016. Overall, 122 papers were counted¹¹ and the related data was reported in the tables regarding the circulation of daily newspapers, published, as every year, on the Authority's website.

On the basis of the information notified, the monitoring activity allowed verifying, among other things, that, following the merger of Itedi into Gruppo Editoriale L'Espresso, the new group, also as a result of the divestitures operated, would hold a share, related to 2016, below the limits (amounting to 20%) provided for by art. 3, paragraph 1, subpara. a) of law no. 416/1981 as renewed by law no. 67/1987¹².

In this scenario, where competition in the media markets is changing, at the end of 2016 the Authority started a procedure aimed at verifying the possible existence of an infringement of art. 43, paragraph 11, of the TUSMAR, by the company Vivendi SA. In particular, the aforementioned article states that *"Companies, including through subsidiaries or associates, whose revenues in the electronic communications sector, as defined pursuant to Article 18 of Legislative Decree no. 259 of 1 August 2003, exceed by 40% the total revenues of that sector, they may not achieve revenues higher than 10% of the integrated communications system"*.

In light of the elements acquired during the investigation, the Authority ascertained that Vivendi's position did not comply with the aforementioned provisions. Specifically, Vivendi, being able (due to the holdings held) to exercise significant influence both on Telecom Italia and on Mediaset, could qualify as being connected to them. Consequently, by virtue of these relationships, Vivendi exceeded the 40% of the total revenues related to the electronic communications sector – including retail and wholesale services from fixed network, wholesale services from mobile network and broadcasting services for the transmission of content to end users - and, at the same time, the 10% of the total resources ascribable to the SIC.

Therefore, in April 2017, by Resolution no. 178/17/CONS, on *"Assessment of the violation of art. 43, paragraph 11, of the legislative decree of 31 July 2005, no. 177"*, the Authority ordered the company Vivendi to remove the prohibited position by twelve months from the day following the notification of the provision. Finally, pursuant to the same resolution, Vivendi, in order to allow the Authority to carry out adequate monitoring, is required to present, no later than 60 days from the day following the notification of the provision, a specific action plan that the company intends to adopt to comply with the AGCOM order.

11 The positions include the communications of the transferors and transferees of all the publications considered.

12 Please refer to paragraph 2.2 for a longer discussion of the topic.

By legislative resolution of 15 March 2017, the European Parliament and the Council adopted a first reading position on the "*Proposal for a Decision of the European Parliament and the Council on the use of the 470-790 MHz frequency bands in the Union*", establishing that the 700 MHz band provided to mobile operators and made available for wireless broadband services by 30 June 2020, without prejudice to the possibility of Member States, for duly justified reasons, to delay the provision of this band for up to two years (2022).

Furthermore, the same decision provided for a strict roadmap regarding the activities related to the refarming of the 700 MHz band. In particular, by December 2017, it is established the closure of cross-border coordination procedures between the Member States and, by June 2018, the adoption and publication of the national allocation plan, in addition to the "national roadmap" for the release of the 700 MHz frequencies, steps imposed in order to fulfill the obligations envisaged by the initiative. In this way, the coordinated use of the band should promote the extension of 4G networks and help to provide high quality broadband services to all European citizens, including mobile Internet services, also facilitating the distribution of the 5G network as soon as available.

The allocation of the 700 MHz band to wireless broadband electronic communication services impacts on the number of frequency resources available in Italy for television use and, consequently, is intended to have an impact on the configuration and the number of transmission networks, as currently planned¹³. In particular, the refarming of the 700 MHz band will necessarily entail the redefinition of the entire setting of the Italian broadcasting system through the replanning of the frequencies used for the broadcasting service, whether in the UHF-IV/V band or in the VHF-III band.

Therefore, considering the aforementioned regulatory context, the Authority adopted resolution no. 40/17/CONS, on "*Suspension of the process of implementation of scheduled changes in frequencies provided for by the current planning resolutions*" which, pending the overall replanning of the resources allocated to the radio and television broadcasting service after the 700 MHz band refarming, suspends the process of implementation of the scheduled changes in the frequency resources established - in order to ensure an efficient and rational use of the frequency resources - by the current national frequency allocation plans for the terrestrial television service using digital technique.

Digital Radio Analog radio in the FM band

In 2016, the Authority included in the national frequencies cadastral, the audio analog broadcasting systems operating in the 87.5-108 MHz band¹⁴. The success of the first census phase, during which the technical data of over 16,000 installations operating in Italy was self-declared, was certainly promoted by the involvement, from the initial stages of the project, of the operators working in the sector, through their professional organizations.

The data collected now require a period of analysis and interaction with the operators aimed at increasing the quality level in terms of reliability and accuracy. However, it is already possible to use data for approximate radio and statistical analysis. By way of example, table 1.2.4 shows a classification of the operators based on the number of installations used. Moreover, Figure 1.2.1 shows the distribution of the installations on the various carriers available in the same band, in order to provide an indication of the bandwidth intended for FM radio.

¹³ In the UHF range of frequency, two adjacent bands are assigned to the terrestrial television broadcasting service: the IV band (from 470 to 582 MHz) and the V band (from 582 to 790 MHz). The channeling adopted for these two bands, internationally, provides for 40 channels (numbered from 21 to 60) with a width of 8 MHz each. The so-called 700 MHz band is the upper portion of the UHF-V band, that is the one between the frequencies 694 and 790 MHz, in which 12 of the 40 channels available in the UHF-IV/V bands are allocated (channels from No. 49 to No. 60). In Italy, from a quantitative point of view, the 700 MHz band represents about 30% of the spectrum available for broadcasting in the UHF range (25%, if the channels available for VHF-III bandwidth broadcasting are taken into consideration). According to the current planning, 8 national multiplexes and 84 local multiplexes operate on the 12 channels of the aforesaid band (to which the additional local multiplexes planned by the Authority must be added with Resolution No. 402/15/CONS and the procedures referred to in Article 6 of Decree Law of 23 December 2013, No. 145, converted by Law No. 9/2014).

Tab 1.2.4

As for digital radio, in addition to the activities carried out under the responsibility of the Ministry of Economic Development for the allocation of frequencies in the areas so far planned by the Authority, other studies are being developed for the planning of the remaining 23 service areas identified by resolution no. 465/15/CONS. However, at present, further areas may be planned only after the overall reorganization of the VHF-III band, necessary because of the refarming of the 700 MHz band.

Classification of FM radio operators by number of installations

No. installations	No. entities
1	260
2-10	462
11-100	157
101-1.000	20
Oltre 1000	1

14 More detailed information available in the section dedicated to the *Catasto nazionale delle infrastrutture di diffusione* in paragraph 1.7.

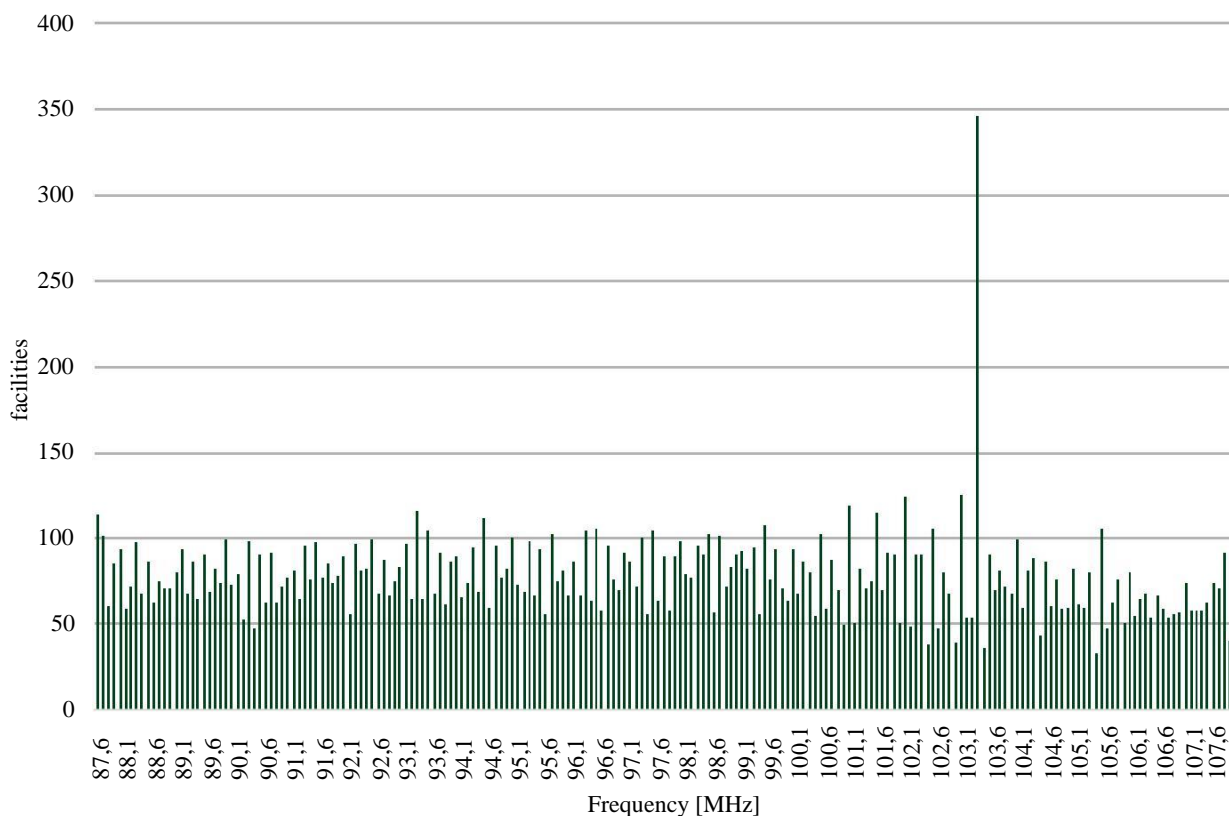


Fig 1.2.1 - Distribution of FM facilities by broadcasting frequency

Codings for the reception of programs in DVB-T2 technology

By resolution no. 457/16/CONS, of October 2016, on "*Identification of coding (coding standards for the reception of programmes in DVB-T2 technology) that are to be considered «technologically outdated», pursuant to Article 3, paragraph 1, of the Law Decree of 31 December 2014, no. 192 converted, with amendments, by law of 217 2015 no. 11*", the Authority concluded the analysis aimed at carrying out a survey of the state of penetration and spread of the coding standards currently in use for the receivers of digital terrestrial television, as well as to evaluate the possible status of obsolescence of the same receivers, according to the provisions of article 3, paragraph 1, of the law of 27 February 2015, no. 11.

The Authority established that, at present, none of the codecs (source encoders or compressors) currently in use can be considered obsolete although, from a technological point of view, both the MPEG-2/H.262 standard, and the MPEG-4 standard, now appear to be "mature".

Moreover, the resolution also established that the monitoring activities on the state of development and dissemination of co-operative standards shall continue in the context of the activities carried out by the Permanent Observatory on the innovation of audiovisual media services, set up by resolution no. 482/14/CONS.

Opinions on the transfer of rights of use of radio-TV frequencies pursuant to art. 14-ter of the Electronic Communications Code

Within the competences exercised by the Authority in the field of radio and television frequencies, there are the opinions received by the Ministry of Economic Development on the transfer of individual rights of use of radio frequencies, pursuant to Article 14-ter, paragraphs 5 and 6 of the Electronic Communications Code. In particular, in order for the Ministry of Economic Development to grant the authorisation, the Authority verifies the compliance with the planning restrictions provided for by the related resolutions and, upon approval by the Italian Antitrust Authority (AGCM), the absence of distortion of competition.

Table 1.2.5 shows the data on the volumes of the activity related to the Authority's opinions on the transfer of rights of use of radio and television frequencies.

Tab 1.2.5

Transfers of rights of use of radio and television frequencies

Transfers of rights of use of radio and television frequencies pursuant to art. 14-ter of the Electronic Communications Code

Opinions concluded	55
Pending AGCM opinion	3
Investigations completed (pending integrations by the Ministry of the Economic Development)	16

Issuing of authorisations for the activity of service provider of audiovisual and radio media services and authorizations of transfers of radio and television ownership

The provision of audiovisual and radio media services is subject to specific authorisation, based on the provisions of Legislative Decree of 31 July 2005, no. 177 (TUSMAR).

In this regard, the Authority is in charge of issuing of authorisations to channels broadcasting satellite television programmes, as well as of issuing authorizations for the provision of linear or radio-based audiovisual media services on other electronic means of communication.

Table 1.2.6 shows the activity carried out by the Authority during the reference period of this Report, within the aforementioned competences.

The Authority's competences also include authorisations for transfers of ownership of the companies performing radio and television activities pursuant to art. 1, paragraph 6, subpara. c), no. 13, of the law of 31 July 1997, no. 249. The rule applies to companies directly holders of authorisations or qualifications for the television or radio broadcasting activity on any platform.

In this regard, based on the provisions of the Regulation attached to resolution no. 368/14/CONS, art. 1, subpara. i), transfer of ownership shall mean transfer of the entire company,

Tab 1.2.6

Authorisations for the provision of audiovisual media services

Authorisations for the dissemination of satellite programs (issues /renewals/transfers)	21
-----------------------------------------------------------------------------------------	----

Authorisations issued for the simulcast satellite rebroadcasting of the provision of linear audiovisual media or radio services	6
---------------------------------------------------------------------------------------------------------------------------------	---

Changes in data relating to authorisations for the broadcasting of satellite programmes – ratifications (pursuant to Article 3, paragraph 5 of Resolution No. 127/00/CONS)	21
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----

Linear or radio audiovisual media services on other electronic media - simulcast rebroadcasting (pursuant to Resolution no. 606/10 / CONS)	7
--------------------------------------------------------------------------------------------------------------------------------------------	---

On-demand audiovisual media services (pursuant to Resolution no. 607/10/CONS)	2
-------------------------------------------------------------------------------	---

the transfer of quotas or shares and any other act or fact which results in the acquisition by another entity of the control or controlling interest of the company (of both absolute or relative majority), as well as any other act or agreement - regardless of the manner in which it is finalised - which has the same effect in the form of a dominant influence pursuant to art. 43, paragraph 15, of the TUSMAR.

During the reference period, the Authority issued 12 authorizations for transfers of ownership of radio and television companies pursuant to the aforementioned Law no. 249/1997.

1.3 Protection and guarantee of rights in the digital system

During the reference period, the Authority's activity to protect the rights of the digital system focused on the analysis of the public radio and television service after the expiry of the concession to Rai, on the protection of intellectual property on the electronic communication networks - both through the fight against piracy and by stimulating the dissemination of a quality culture among network users -, on the issuing of specific guidelines for marketing of audiovisual sports rights and on the monitoring activity on press freedom.

Considering the profound changes occurring in the media system, the Authority decided to update the "White Paper on Media and Children" and carried out supervisory activities through the monitoring of programmes aired by the main national broadcasters in order to protect users and, in particular, minors. In addition, through the Regional Communications Committees (Co.re.com), monitored the local radio and television broadcasting.

Finally, the Authority assessed the compliance with pluralism and electoral fairness, supervised television and radio ratings and the respect for programming and investment shares in European works and independent producers.

Evolution of the audiovisual sector

In the reference period of this Report, the main innovation in the regulatory framework is to be found in the presentation, last 25 May, by the European Commission of the awaited proposal for revisions of the 2010 Directive/13/EU on audiovisual media services (the so-called SMAV Directive) following the *refit* launched by the Commission last year in which the Authority was involved.

The proposal for a Directive, which is currently being examined by the European Parliament and the Council, is based on the creation of a more harmonized and flexible regulatory framework with regard to the changing technological and market conditions of the sector of audiovisual media services. In essence, the proposal affects the main aspects already dealt with in the public consultation and stakeholder dialogue in 2015.

Firstly, the territorial jurisdiction was considered, whose determination becomes simpler, while simultaneously increasing cooperation between national authorities. The country-of-origin principle is kept and strengthened, as the rules are simplified, currently quite complex and sometimes difficult to apply to establish the jurisdiction.

A second aspect, which appears as the main signal of innovation in the current framework,

is represented by the extension of the scope of the Directive to include also video-sharing platforms, although limited to the provisions on protection of minors from harmful content and protection of citizens from incitement to hatred, using tools that allow users to report illicit content, age verification systems and parental control. Furthermore, the new text explicitly includes video sections of Internet sites that are not related to audiovisual media service providers, such as newspaper and magazine sites.

With regard to European and independent works, the Commission took action on the provision for on-demand services, while confirming the approach already adopted for linear services, which is still considered adequate. In particular, the new wording of Article 13 of the Directive introduces a stronger level of harmonization compared to the current wording, the implementation of which has been very uneven at national level. The mandatory general criteria include the presence of 20% of European works in the catalog and their *prominence* in the catalog.

The new text of art. 13, in paragraph 3, also introduces the option for Member States to impose a financial contribution to suppliers of audiovisual media services on request that are subject to their jurisdiction and designed for the public in their territories, but established in other Member States. This contribution is earmarked for production and therefore for the promotion of European works. The contribution is only based on revenue from the Member States concerned: if the State in which the supplier is established imposes a financial contribution, this takes into account any financial contributions imposed in the countries where the supplier performs the activity.

As for the marketing communications, the proposal aims to ensure greater flexibility for the benefit of television broadcasters with regard to the limits for linear audiovisual media services, product placement, sponsorship and advertising interruptions.

Finally, in order to solve any critical issues arising from the interpretation and evaluation of concrete factual situations, the Commission decided to grant the ERGA (European Regulators Group for Audiovisual Media Services) - a platform that brings together national regulators in the audiovisual sector of the member States of the European Union, to which the Authority actively participates - new competences as advisory and support body of the Commission, through the expression of opinions on jurisdictional disputes, the approval of the codes of conduct and exchange of best practices¹⁵.

Public radio and television service

On 6 May 2016, the concession of the public radio and television service to Rai expired. During the year, three different regulatory actions postponed the deadline to 29 April 2017 (Legislative Decree No. 50/2016, Law No. 198/2016, and Decree Law No. 244/2016), also in order to allow the Ministry of Economic Development to carry out public consultation on the public radio, television and multimedia service provided for by the Law no. 220/2015 on Rai Reform.

The entry into force of art. 9 of the law no. 198/2016 partially amended the procedure leading to the approval of the Convention annexed to the concession, establishing that the MISE is responsible for the proposal of the concession contract and the attached Convention scheme, keeping the power of initiative granted to the Authority by art. 1, paragraph 6, subpara. b), no. 10 of the law no. 249 of 1997.

The Convention has a general and prospective nature (ten years) and enshrines standards, criteria and conditions that form part of the framework for the concession on which the five-year service contract is based.

The Authority, following a complex reflection on the future of the public service, exercising its power, submitted to the MISE a document containing observations and proposals for preparing the final text of the Convention.

The document developed specific considerations on the most important aspects of the definition of the Convention, such as the mission, role and scope of the public service; methods of financing the service and company structure; evaluation and transparency systems; networks, platforms and multimedia; supervision of the fulfillment of public service obligations. With regard to latter, pursuant to art. 48 of the TUSMAR, the Authority is empowered with a specific supervisory function, in charge of ensuring that the public service is provided in accordance with the national and European legislation on the subject, the service contract and the related implementation regulations.

On 10 March 2017, the Council of Ministers approved the draft decree of the President of the Council of Ministers concerning the concession of the public radio, television and multimedia public service, with the annexed draft of the Convention (Act No. 399). On the same date, the draft decree was sent, pursuant to article 49, paragraph 1-quinquies, of the Legislative Decree of 31 July 2005, no. 177 (TUSMAR), to the Parliamentary Commission for the general direction and supervision of radio and television services for the opinion. The parliamentary commission for general guidance and supervision approved the draft decree at the meeting held on 11 April 2017, within the deadline, expressing favorable opinion with observations.

¹⁵ Pending the final adoption of the new text of the Directive, the ERGA continues its consultations to study and research with the aim of supporting the Commission and for the benefit of the regulatory authorities that are part of it. The ERGA work programme for the years 2016/2017 focused on specific issues of particular interest for the regulatory authorities in the sector, whose discussion led, as usual, to the establishment of working groups where the Authority takes part as an "active member". For 2017, also in view of the approval of the new Directive, the themes of the exchange of experiences and good practices, of the protection of minors and of the self and of co-regulation have been privileged, so as to ensure an efficient performance of the functions that are very likely to be assigned to the body following the outcome of the legislative process.

On 28 April 2017, the Council of Ministers authorised the ten-year concession of the public radio, telephone, television and multimedia service to Rai, on the whole national territory and simultaneously approved the model contract to be concluded, pursuant to article 49, paragraph 1-septies of the TUSMAR, between the MISE and the concessionary company¹⁶.

The decree granting the radio, television and multimedia public service exclusively to RAI for a ten-year term on the entire national territory entered into force, by provision of article 1, paragraph 1 of the same act, on 30 April 2017. The attached model contract - to be concluded, pursuant to Article 49, paragraph 1-septies of the TUSMAR, between the MISE and the concessionary company – becomes effective, like the concession, starting from 30 April 2017, as provided for in Article 2 of the same contract.

As for the service contract, it is worth mentioning that the aforementioned reform law of 2015 affected the tasks assigned to the Authority, introducing some amendments to the provisions of art. 45 of the Consolidated Law. As known, paragraph 4 of the aforementioned article regulates the adoption of the preliminary guidelines for each renewal of the service contract of the public concessionaire, establishing that they are set out by agreement between the Authority and the Ministry of Economic Development. The law added paragraph 4-bis to paragraph 4, which states: *"The resolution of the Council of Ministers defines the guidelines for reaching understanding with the Authority, as per paragraph 4"*. The understanding with the Authority, aimed at issuing the guidelines, is therefore subject to an action by the executive that defines its *"guidelines"*.

In the first application, the service contract scheme shall be sent to the Commission for the general direction and supervision of the radio and television services for the opinion within six months from the awarding of the new concession (Law No. 220/2015);

the parliamentary commission for general guidance and supervision shall deliver its opinion within the next thirty days (law 249/1997); the national service contract shall be therefore concluded within the forty-fifth day following the deadline for the opinion of the Parliamentary Commission for general guidance and supervision (Decree of concession of public radio, television and multimedia service). Attached to the Annual Report are tables containing quantitative indicators relating to public service obligations for protected groups and for the supply by genre on the three general-interest channels, articles 13 and 9 of the service contract (see also Tables A1 to A6 of the Appendix showing AGCOM data - Fonte Geca Italia Srl).

Copyright

The Authority's action on copyright is designed to contribute to the protection of intellectual property on electronic communications networks by either repressing piracy, or by fostering the spread of a culture of legality among the users of the network. Three years after the entry into force of the *"Regulation on the protection of copyright on electronic communications networks and implementation procedures pursuant to Legislative Decree of 9 April 2003, no. 70"* (attached to Resolution No. 680/13/CONS), 709 applications were received (Figure 1.3.1). All the documents relating to the Authority's interventions can be viewed at www.ddaonline.it¹⁷.

The following table (Table 1.3.1) provides useful information on the types of works subject to the procedure, divided into groups. In absolute value, audio-visual works report a greater number of applications, for which the shortened proceeding was chosen over the ordinary proceeding. Sound works rank second.

The Authority's goal was primarily to contain and combat piracy, by protecting and promoting digital works that strongly affect, in particular, cases of repeated and intentional violation and not those regarding "non-intentional" violation.

16 The decree of the President of the Council of Ministers of 28 April 2017, on the *"Concession of public radio, television and multimedia service and approval of the annexed convention scheme"* was published in the Official Journal no. 118 of 23 May 2017.

17 See tables 1, 2, 3 and chart 1.

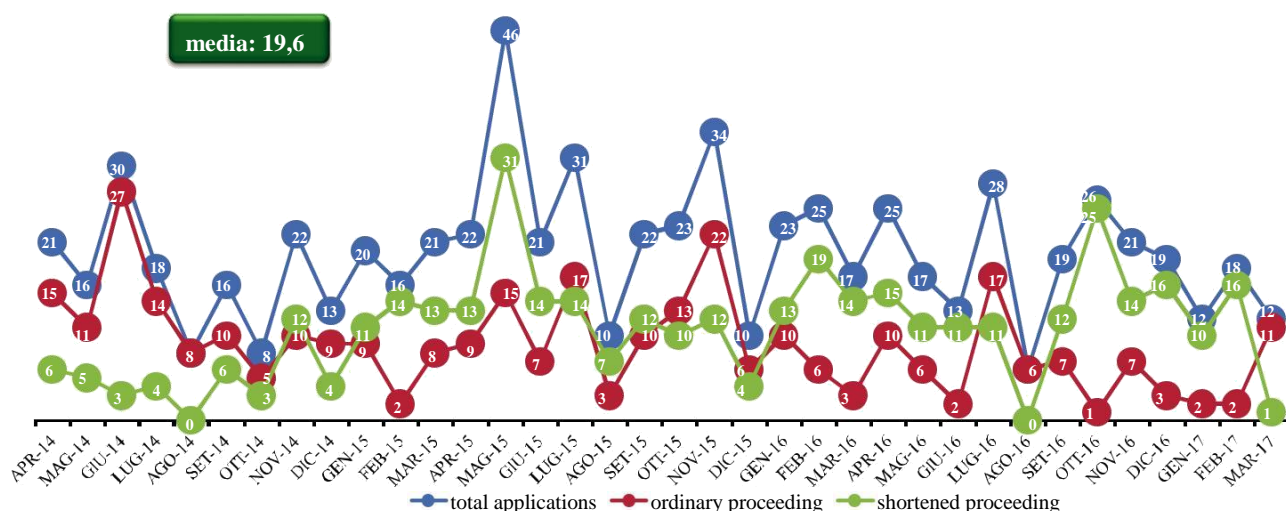


Fig 1.3.1 -
Number of applications by month and by type of proceeding (April 2014-March 2017)

Tab 1.3.1

Types of works subject to proceedings by type
(absolute values, 2013-2017)

Type of works	Ordinary	Shortened	Total
Audiovisual	25	174	199
Photografic	70	-	70
Sound	4	115	119
Publishing	50	4	54
Software	7	-	7
Literary	16	1	17
Video-recreational	1	10	11
Total	173	304	477

Beyond these cases, the Authority adopted a careful approach, considering that the criteria of gradualness, proportionality and appropriateness are, not surprisingly, the guiding principles of its administrative action.

An indicator of effectiveness of the Regulation is provided by the number of spontaneous adjustments (34%) which is certainly the most desirable action in terms of education to legality and mediation between the parties (see Table 1.3.2).

Further significant data are the access disabling orders (58.1%), by blocking the Domain Name System (DNS) intended for *mere conduit* service providers operating in Italy.

Tab 1.3.2

Main statistics on copyright activities
(2013-2017)

Applications received by type of work	
Audiovisual	44,5%
Publishing	15,0%
Fotografic	13,6%
Literary	4,6%
Software	1,7%
Sound	18,2%
Video-recreational	2,4%

Applications filed administratively before the start of the proceeding

110

Applications withdrawn before the start of the proceeding

27

Proceeding started

477

of which ordinary

36,5%

of which shortened

63,5%

Proceedings filed due to withdrawn of the application

1,0%

Proceedings administratively filed due to spontaneous adjustment

34,0%

Proceedings filed by CSP

6,7%

Proceedings concluded with access disabling orders

58,1%

Warning

0,2%

The sites subject to the DNS blocking order mainly host music (Italian and foreign), films and TV series (Table 1.3.3); the urgency of these proceedings is due to the high number of works affected by the violation and to the need to contain the economic damage of piracy on works recently released on the reference markets. Other actions are carried out on sites that unlawfully broadcast football matches of the Serie A championship (and other tournaments), which represent almost 18% of the Authority's orders.

Tab 1.3.3

Type of works indicated in the access prohibition resolutions
(2013-2017)

Italian and foreign music	40,1%
Film and TV series	37,2%
Championship and Tournaments matches	17,7%
Videogames	4,3%
Other	0,7%

The very nature of the works reveals a type of violation that has nothing to do with the freedom of expression or the non-intentional mistake of the individual user: they are all cases in which the offender clearly intends to gain economic benefits. In 57% of cases, the offender also uses companies specialised in providing online anonymity services and systems for hiding user data. The data is striking when we consider that it concerns more than half of "orders", with an increase of 10.5% compared to the first two years of procedural activity.

A very peculiar case is that of the so-called *cyberlocker*, dealt with in a single case, which evokes a change in the behaviors following the Authority's actions: in fact, sites such as *videopremium*, *now-video* and *novamov.com*, which usually do not respond to the notices made by the holders of the rights, following the notification of the start of the proceeding, spontaneously removed their contents. This appears to highlight the effectiveness of the existing provisions in this area, also with regard to these entities.

Sports rights

As for the activities provided for by art. 6 of Legislative Decree no. 9 of 9 January 2008 (so-called Melandri Decree), the Authority approved, with resolution no. 377/16/CONS, the Guidelines on the marketing of the audiovisual rights for the Italian Professional Football League relating to the Lega Pro championships.

On 30 November 2016, the proceeding for the approval of the guidelines for the marketing of sports audiovisual rights of the National Professional League Serie A for the sports seasons 2018/2019, 2019/2020 and 2020/2021 was started. During the investigation, the Authority paid particular attention to the analysis and verification of the so-called tariff system, making comments on the matter. By resolution no. 42/17/CONS of 26 January 2017, the Authority defined the text of the Guidelines as compliant to the principles and to the general elaboration of Legislative Decree no. 9/2008, also because of the acceptance by the Lega of the findings made during the investigation. However, comments were made on specific aspects related to the protection of consumers and users and on the conditions of access to the signal.

Since the aforementioned Decree provides for joint approval by AGCM and AGCOM, the Authority decided to postpone the final approval of the Guidelines after the Lega Calcio submitted the amended text including the findings made by both Authorities. On 3 April 2017, the Nazionale Professionisti Serie A submitted a new text of the Guidelines.

Finally, again considering the guidelines for the Serie A football championship (2015-2018), it should be noted that, in December 2016, the Lazio Regional Administrative Court (by ruling No. 6622/2016) has annulled the provision no. 25966 with which the AGCM had considered that the behaviours of the parties involved in the tender for the allocation of those rights, namely Lega Calcio Serie A, Infront, Sky and R.T.I., allegedly involved a prohibited agreement. It should be noted that the Administrative Judge has acknowledged the lawfulness of the contractual "cause" at the base of the sub-license for the D package - from which the antitrust proceeding originated - incorporating and

.recalling in many parts the opinion rendered by the Authority on the case pursuant to art. 1, paragraph 6, subpara. c), no. 11 of the law no. 249/97, in terms of benefits for pluralism and reduced costs for consumers.

Finally, the Authority carried out its supervisory and sanctioning activities in the field of press freedom. It should be noted that, due to the Authority's activities starting from the entry into force of the Decree, in 2016 the number of reports for alleged violations dropped.

Protection of individual rights: minors and users

The profound ongoing changes in the media system have increased the common opportunities but, at the same time, have posed new challenges in terms of protecting users and in particular minors. To this end, last year the Authority updated the "White Paper on Media and Minors", with the aim of responding to new regulatory and legal emergencies arising from the use of digital media. In particular, the emergence of new worrying phenomena - such as those related to "*hate speech*" and "*cyberbullying*" - highlights the issue of the protection of minors, in a new perspective that fosters reflection on the themes of sociality, information, privacy and risks related to the use of the network. The new edition of the White Paper (to be defined) is an important starting point for a reflection on the national media, in particular on new digital technologies and on their use. At the same time, it analyses the legal framework set up to protect minors and the future possibilities for intervention by the Authority.

The Authority carried out supervisory activities through the monitoring of programmes broadcasted by the main national channels, on the basis of strict methodological criteria. Moreover, through the Regional Communications Committees supervised the local radio and television broadcasting. The investigation started both on the spot, in response to the results of the monitoring, and following reports. Specifically, 15 proceedings were concluded on the matter, 11 of which involved pecuniary administrative penalties.

At the national level, the Authority supported the careful monitoring activity with media studies and literacy in collaboration with other institutions. In this regard, it is worth mentioning the coordination activities of the Co.re.com, which carry out a widespread research and training activity, and the participation in working groups set up at the Guarantor Authority for Childhood and Adolescence. The Authority is also a member of the Advisory Board of the *Safer Internet Center* – Generazioni Connesse, the national center for the promotion of safe and beneficial use of the Internet and digital technologies, co-funded by the European Commission in the *Connecting Europe Facility* programme. As part of the activities promoted by the MIUR for *Safer Internet Day*, the Authority organised the workshop called *Sicuri sul web per una navigazione consapevole* (Safe on the web for an informed surfing) at the Chamber of Deputies, which was attended by academics and experts in order to raise the awareness of public opinion and institutions on cyberbullying, hate speech and the dissemination of fake news on the web. These phenomena were also dealt with by the Observatory for guarantees of minors and fundamental rights of the person on the Internet set up at the Authority.

From a regulatory point of view, resolution no. 424/16/CONS, on "*Guidelines on respect for human dignity and the principle of non-discrimination in information, in-depth information and entertainment programmes*" was very important. By this resolution, the Authority intended to recall suppliers of audiovisual and radio media services on strict compliance with the fundamental principles established to protect users. The events concerning the threat of international terrorism and the migratory flows coming from war-torn countries sometimes generate an information context that, especially if based on false, inaccurate or misleading news, can feed discrimination which clash with the fundamental principles of protection of the person and respect for human dignity.

Both radio and television programmes often become object of debate in social media which, by embodying real forms of public opinion, risk, when used improperly,

to contribute to the dissemination of opinions (hate speech) that can become an incitement to violence and hate crimes by supporting the creation of a cultural and social environment that goes against human dignity and the principle of non-discrimination. Bullying and cyberbullying are also the expression of poor tolerance and non-acceptance of different ethnic groups, religion, psychophysical characteristics, gender, sexual orientation and particular family backgrounds. Misinformation and prejudice are the most suitable contexts where phenomena of juvenile delinquency can degenerate into violence or more structured bullying actions. Therefore, mass media play a key role in the prevention and contrast of this disturbing phenomenon. Media, indeed, are required to promote (along with the family and the school) education, including education to citizenship, and to promote the values established and protected by the Constitution, in particular the inalienable rights of each human being¹⁸, the recognition of equal social dignity¹⁹ and, in general, the values of democracy and tolerance to which peaceful civil coexistence is inspired.

These considerations are behind the Authority's choice to adopt the aforementioned Guidelines in order to encourage suppliers of audiovisual and radio media services to comply, in the context of information and entertainment programmes, with the fundamental principles established to protect users, especially considering those at risk of discrimination.

The Authority standardised its monitoring and supervision activities on compliance with the criteria set out therein, providing its own interpretation of the relevant provisions contained in particular in articles 3, 32, paragraph 5, and 34 of the Consolidate Law on audiovisual and radio-audio media services. As part of these issues, President Cardani was heard in a hearing in the Chamber of Deputies at the *Jo Cox Commission*,

established in order to carry out study and research activities, including through the holding of hearings, on issues such as intolerance, xenophobia, racism and hatred.

In this scenario, as mentioned, it is important to consider the growing attention to the phenomenon of the spread of online information and the dissemination and sharing of fake news, coming from a non-professional source. This is currently at the center of a debate that involves not only public opinion, but also international research centers and institutions. Although it is not a new topic, the spread of fake news on the Internet and, above all, the indiscriminate sharing of such news on social media, has led to a widespread growth of this issue, which has gained an unprecedented relevance.

This phenomenon directly affects the principles established to protect the pluralism of information and, in particular, the objectivity, completeness, fairness and impartiality of information, which are identified by art. 3 of the Consolidated Law on the fundamental principles to which the system of audiovisual media services must conform. The same Consolidated Law, in qualifying the information activity as a "*service of general interest*", states that "*the discipline of radio and television information, however, ensures: a) the truthful presentation of facts and events, in such a way as to favor a free opinion forming*". In fact, ensuring pluralism has been one of the main goals of the Authority since its establishment.

Some early reflections of the Authority on the issue of fake news emerged during the debate held on 9 February 2017 at the Chamber of Deputies. Based on the experience recorded in other countries, in particular the so-called *soft regulation* approaches (United States, Germany and France), and pending any action by the national or community legislator, the Authority tried to promote dialogue between the parties involved: platform operators, representative federations of agencies or national newspapers, audiovisual media services.

18 Article 2 of the Italian Constitution provides that "*The Republic recognises and ensures the inalienable rights of every human being, both as an individual and as a social group, and requires the fulfillment of the mandatory duties of political, economic and social solidarity*".

19 Article 3 of the Italian Constitution provides that "*All citizens have equal social dignity and are equal before the law, without distinction of gender, race, language, religion, political opinions, personal and social conditions. The Republic is required to remove the economic and social barriers which, by limiting the freedom and equality of citizens, prevent the full development of the human person and the effective participation of all workers in the political, economic fabric and of the country*".

On this topic, the Authority also organised technical workshops that involved IT experts, statisticians, economists, sociologists and jurists, with the aim of tackling the problem of disinformation through a holistic approach²⁰.

To this end, the Authority, by resolution no. 309/16/CONS, started a survey on digital platforms and the information system, which, among other things, delves into the issue of disinformation. The results of the survey will be published in 2017.

Political communication

The Authority, in the wake of the new case-law orientation resulting from the two judgements by the Council of State (No. 6066 and No. 6067 of 10 December 2014), already applied last year, concluded five proceedings concerning the verification of respect for pluralism in national and regional news, relating to the non-electoral period (one filing and four invitations). Specifically, the Authority decided to base its assessments not only on quantitative data - which is still an objective starting point - but also on qualitative elements, having regard to the political agenda of that period and to the details of the topics dealt with, with reference to the whole information provided.

Figure 1.3.2 shows in detail the activity carried out by the Authority by type of provision.

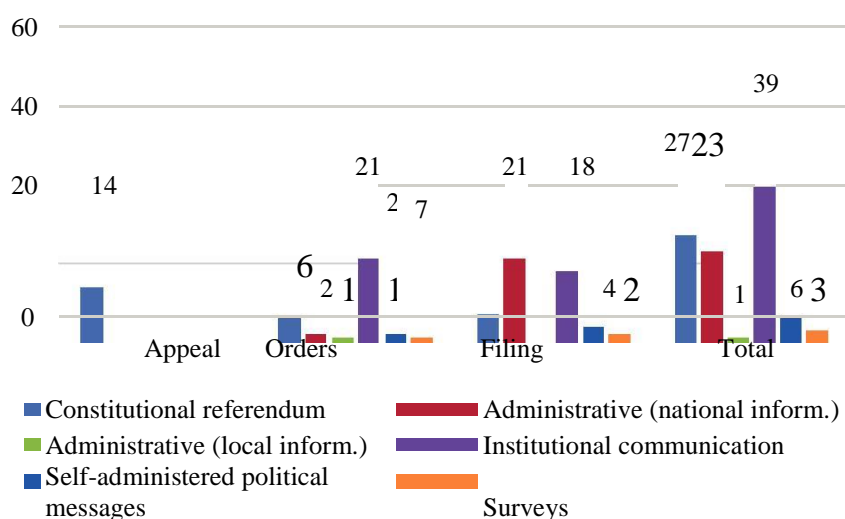


Fig 1.3.2 - Proceedings in the field of fairness doctrine by type of provision

²⁰ The results of these workshops are published on the Authority's institutional website in the "Seminars and workshops" section.

Monitoring of pluralism during the campaign for the constitutional referendum of 4 December 2016. 28 September - 2 December 2016

During the campaign for the confirmatory popular referendum²¹ of 4 December 2016, the Authority's monitoring activity was aimed at verifying compliance with the principles of pluralism and the completeness of information through the calculation of the time dedicated to favourable, contrary, neutral positions and on the referendum question and the time dedicated to the referendum theme by national broadcasters. In particular, the assessment concerned the following times:

speaking time, namely the time when the political/institutional or social individual speaks directly in the news and during programmes (for programmes only the speaking time is calculated);

news time, namely the time dedicated by the journalist to the explanation of the "constitutional referendum" in relation to a political/institutional or social individual in the news;

airplay, namely the total time dedicated to the political/institutional or social individual in the news, given by the sum of the "news time" and the "speaking time" of the individual;

time dedicated to the topic (referendum), namely the total time dedicated by the news and by the programmes to the topic on the total amount of time dedicated to information.

The Authority also published data referring to the time used by positions in favour and against the question, also taking into account neutral positions. To this end, every intervention was evaluated, not only that of political and institutional representatives,

but also that of individuals ascribable to the "social" area (for example, journalists, intellectuals, economists). Furthermore, the data referring to the time dedicated to the topic allowed the Authority to evaluate the actual discussion of the issue by the publications, encouraging them to send invitations and recommendations to broadcasters to increase the time dedicated to the topic, in particular in view of the approaching elections.

The Authority's interventions were also aimed at correcting the behaviour of the broadcasters in violation of the fairness during the referendum, through the adoption of "restoring" sanctions, aimed at re-establishing as soon as possible equal access to political-electoral information and, therefore, an adequate and fair treatment of the information regarding the referendum.

Figures 1.3.3-1.3.6 show, by way of example, the changes occurred in the behaviour of the publications in compliance with some of the resolutions adopted by the Authority.

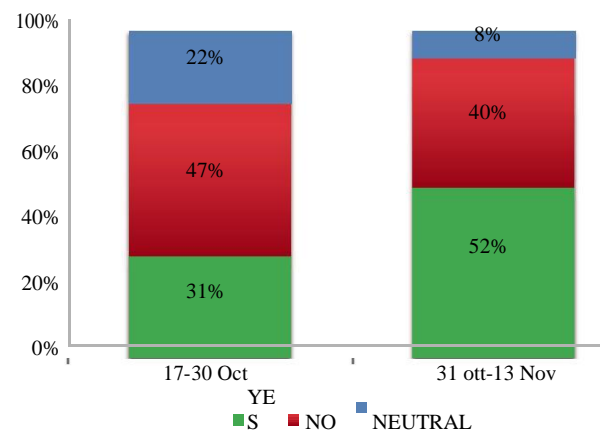


Fig 1.3.3 - Speaking time (%) of favorable, contrary and neutral positions to the referendum question of 4 December 2016, recorded in the newscasts of Skytg24 in the periods 17-30 October and 31 October-13 November 2016²²

21 Confirmatory popular referendum on the text of the constitutional law containing "Provisions for overcoming the equal bicameralism, the reduction of the number of the members of the parliament, the containment of the operating costs of the institutions, the abolition of the CNEL and the revision of Title V of Part II of the Constitution".

22 See resolution no. 484/16/CONS of 3 November 2016 regarding the reference to the Skytg24 newspaper to ensure equal treatment between positions in favour and against the referendum question in the newscasts broadcasted during the period 31 October- 13 November 2016 due to the imbalance detected in the news for the period 17 -30 October 2016 in favour of the "NO" vote.

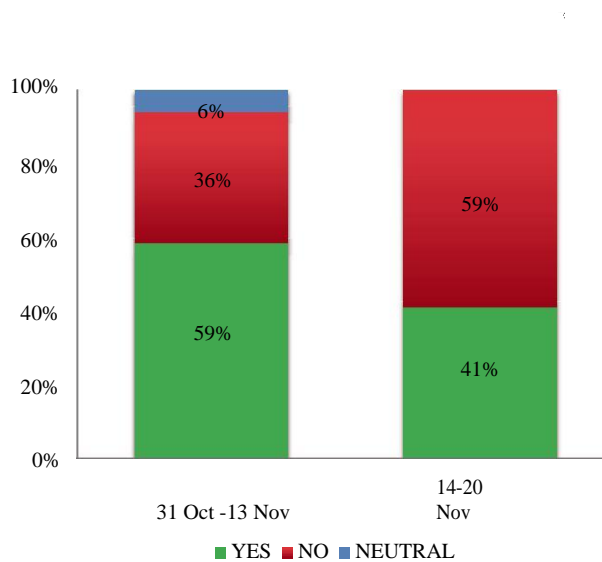


Fig 1.3.4 - Speaking time (%) of positions in favour, against and neutral to the referendum question of 4 December 2016, recorded in the TG4 news programmes during the periods 31 October - 13 November 2016 and 14 - 20 November 2016²³

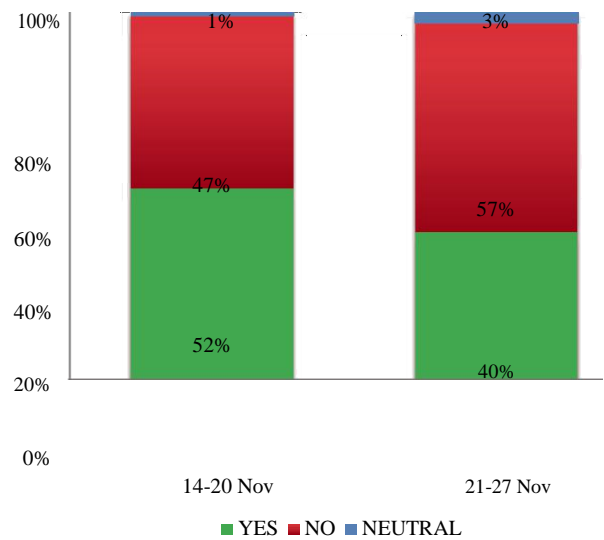


Fig 1.3.5 - Speaking time (%) of positions in favour, against and neutral to the referendum question of 4 December 2016, recorded on Rai News in the periods 14 - 20 November 2016 and 21 - 27 November 2016²⁴

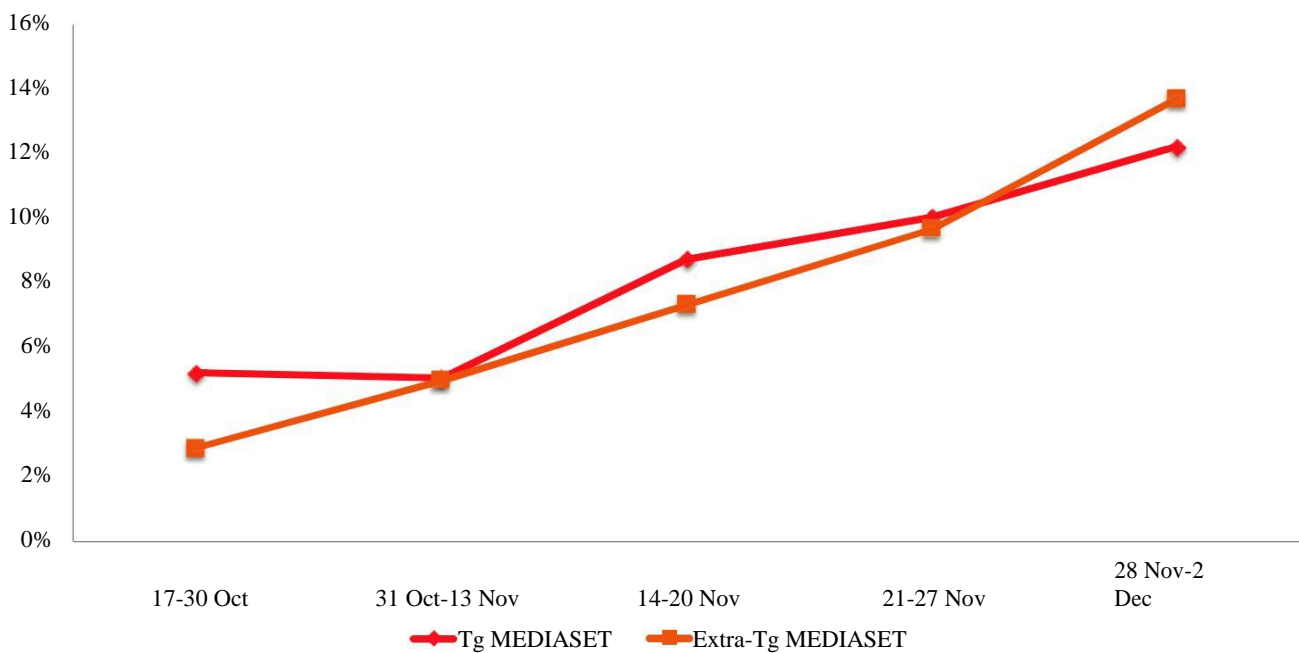


Fig 1.3.6 - Trend of the time dedicated to the topic (%) regarding the referendum question of 4 December 2016, recorded in the newscasts and in the Mediaset programmes²⁵

23 See resolution no. 532/16/CONS of 17 November 2016 regarding the reference to Tg4 to ensure equal treatment between the positions in favour and against the referendum question in the newscasts during the period 14-20 November 2016 following the imbalance found on the news during the period 31 October -13 November 2016 in favour of the “YES” vote.

24 See resolution no. 562/16/CONS of 24 November 2016 regarding the order to Rai to ensure equal treatment between the positions in favour and against the referendum question in the newscasts broadcasted by Rai News during the period 21-27 November 2016 following the imbalance found on the news during the period 14-20 November 2016 in favour of the “YES” vote.

25 See resolution no. 534/16/CONS of 17 November 2016 regarding the request to R.T.I. for compliance with the principles of information ensuring a broader coverage of the referendum topic in newscasts and programmes.

Television and radio marketing communication

During the reference period, suppliers of national and local audiovisual media services were sanctioned, as well as companies operating satellite broadcasters, for violating the provisions regarding the advertising limits, positioning and recognisable nature of the audiovisual marketing communication, as well as for violating the provisions regarding the non-compliance with the prohibitions in force in the teleshopping programmes relating to astrology, cartomancy and similar goods and services and services related to predictions on Lotto (see Table 1.3.4). The penalties originated from the outcomes of the supervisory activity carried out by the Authority through the company in charge of supervising the national television broadcasting in the context of advertising.

Tab 1.3.4
Penalties
(May 2016-April 2017)

Audiovisual marketing communication/advertising	
Local audiovisual media service	
<i>Injunctions</i>	46
<i>Filings</i>	37
<i>Resolutions reform</i>	1
<i>Annulment for internal review</i>	1
Total	85
National audiovisual media service	
<i>Injunctions</i>	6
<i>Filings</i>	0
<i>Resolutions reform</i>	2
<i>Annulment for internal review</i>	1
Total	9
Grand total	94

As is well known, the Authority entrusted Co.re.com. with the monitoring of the radio and television broadcast in the local area.

An innovation in this matter is the provisions set out in Article 1, paragraphs 937-940, of the Law of 28 December 2015, no. 208 (Stability Law for 2016), which gave powers to the Authority in the field of advertising for paid gaming, a sector so far exclusively dealt with by the Customs and Monopolies Agency²⁶.

During the reference period, the Authority took into account the different interpretative questions raised by industry Associations regarding the interpretation of the new rules, with particular reference to their effectiveness. The Authority also questioned the Self-Regulatory Institute of Advertising which has already gained significant experience in the sector, since the provisions set forth in paragraph 938 substantially replicate the provisions of Article 28-ter of the advertising self-regulation code. At present, the Authority is investigating, also by exchanging views with the Customs and Monopolies Agency, on the types of possible actions to be taken on online advertising.

As for the monitoring activity, this was aimed at verifying compliance with the new rules by the audiovisual media service providers. In particular, the activity was carried following two different approaches: on the one hand, it was evaluated, even before the adoption of the decree, the behaviour of the broadcasters between 7 am and 10 pm (at least of the so-called general-interest channels, but also non general-interest channels); on the other hand, compliance with paragraph 938 was positively verified in the case of advertisements broadcasted during the allowed times.

Audience share and spread of media

In 2016, the Authority continued the supervisory activity on audience share and spread of media

²⁶ The new provisions are without prejudice to those contained in Article 7 of the Balduzzi Decree and keep the prohibition to participate in public contests, games and illegal gambling as per article 4, paragraph 3 of Law no. 401/1989. Paragraph 938 establishes the types of advertising always prohibited, while paragraph 939 prohibits the advertising of games with cash prizes

through regular monitoring of the adequate fulfillment of the obligations of all the investigators, in compliance with the provisions of resolution no. 130/06/CSP. Specific interventions were dedicated to the television and radio sector. In the first area, the supervision was focused on the monitoring of compliance with the medium and long-term remedies implemented by Auditel pursuant to resolution no. 192/15/CSP and aimed at ensuring the "safety" of the entire survey system. On 27 February 2017, the Authority considering the absence of criticalities in the checks and measures adopted by the company in charge of the survey, as well as the positive results of the monitoring activity carried out by the certifying institutes provided for by the aforementioned provision, issued resolution o. 24/17/CSP, on "*Conclusion of the investigation started against Auditel with resolution no. 192/15/CSP*".

With regard to the radio sector, the establishment in April 2016 of the company Edizioni Radio S.r.l. (T.E.R.), the new "implementing entity" responsible for organising and carrying out surveys on radio audience share in Italy, as defined in art. 1, paragraph 1, subpara. e) of the Authority's Guidelines, pursuant to resolution no. 85/06/CSP. The Authority is carrying out its supervisory activity on the work of this new company, with particular attention to the adequacy of the methodology used by it in compliance with the principles contained in the aforementioned Guidelines.

Taking into account the different uses of media and the continuous technological evolution that affects the survey sector, by resolution no. 253/16/CONS of 16 June 2016, the Authority ordered the start of a survey on the systems

for recording audience shares with the aim of acquiring specific information on the subject through several consultations with the main stakeholders of the sector (survey companies, publishers, research institutes, trade associations, media centers, advertisers, etc.). Particular attention was given to the governance of the companies, to the methodologies adopted (sampling methods, tools and techniques used during surveys) and to the innovative processes concerning the evolution of the survey models. The results of the fact-finding survey will be collected in a specific final document drawn up by the Authority.

Planning and investment obligations in European works and independent producers

As for the so-called "European shares", it is crucial to start by considering the approval, on 14 November 2016, of law no. 220/2016, on "*Regulation of the cinema and the audiovisual sector*", which, in addition to providing for the reorganisation and streamlining of the reference legislative provisions, provides a specific delegation to the Government for the reform of the regulation on instruments and procedures currently in force in the promotion of Italian and European works.

With regard to the supervisory activity on the compliance with programming and investment shares in European works and independent producers, referred to in Article 44 of the TUSMAR, during the reference period the Authority started to verify the data notified by the obliged entities for the year 2015; these activities are still under way.

The following figures show the main evidences emerged so far. The average value of the programming of European works

In general-interest radio and television broadcasts, in compliance with the principles established at the European level, from 7.00 am to 10.00 pm every day. The aforementioned prohibition does not include specialised media and indirect communications deriving from sponsorships in the fields of culture, research, sport, as well as in the health and care sectors. Paragraph 940 specifies that the Authority is responsible for issuing the penalties in case of violation of the prohibitions referred to in paragraphs 938 and 939 and the provisions of the Decree referred to in paragraph 937. In the event of failure to comply with the provisions in question, "*the person who commissions advertising, the person who delivers it, as well as the owner of the means by which it is delivered*", will be sanctioned pursuant to article 7, paragraph 6, of the Balduzzi Decree. The only provision immediately effective as of the date of entry into force of the Stability Law is that contained in paragraph 938 of article 1 (hereinafter paragraph 938). With regard to paragraph 939 of article 1 (hereinafter paragraph 939), on the other hand, it was necessary to wait until 23 August 2016, the date of the entry into force of the interministerial decree (MISE-MEF) containing the definition of general-interest and specialised media.

by national broadcasters is around 61%, about 10% higher than the threshold set by the law and in line with the trend recorded in 2014. As for the figure relating to recent European works, the average value is around 44%.

With regard to the 20% limit for each channel, there is substantial compliance with the threshold set by resolution no. 66/09/CONS. Figure 1.3.7 shows the declared data for the programming of European works and recent European works in the main programme schedules. The reference interval shows an average figure for European works of 67%, with a minimum value of 35% ascribable to *Italia 1* channel and a maximum value of 98% ascribable to *Rai 1* channel. The analysis of the data reported in the figure shows that the "typically" generic-interest channels favour the broadcasting of European works. When considering the recent European works, the average figure is around 50%, with a peak of 78% for *Canale 5* channel and 20% for *Italia 1* channel.

As for the obligations to invest in the production of European works of independent producers provided for in paragraph 3 of art. 44 of the TUSMAR, there is an average figure of 16%, namely 6% above the minimum limit established for the so-called commercial broadcasters, with the exception of Rai, whose threshold is 15%.

In 2015, the total value of the investments declared by the ten biggest broadcasters considered in terms of audience figures amounted to 746 million euros, thus registering an increase of 13% compared to the figure recorded in 2014.

The investments were mainly made on three kinds of works: 1) fiction, 35% of the total investment, 2) films, with 30% of the total investment, and 3) entertainment, with 22% (see Figure 1.3.8). On the other hand, the incidence of investments in the documentaries (4% of the total) and animation (3% of the total) is lower. Other genres collected 5% of the total.

With reference to the types of investments, it should be noted that the broadcasters use all the methods provided for by art. 44 of the TUSMAR. Specifically, investments in production account for 35% of the total: this method is mainly used for entertainment products (see Figure 1.3.9 and Figure 1.3.10).

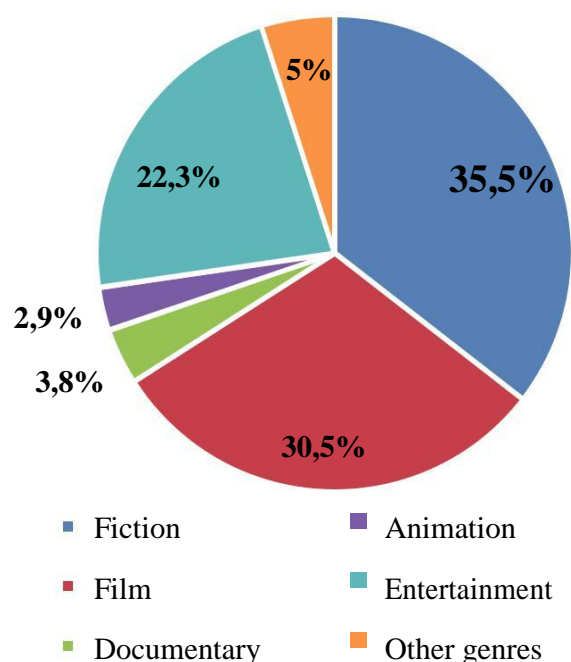


Fig 1.3.8 - Investment in European independent works by genre (year 2015)

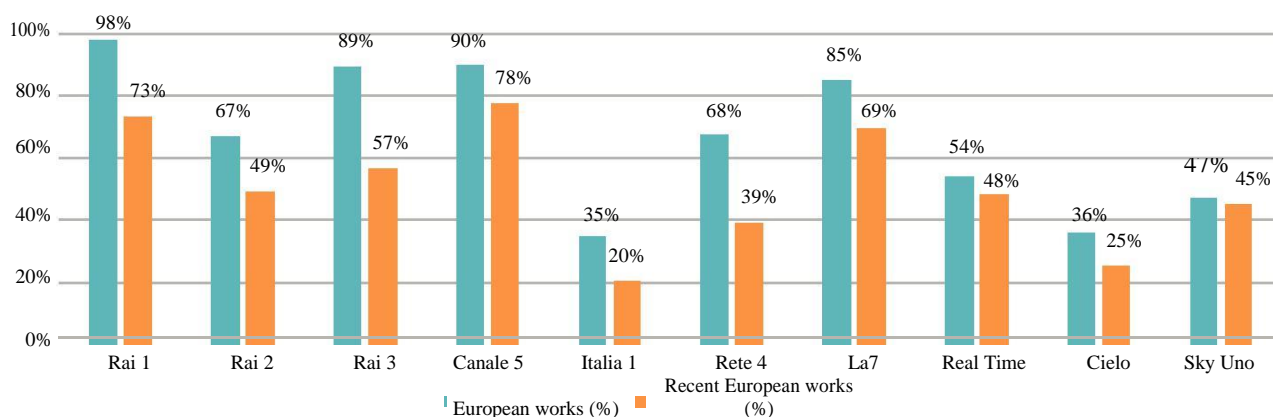


Fig 1.3.7 - Programming for European works per single channel (year 2015)

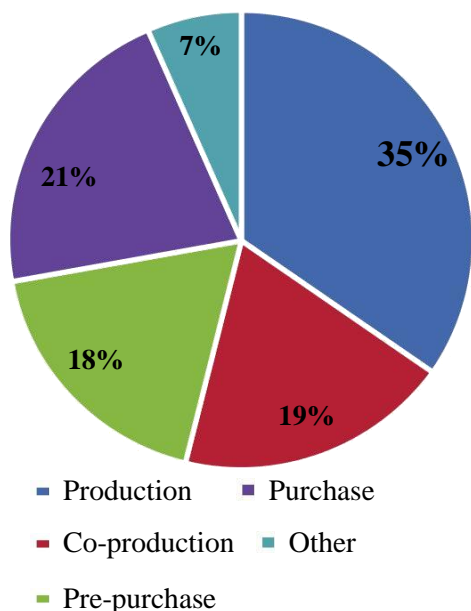


Fig 1.3.9 - Distribution of investment types (year 2015)

The purchase represents 21% of the total and it is used above all for fictions and films, as well as for animation and documentaries. The pre-purchase, very typical in the case of investment in film products, covers 18%, while the co-production, mainly used for fiction and animation (currently not often used for cinematographic works) stands at 19%.

With reference to the quota system envisaged for suppliers of on-demand audiovisual services (Video On Demand, VOD), which allows obliged parties to choose between the programming obligation and the investment obligation, Figure 1.3.11 shows the percentages of their compliance, detailed for individual catalogs.

Most of the obliged parties opted for the programming of European works within their commercial offer, recording, in terms of dedicated hours, an average value

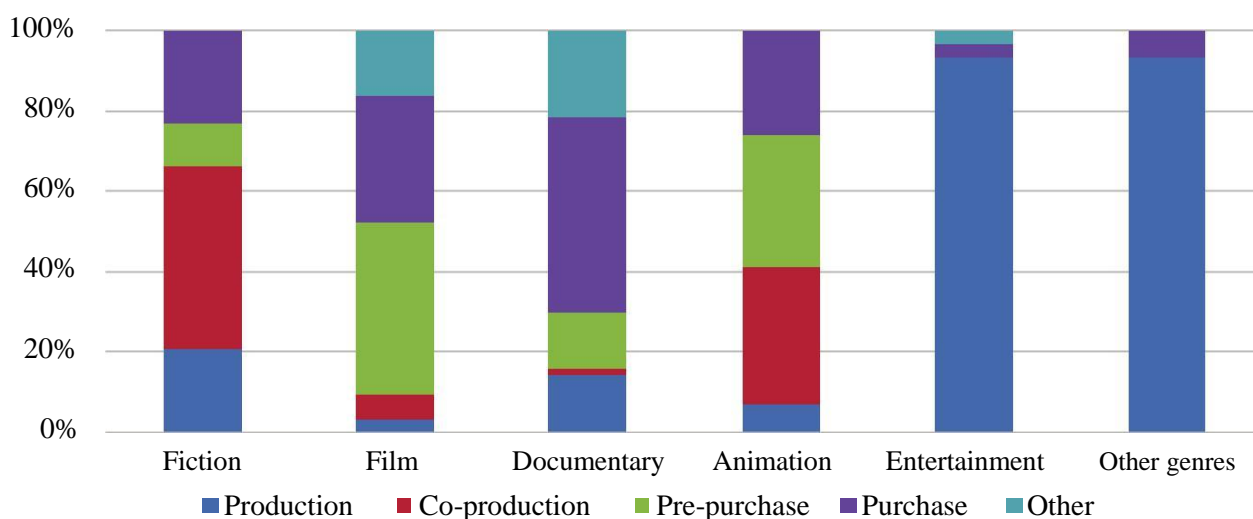


Fig 1.3.10 - Use of investment methods in independent European works by genre and type (year 2015)

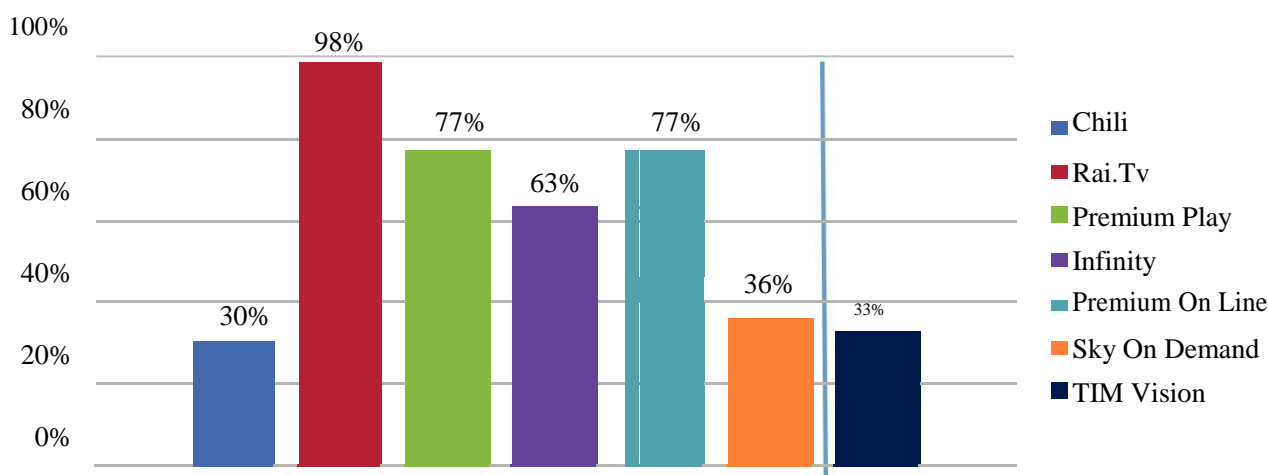


Fig 1.3.11 - Programming and investment shares in European works for on demand services (VOD) (%)*

*For TIM Vision, the share refers to the investment in European works in relation to service revenues; for all other entities, the share refers to the number of hours of European works in the catalog on the total number of hours available.

of 63%. On the other hand, as regards the investments, TIM Vision, based on a legal threshold of 5% of eligible revenues, recorded a level of use amounting to 33%. This shows the importance of programming in the strategy of promoting European works in the VOD segment.

When considering the supervisory activity, during the reference period, three penal proceedings were started and concluded against R.T.I., Rai and Sky regarding non-compliance with the investment share in European works of independent producers in 2013.

1.4 Regulation and supervision in the postal sector

In the postal services sector, the regulatory intervention is combined with a series of regulatory and market changes requiring a specific set-up. In light of its recent opening, an approach strongly focused on the promotion of competition and on the protection of end users is still needed, pending the effects of the regulatory framework adopted.

Verification of the cost of the universal postal service

As part of its regulatory functions in the postal sector assigned, the Authority calculated the universal service cost borne by Poste Italiane SpA, verifying, on the basis of the available accounting data, the net cost of universal postal service for 2013 and 2014, and submitting the outcome of such verification to public consultation (Resolution No. 166/16/CONS) ²⁷.

The calculation was made in line with the guidelines described in Annex I of the Postal Directive²⁸, using the so-called "*Profitability cost approach*" calculation method, which allows capturing the effects of the universal service supply constraint on the choices made by the designated operator, compensating it not only for the net losses but also for the lost profits for the universal service provision, and taking into account any intangible and commercial benefits. Based on this methodology, the net cost of the universal service is calculated as the difference between the operating result of the operator designated for the supply and the operating result that the same operator would achieve in the event that it was not subject to the obligations of universal service. For the purposes of this calculation, the Authority used the services included in the universal service as the reference point. In order to encourage Poste Italiane to achieve greater economic efficiency, the Authority proposed a correction of the costs related to 2014, amounting to about 5% of the total costs incurred for the provision of the universal service.

According to the 2009-2011 programme contract, the compensation amounts established for 2013 and 2014 are respectively 343 million euros and 336 million euros. The value of the net cost under consultation was higher than the allocation established in the State budget - € 2 million, in 2013, and € 29 million, respectively, in 2014 - and this would imply an evaluation of the occurrence of the conditions for enabling the compensation fund²⁹.

The contributions of the operators that took part in the public consultation focused on some topics: the perimeter for the calculation of the net cost, the definition of the counterfactual scenario and the evaluations of the efficiency of Poste Italiane.

²⁷ The verification of the net cost of the universal service for 2011 and 2012 ended with resolution no. 412/14/CONS.

²⁸ See Directive 97/67/ EC of the European Parliament and of the Council of 15 December 1997 on "*Common rules for the development of the internal market of Community postal services and the improvement of quality of service*", as last amended by Directive 2008/6 / EC.

²⁹ The current legislation provides that in case the cost exceeds the allocated state funds, it is possible to enable a compensation fund to which the holders of individual licenses and general authorisation are required to contribute up to a maximum of 10% of the gross income, relating to services replacing those included in the universal service (see Legislative Decree No. 261/99).

Analysis of the award of the universal service

The provision of the universal postal service is entrusted to Poste Italiane until 30 April 2026, pursuant to Legislative Decree no. 58/2011. The award is subjected to a five-year verification whose outcome could lead to revocation. Specifically, art. 23 of Legislative Decree no. 261/99 provides the MISE with the task of verifying, every five years, that the award complies with the criteria set out in paragraph 11, article 3 of the aforementioned decree, namely: *a)* ensuring continuity of the provision of the service in consideration of its role in economic and social cohesion, *b)* profitability of investments *c)* company's organisational structure *d)* economic situation of the company in the last three years *e)* industry experience; *f)* any previous contacts with the public administration in the specific sector, with a positive outcome. Furthermore, the law requires the MISE to verify that the performance of the service leads to an efficiency improvement. The provision also provides that the Authority shall carry out an analysis aimed at providing elements of evaluation to the MISE; therefore, the Authority conducted the analysis relating to the first five-year award period that ended on 30 April 2016.

The analysis of compliance with the criteria indicated by Legislative Decree no. 261/99 focused on verifying the possible deviation of the conditions detectable at the end of the five-year period compared to those existing at the time of the award decision. On the other hand, as far as the efficiency measure is concerned, an analysis was carried out on both the economic efficiency and efficiency in the provision of the service, aimed at highlighting the results achieved by the designated supplier in terms of both the reduction of service costs and the quality of the service provided.

By decree of 25 August 2016, the MISE confirmed the award of the universal service to Poste Italiane.

Provisions regarding access to the Poste Italiane network and postal infrastructure

The imposition of an access obligation is a regulatory measure typically used in network industries in to promote competition and allow new-entries to join.

By resolution no. 728/13/CONS, the Authority had assumed the presence of regulatory, technical and economic obstacles in the Italian postal market that could have hindered the development of competition. Therefore, the Authority imposed on Poste Italiane the obligation to give access to different levels of its network on fair and reasonable terms, freely negotiated with the parties.

The procedure concerning the review of the provisions regarding access to the network and postal infrastructure of Poste Italiane was started in order to assess whether changes in the Italian postal market in recent years needed a revision of the obligations of access imposed by resolution no. 728/13/CONS.

The provision submitted for consultation (Resolution No. 651/16/CONS) moves from the assumption that the postal network is largely replicable, as it is neither necessary to realise important civil works, nor to bear high fixed costs for the infrastructure. Therefore, the postal market does not entail technical and economic obstacles similar to those found in the telecommunications markets. This is also confirmed by the significant presence of postal networks alternative to that of Poste Italiane, which, cumulatively, reach 96% of the population, and by the poor interest that operators have shown in the opportunity to negotiate access in accordance with the provisions of resolution no. 728/13/CONS.

In light of the analysis carried out, the Authority proposed to partially confirm the pre-existing provisions, keeping the obligation for Poste Italiane to contract at fair and reasonable prices, eliminating, however, the availability of different levels for the access to the network and limiting the possibility of requesting access services to the CMP (Italian sorting office) only. Furthermore, the Authority proposed a transparency obligation on Poste Italiane for the management of the Postal Code system, establishing that the operator is required to notify the competitors, with at least 60-day notice, any change made to the system.

Lastly, the Authority requested the responders of the consultation to express an opinion on the need to impose an access obligation for Poste Italiane also with reference to other postal infrastructures,

such as: i) post office boxes; ii) modular boxes; iii) post offices for the management of non-delivered correspondence; iv) address database.

In the context of the proceeding, the competing operators also raised the issue concerning access to services not included in the universal service offered by Poste Italiane to business customers (for example, "Posta time")³⁰; in this regard, the Authority proposed the introduction of a repeatability test of Poste Italiane's offers.

Supervisory activity in the postal services market

During the past year the supervisory activity continued, also through the inspection activity carried out in collaboration with Guardia di Finanza. It was carried out taking into account the main problems of the sector detected during the first years in which the Authority has exercised its powers.

In 2016 and in the first quarter of 2017, 27 preliminary investigations were carried out (13 in 2016 and 14 in 2017) which led to the start of 11 penal proceeding against Poste Italiane (of which 8 in 2016 and 3 in 2017, still under way) and 3 against the courier GLS (General Logistics Systems Italy) SpA (of which 1 in 2016 and 2 in 2017 still under way). These penal proceedings were followed by approximately 8 penal proceedings initiated (2 under way and 6 concluded) in relation to minor postal operators who acted through parties having no authorisation.

Overall, in 2016 and early 2017, penalties were imposed on the postal services market for an amount of about 940,000 euros, of which 710,000 euros to Poste Italiane, 193,000 to GLS and 37,000 to other minor operators.

Management of the notification of judicial documents by post

Although the draft law on competition³¹ has provided for the abolition of the

service of notification of judicial documents by post³², this provision is still subject to reservation for public order purposes in favour of the company in charge of providing the universal postal service.

Following the verification of the quality of the services for the notification of judicial documents by post, numerous inefficiencies were found in 2016, which led to the start of the subsequent penal proceedings. In addition to the ordinary disciplinary-sanctioning powers, the Authority took action to raise the awareness of the company about the need to seek organisational solutions to avoid possible future inconveniences.

By resolution no. 366/16/CONS, in addition to a call for the correct implementation of the provisions regarding notification by post and the need to ensure uniform quality levels throughout the country, the company was requested to devise and implement an operational plan aimed at improving the organisation and management of the service, so as to avoid further critical situations.

The plan was presented in the third quarter of 2016 and was deemed suitable to solve the problems detected: the implementation of the projects and operational solutions included in the plan was launched in the first quarter of 2017, and their actual implementation will be subsequently assessed.

Monitoring the quality of universal service

The monitoring of the quality of the universal service and the verification of compliance with the quality objectives previously set are relevant to ensure the right of users to a universal service "*corresponding to an offer of specific quality postal services*"³³. The results of this activity are published annually on the Authority's website.

While in the previous programme contract any mismatches from the quality objectives resulted into the application of penal clauses,

³⁰ The theme is also dealt with in an investigation by the AGCM (see Case A493).

³¹ See draft law no. 3012 on the "Annual Law for Market and Competition" presented on 3 April 2015 - available at <http://www.camera.it/leg17/126?pd=3012>.

³² See Law 20 November 1982, no. 890, containing "Notification of documents by post and communications by post connected with the notification of judicial documents".

³³ See art. 3 of Directive 97/67 / EC

the new five-year programme contract (2015-2019³⁴) provides that the checks on the achievement of quality objectives, as well as on compliance with the obligations in terms of summer closures, are only relevant from the penalty point of view.

Law no. 190 of 23 December 2014 (2015 Stability Law) introduced new rules for the implementation of the universal service, providing for measures to streamline and remodulate the weekly collection and delivery frequency for up to a quarter of the national population. By resolution no. 395/15/CONS, the Authority enforced the 2015 Stability Law, implementing the *day on – day off* delivery model. At the end of 2015, the implementation of the second phase was completed, which together with the first phase involved 12% of the national population. During 2017, the third and final phase will start, involving a about 23.2% of the population.

In the first phase of the implementation of the *day on – day off* delivery model, which involved 255 Municipalities, the cost savings recorded in the final balance (on an annual basis, at the end of 2016) amounted to about 31% of the costs that would have been incurred without the implementation of the new model; this latter figure is influenced by costs related to the delivery service of publishing products, which was in any case assured during the same period: without the delivery service of publishing products, the saving would have reached 38%. As for the second phase of implementation of the new model, which ended in November 2016 and involved 2,377 Municipalities, the cost savings recorded (on an annual basis) in the first quarter of 2017 amounted to approximately 32%. Again, the figure is influenced by the costs related to the delivery service of publishing products that was in any case assured in the same period: without the delivery service of publishing products, savings would have accounted for approximately 37%.

To perform the supervision, the independent specialised body in charge of monitoring activities will carry out surveys also in the areas where the delivery service will be carried out every other day.

The reports so far submitted, regarding the monitoring activity of the areas where the *day on – day off* delivery model is provided, which is carried out by sending test letters to and from the Municipality concerned, have not yet detected mismatches from the quality objectives previously set. Furthermore, according to the new contract with the specialised independent body, the Authority may access the results of the surveys in real time and benefit from more effective information tools to take prompt actions in the event of inefficiencies that may occur at the expense of users.

Again with regard to the supervision of the implementation of the new *day on – day off* delivery model, it was deemed advisable, also through the representative associations (ANCI and UNCEM), to directly involve the Mayors of the Municipalities involved in the first and second phases of implementation, inviting them to promptly report any disservice and inconvenience occurred at the expense of the users (to this end, a specific e-mail address was activated to make communication more direct and immediate). So far, however, out of a total of about 2,600 Municipalities involved (between the first and second phase), a very limited number of qualified reports have been received and documented by the Mayors concerned (about thirty) that, however, have been subject of further checks and interlocutions with the universal service provider.

During the last year, as in the previous ones, the regularity of the monitoring system was carefully verified in order to avoid possible alterations of the results with obvious consequences on the supervisory activity. In light of the reports received on possible interferences, the body responsible for monitoring the quality was requested, as on other previous occasions, to replace all the collaborators concerned by the received reports.

Particular attention was paid to the verification of the continuity and expansion of the universal postal service supply during summer, and the related obligations related to the daily opening, compliance with opening times and information to users.

³⁴ Reference is made to the programme contract between Poste Italiane and the MISE, approved on 15 December 2015 entered into force on 1 January 2016.

. Therefore, it was verified the compliance with the provisions aimed at ensuring the reliability and regularity of the service performed by the post offices, including the rules that ensure users' access to protection measures, in order to avoid disservices in summer resulting from sudden and unjustified closures, not due to force majeure or reduced working hours. All these disservices can be easily avoided through a better organisation and management of the staff.

Monitoring streamlining plans for post offices and delivery facilities

While respecting the legislative provisions that stressed the centrality of the budgetary constraints and the need to ensure the sustainability of the universal service cost, the supervision and verification of the rules, aimed at ensuring social and economic cohesion in Italy through the post office network, continued.

The relevant legislation is contained both in the 2015-2019 programme contract and in the regulation adopted by the Authority. The programme contract provides (Article 2, paragraph 5) that Poste Italiane shall send "[...] *a list, to be updated annually, of post offices [...] that do not secure conditions of economic balance, together with the action plan and the related criteria for the progressive streamlining of their management*". The Authority shall verify that the streamlining plans are drawn up in compliance with the criteria set by resolution no. 342/14/CONS and the decree of the Minister of Economic Development of 7 October 2008.

As already explained in the previous Report, there is a significant difference between the planned interventions for the closure of post offices and those actually carried out. In the period 2011-2016, in view of 1,998 planned closures of post offices, those actually implemented amounted to 994. Moreover, the interventions implemented in the three-year period 2014-2016 are those set in the 2014 Plan (the 2015 Plan, after being submitted, was subsequently suspended).

On the other hand, in 2016 no plan was submitted, due to the numerous appeals relating to the 2014 Plan provisions, and in order to take into account the new regulatory framework. The 2015-2019 programme contract, which entered into force at the beginning of 2016, strengthened the obligations to talk with local authorities. Currently, there are 12,822 operating post offices in Italy.

Tackling illegal activities to protect competition in the postal services market

In order to eliminate the problem of illegal activities, repeatedly reported by the operators active on the market, the successful investigations continued with the support of the Guardia di Finanza in 2016, in order to re-establish compliance with the rules in the industry and allow the development of a fair competition. Consequently, the penal proceedings on the activity carried out by the operators, often belonging to networks of other postal operators with considerable levels of turnover, which carried out postal service activities without authorisation, doubled.

The data recently updated on requests for authorisations show an upward trend in the number of operators active on the market (2,777), with an increase of about 260 new postal operators (+10%), ascribable to the activities performed against the abusive activity and to the will of many operators to regularise their position.

As already noted in the previous reports, a very high number of entities form part of the postal sector in Italy: a unique and anomalous aspect in Europe. However, overall traffic is still managed by a few big operators that are responsible for the entire production chain (*end-to-end* – sender and recipient). The extreme fragmentation of the market in a very high number of operators, all independent and legally separate entities, could in fact be the formal aspect that hides a different reality: in the postal sector few groups operate steadily and they routinely entrust autonomous entities with the management

of some specific phases of the logistics chain of postal services.

The vision of the postal market through the two profiles (the possession of the qualification for the exercise of the activity and of the independence of the individual operator) could be incorrect and unrealistic. In fact, it is becoming increasingly evident that most of the numerous postal operators act as part of a group, namely a unitary organisation, which can be established through multiple forms of contract, but with the common feature of providing the parent company with strong powers of direction and coordination on the members of the group.

The fight against the abusive exercise of the postal activity will continue in 2017, as well as the activity aimed at providing a correct and realistic view of the markets in the industry.

1.5 Relations with consumers and users

The protection and promotion of the interests of consumers has been pursued, in line with the plans set out in the previous Report, paying particular attention to the need to ensure the provision of the universal service and the accessibility of services to users with disabilities, ensure price transparency, monitor the market in the field of contracts and business practices and improve the tools available to the user to verify the quality of services provided and for effective self-protection.

The Authority's action thus embodied different interventions, recording a considerable increase both in the reports received and in the requests for the resolution of disputes.

From a regulatory perspective, general transparency measures have been adopted along with special measures for universal service and disabled users with disabilities. As for the supervision activity, started as a routine activity or following reports, various warning notices were issued in order to prevent behaviours detrimental to consumers,

as well as orders for cessation of behaviour against interests of users. When the prevention work was not sufficient, violations to the industry legislation were prosecuted through a targeted sanctioning activity.

Update of the regulatory framework

By resolution no. 252/16/CONS, the Authority re-examined the tariff transparency measures introducing new protection tools, useful both in pre-contractual terms and in the performance of the contract, extending their scope to all users who sign contracts for the use of electronic communications services (telecommunications and pay TV). Among the measures introduced, there is the one aimed at avoiding unconscious consumptions in the case of offers providing for a *plafond* of predetermined services, through the obligation for the operator, when reaching 80% of the *plafond*, to inform the user of the imminent re-establishment of the economic conditions regulated by the previously subscribed offer. In order to the expenditure under control, the tools used to know the residual credit of the prepaid SIM cards was provided free of charge. As for the operators' websites, it is mandatory to introduce a page dedicated to tariff transparency with clear and simple information on offers, prices and any withdrawal and activation costs. In implementing the aforementioned resolution, the so-called "calculation engine" of the Authority, a tool for comparing tariffs that will be provided to consumers in the coming months, is also being developed.

In light of the evolution of the fixed and mobile markets, by resolution no. 121/17/CONS the Authority took action on the critical issues caused by the loss of a consolidated time parameter for the frequency of renewal of offers and invoicing.

Considering the differences in terms of transparency and control of spending by users between mobile sector (76% pre-paid) and fixed sector (usually post-paid), specific time parameters have been identified for the user to have the correct perception

of the price offered by each operator in its business freedom.

With regard to fixed network, the Authority identified the month as a billing time, considered a consolidated practice of other general household services. Given the specific characteristics of this market, where even for wholesale services the monthly billing applies, an allocation of the costs of services billed to users over a different period would reduce the conditions of transparency and correct information for users, leading to a serious impact not only in the pre-contract phase, but also on the control of the expenditure due in the performance of the contract.

In the mobile network, the Authority established a period of not less than 28 days as billing time, considering a minimum reference frequency necessary to ensure the transparency and comparability of the economic conditions of the offer. Upon request of the Consumer Associations, the Authority also envisaged, in the case of mobile phone offers having a different frequency from the monthly one, the obligation for operators to inform the user of the renewal of the offer through a text message.

In the case of converging offers involving mobile and fixed network, the frequency provided for the latter (monthly billing) prevails.

With regard to universal service, during the reference period the procedure was aimed at defining effective and adequate methodologies to ensure the access to the social security network and the minimum services of the universal service, which must assure citizens-users availability, convenience and accessibility, as necessary conditions for social inclusion pursuant to articles 53 and 59 of the Electronic Communications Code. With resolution no. 456/16/CONS, the Authority identified the pay-as-you-go as the methodology suitable to guarantee the user the freedom to choose the services included in the universal service, as well as the right to control and monitor the own spending. In order to allow an effective surveillance action on the universal service provision retail prices,

the Authority defined a procedure to regulate the modalities and timing of any changes to the economic conditions of these services, as well as transparency and publication obligations of the universal service offer. The review of reduced prices for particular segments of the society is also being studied.

As for the quality of the universal service, by resolution no. 650/16/CONS, the Authority set the target values for 2017, confirming the overall level of quality required for the service, given that the value of the global quality index, now stabilised on robust performance levels, remains unchanged compared to 2016.

With regard to the protection of users with disabilities, resolution no. 46/17/CONS radically revised the price incentives system, with the aim of providing deaf and blind users with access to electronic communications services offered by the various companies equivalent to that of most final users. The new discounted prices promote the use of broadband Internet access services, both for fixed and mobile network.

In particular, for fixed network services, deaf and blind users will benefit from a 50% reduction in the monthly fee for *flat* and *semiflat* offers with Internet browsing included, or the use of at least 180 free monthly hours of Internet access for all pay-as-you-go Internet offers.

For mobile network services, deaf and blind users are entitled to an offer specifically dedicated to their needs. In particular, for deaf users, the offer will include 50 free SMS per day and a data traffic volume of at least 20 Gigabytes, and the related cost will not exceed 50% of the best price charged by the operator for similar current offers for the same data traffic volume. On the other hand, blind users can benefit from an offer providing 2,000 free minutes of voice traffic and a data traffic volume of at least 10 Gigabytes, the cost of which will not exceed 50% of the best price charged by the operator for similar current offers.

Moreover, the price of each other service (SMS, MMS, etc.), included in the offer, will not exceed the best price charged by the operator for the same service.

Virtual mobile operators not providing offers in line with these consumption profiles will have to grant deaf and blind users a 50% discount on their best data traffic offer. For the first time, the benefits in force are also extended to partially blinded people, who may choose whether to join the discount for the fixed network or for the mobile network.

The visibility of these benefits was also improved through the obligation for operators to publish on their websites a page containing detailed information - provided with appropriate graphics solutions or audio or sign language support - on specific offers for fixed and mobile network, and the related forms. As for the other categories of people with disabilities, who could benefit from social inclusion thanks to Internet access, the Authority reserved the right to subsequently evaluate the possible extension of the benefits to them.

The Authority also paid particular attention to the populations hit by the earthquake on 24 August and 26 and 30 October 2016, which involved large areas of central Italy. In light of the competences recognised to the regulator by the Decree Law no. 189/2016, converted with amendments by law no. 229 of 2016, the Authority, with resolution no. 66/17/CONS, approved the automatic suspension of the payment of invoices of fixed network contracts for users residing in the Municipalities affected by the earthquakes, for a period of six months starting from the dates when they occurred. The provision provides for the suspension of payments for a further six months in favor of the injured parties who report the unavailability of the building, of the dwelling house, of the professional firm or of the company.

Resolution no. 84/17 / CONS also launched a public consultation on a provision to regulate the modalities for rescheduling the suspended invoices and introduce further subsidies, also in the form of pricing, for the utilities located in the Municipalities damaged by the seismic events.

Lastly, during the reference period, the preparatory activities for the revision of the rules regarding customer support services continued, in particular through discussion forums with operators and consumer associations,

aimed at overcoming the critical issues emerging from the recent experiences, as well as to seizing the opportunities provided by the digital contact tools.

Supervision and penalties to protect users

Compared to last year, there has been a sharp increase in reports received by the Authority regarding consumer protection: the total number has exceeded six thousand complaints, 25% more than the previous year. This significant increase confirms the effectiveness of the new computerised reporting model (model D) and unveils particular critical aspects in the relations between companies and consumers, which more and more often call into question the sector Authority in the prevention and repression of unfair practices. The classification, aggregation and analysis of the reports received, also through the simplified channel info@agcom.it, together with the qualified reports from institutional bodies and consumer associations, have boosted the activities of verification and inspection of the most serious, current and widespread cases (see Table 1.5.1 and Figure 1.5.1).

Figure 1.5.1 shows the comparison, for the years 2015 and 2016, of the reports by type of case. During the reference period, the transition to the new D model and the use of a new classification system for reports was completed. Therefore, for some cases, the comparison with the data recorded in the previous observation period is not immediate or significant. Even keeping this *caveat*, the numerical data show four critical areas in the relationship between users and operators, both responsible for about two thirds of consumer dissatisfaction: failure to comply with the provisions of Law no. 40/2007 (20.4%), transfer of utilities between operators (18.7%), unilateral changes to the contracted conditions made by service providers (13.5%) and non-handling of complaints (9.9%).

A first significant information provided by Figure 1.5.1 is the considerable increase, over the previous observation period, in complaints marked by the letters F and I. The change in the renewal frequencies of offers and the 28-day billing condition

replacing the monthly billing, together with the other adjustments made during the year, represent the main reason for users' dissatisfaction compared to the past. This scenario leads to an increase in the related reports that, not surprisingly, have increased fivefold. Same data for reports for decommissioning costs perceived

by consumers as unjustified and for illegitimate delays in the processing of requests for withdrawal. Steady, but still high, are the complaints related to the problems regarding transfer of users between operators. The doubling of reports referring to customer assistance and complaints management highlights the increase in service quality problems (Table 1.5.1).

Tab 1.5.1 - Reports by specific situation

	Subject of the report	no. D Model 2015	no. D model 2016
A	unwanted activation of services	678	453
B	suspension of services	232	246
C	failure to respond to reports according to methods provided	191	587
D	switching-related problems	1.106	1.116
	failure to comply with the general guidelines on quality and service cards (call center quality)	92	198
F	changes in tariff plans and contractual conditions	133	1.218
	non-compliance with provisions of law n. 40/2007 (charges for unjustified costs for the termination of the contract and non-execution of withdrawal)	275	803
	disallowance of overprice traffic and international numbers (charge for premium services and out-of-range traffic charges)	230	443
	contract-related problems (transparency of information and billing, telephone directories, roaming)	1.994	894
TOTAL		4.931	5.958

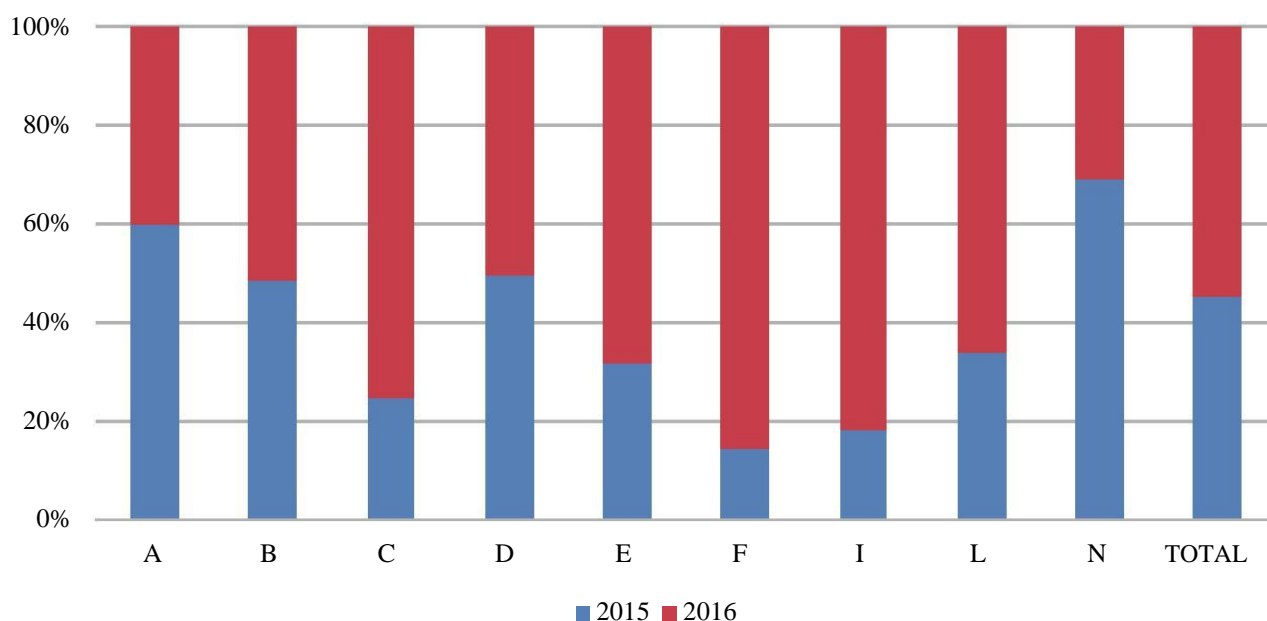


Fig. 1.5.1 - Reports by specific situation, comparison 2015-2016

Table 1.5.2 summarises the information related to the distribution of reports by type of service. Relevant information is also represented by the distribution (%) of reports by the operator (Figure 1.5.2).

Tab. 1.5.2 – Reports by type of service (%)

Type of service	2015	2016
Fixed network	43,5	43,7
Mobile network	25,8	32,8
Internet	25,7	21,3
Pay Tv	3,2	2,2
Other	1,8	0

The improvement in the management of reports and the periodic office audits have often made it possible to anticipate the Authority's intervention to address any damages to users.

The supervisory activity focused, in particular, on monitoring compliance with the "*Regulation on provisions for the protection of users with regard to contracts*" pursuant to resolution no. 519/15/CONS, also considering

the validity of the whole system confirmed by two rulings of the TAR of Lazio. However, the cancellation of some parts of the Regulation, relating to the *jus variandi* of operators - made by the Administrative Judge and for which the Authority has appealed to the Council of State - has caused application-related problems.

Nevertheless, the Authority took action on several unilateral amendments with provisions of formal notice to ensure users the guarantees referred to in Article 70, paragraph 4, of the Code: changes shall be notified with a 30-day notice and the user is entitled to withdraw with no additional costs or penalties. The provisions addressed the abusive use of the procedure, the transparency of the information given to the user or the obstacles to the right of withdrawal. The Authority thus stated that, when the unilateral change affects promotional offers, the withdrawing users shall not return the amount of the discounts received until that time. Likewise, if the withdrawing user is bound to payment of installments or activation costs, he/she shall not be forced to pay in a single payment.

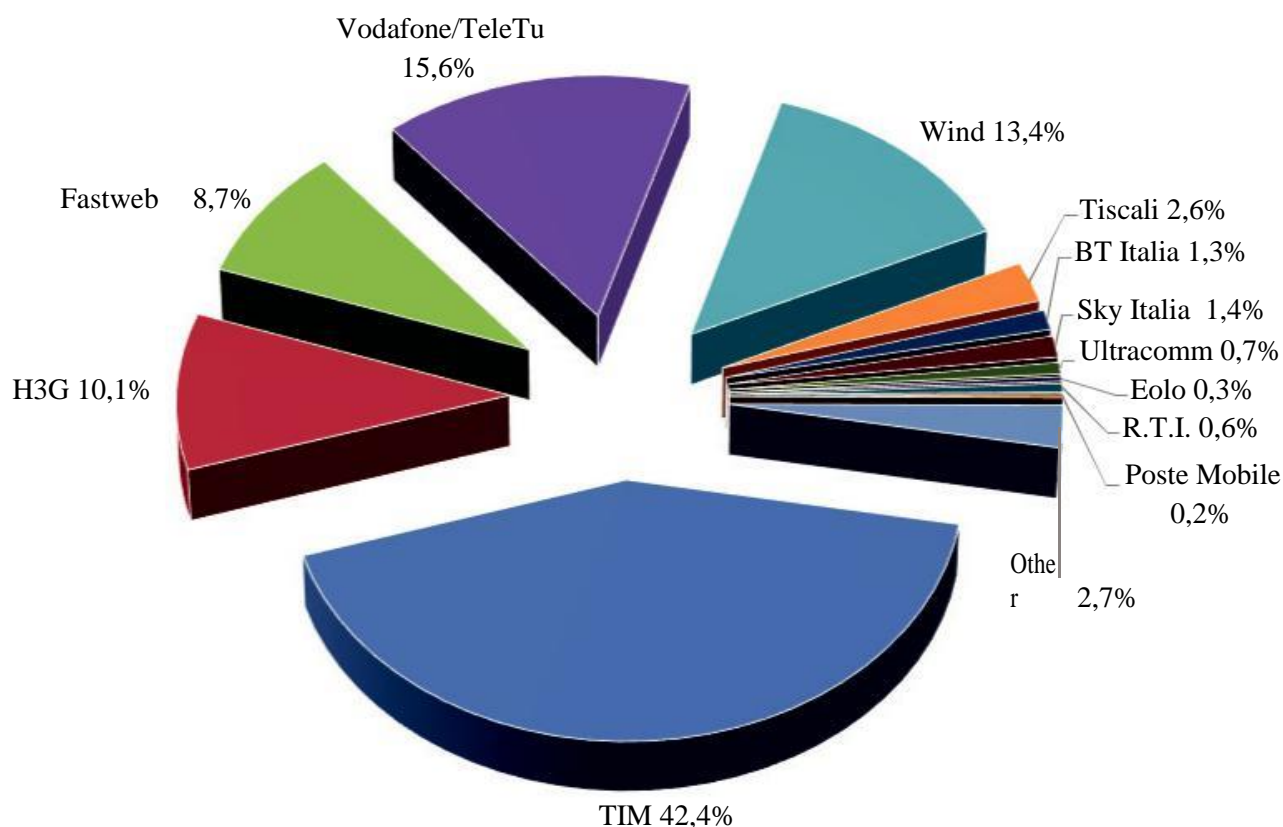


Fig. 1.5.2 – Reports by operator (%)

Among the most important proceedings, there are those started against H3G and Vodafone, concerning charges for unintentional calls to the telephone answering service caused by touching the relevant button on certain types of smartphones. In light of the obstacles encountered, it was necessary to adopt a provision for the cessation of charges, for the reimbursement of sums unduly paid by customers and for the development of solutions needed to prevent unintentional connections to the telephone answering service.

During the reference period, the first supervisory activities on users' rights to a network without arbitrary restrictions were also started, as secured by the EU Regulation on *net neutrality*. In this regard, it is worth mentioning that the simple start of checks had a positive effect on the market, prompting operators to withdraw or to amend some offers clashing with the Regulation.

The Authority clarified in detail the reference framework for *zero-rating* offers, namely those that

do not count the traffic generated by (or towards) particular services or applications (so-called *zero-rated*) in order to reach the consumption thresholds in the offers providing for a limit on the data connection. A warning provision was issued against WindTre, concerning some offers (Wind Veon and Music by 3) in which the operator discriminated against the *zero-rated* traffic compared to the remaining traffic, reiterating that these offers can be traded as long as the same treatment is granted to all types of when the credit limit provided for by the offer is reached. A similar behaviour was also spontaneously interrupted by Telecom Italia, following the preliminary investigations started by the Authority.

With regard to the sanctioning activity, during the reference period the Authority started, also considering the recurrence of similar cases, 21 new penal proceedings for violation of consumer/user protection rules (Table 1.5.3).

Tab. 1.5.3 - Penal proceedings started and related measures taken
(1° May 2016 - 30 April 2017)

Specific case	Reference legislation	No° new proceedings	Pending	Filed	Oblation	Injunction
non-compliance with temporary provision	art. 1, par. 31, l. n. 249/97	6		1	5	
non-compliance and warning	art. 1, par. 31, l. n. 249/97	3			1	2
failure to reply to requests for documents and information	art. 98, par. 9, Leg. Dec. n. 259/03	1				1
reactivation of deactivated number	art. 98, par. 11, Leg. Dec. n. 259/03	2				2
call centers	art. 98, par. 11, Leg. Dec. n. 259/03	4		3		1
failure to comply with number portability procedures	art. 98, par. 13, Leg. Dec. n. 259/03	3				3
failure to meet universal service quality objectives	art. 98, par. 16, Leg. Dec. n. 259/03	1				1
failure to comply with transparency obligations	art. 98, par. 16, Leg. Dec. n. 259/03	1	1			
TOTAL		21	1	4	6	10

In the same period, 34 proceedings were completed, 14 of which started during the previous reference period. 12 of these proceedings were concluded with the adoption of injunctions-orders, 12 were filed for reduced payment of the fine and 10 filed with no further actions.

The total of the amounts imposed as sanction, or paid as a reduced payment, amounted to €2,851,287.00.

It is also worth noting the proceeding concerning the non-application of Regulation 2015/2120/EU which - in view of the abolition of roaming charges starting from 15 June 2017 - provided for a transition period (30 April 2016 - 14 June 2017) during which the roaming users can benefit from their national tariff plans, increased only by a surcharge envisaged in the Regulation. The Authority has first warned the operators Telecom Italia, Wind and H3G against the automatic application of specific as-you-go or "package" roaming tariffs, requesting the operators to adjust their offer to the community legislation and compensate users for the charges imposed in violation of the above legislation. Subsequently, due to non-compliance with the warnings, three penal proceedings were started, pursuant to Article 1, paragraph 31, of Law no. 249/97, of which two concluded with a provision of injunction order and one concluded with a provision for filing due to the payment of a reduced fine.

Lacking a direct sanctioning mechanism, the Authority was forced, during the aforementioned proceedings, to resort to an "indirect" sanctioning mechanism, namely mediated by the adoption of a warning whose non-compliance is punished with a little pecuniary sanction

(even smaller in case of oblation) that hardly ever has a deterring or restoring effect. For this reason, the Authority urged the Government - also considering the upcoming mobile offers for the summer, including international roaming charges - to set a sanctioning mechanism suitable for carrying out an effective surveillance on compliance with the European regulatory framework on roaming and net neutrality (Regulations 2012/531/EU and 2015/2120/EU).

Other penalties were imposed following violation of the obligations of transparency and clarity of information to users. An example was the penal proceeding against H3G in regarding the clarity and comprehensibility of the information on Internet costs in the "App & Store" area of the 3 portal.

As for the complains about disservices suffered by users during the procedures of migration, termination and portability of the fixed network number, three penal proceedings were started following violation of the community legislation which imposes to minimise disservices to users and to avoid unjustified service interruptions. All the proceedings were concluded with the adoption of an injunction order, amounting to € 510,000.

Figures 1.5.3 and 1.5.4 show detailed information on the sanctioning procedures per operator and the amounts of the penalties imposed.

As far as the enforcement is concerned, in the context of the proceedings regarding misleading or unfair market practices carried out by the AGCM, pursuant to article 27, paragraph 1-bis and paragraph 6 of the Consumer Code, the Authority is called to express its non-binding opinion

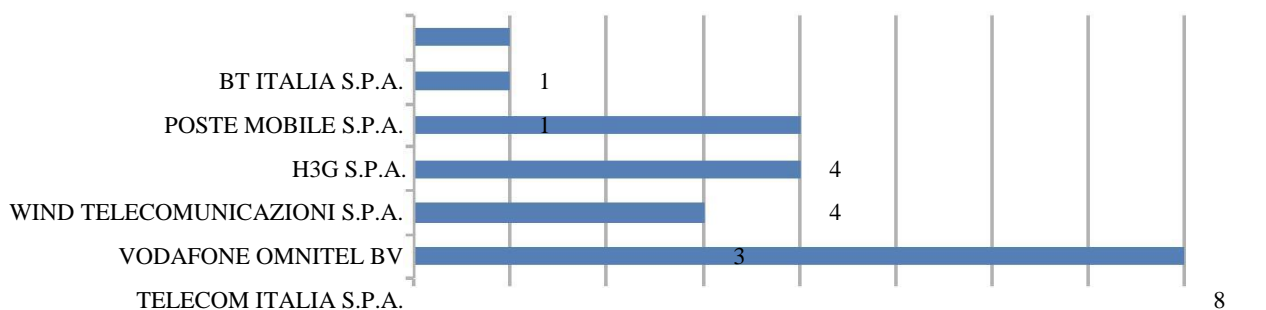


Fig 1.5.3 - Penal proceedings started by operators

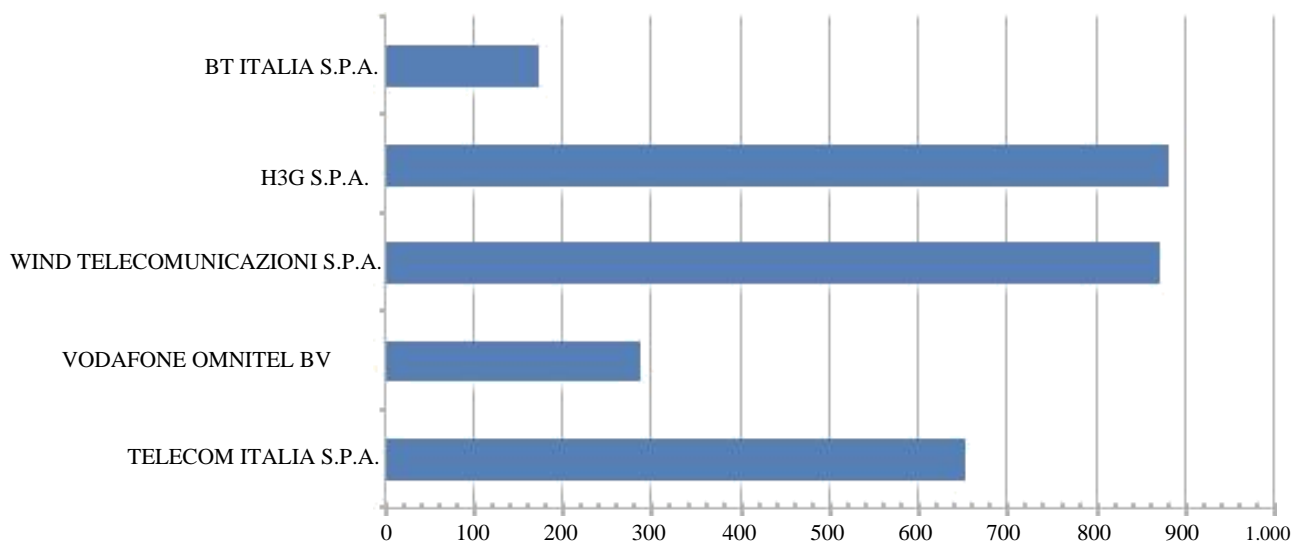


Fig 1.5.4 - Amounts of penalties per operator (in thousands of euros)

on the lawfulness of communications and commercial behavior held by service providers when carried out through radio or television media, press and other telecommunications means, especially through the Internet. In this regard, 84 opinions on unfair commercial practices were issued during the reference period, 7 of which related to electronic communication operators.

The protection of postal services users

With reference to the management of reports by postal services users, in the reference period approximately 600 reports were received, of which 282 through P model and 327 with other methods (e-mail, mail, etc.); these reports were dealt with by sending 513 feedback notes to users and with 8 requests for clarification from Poste Italiane. The dispute resolution activity recorded 69 applications submitted through the CP model (with a 140% increase compared to the previous 12 months), of which 20 were filed as inadmissible or not enforceable. For the remaining applications, the related proceedings in 22 cases were concluded with a decision ruling against Poste Italiane (16), SDA (3), CLP (2) and BRT (1) or a filing order for termination of the dispute, while 27 are being investigated.

Settlement of disputes between users and operators

The activity aimed at settling disputes between users and operators, performed by the Authority in favour of those users of the Regions for which the related Co.re.com. are not yet authorised to perform this function (Valle d'Aosta, Campania, Sardinia and Veneto), grew significantly in 2016. The requests for settlement received were in fact 2,702, with an increase of 28% compared to the previous period; the increase is even more significant considering the full operation of the authorisation granted to Co.re.com. Sicilia from 1 January 2016.

Compared to the total number of requests received, in 2,394 cases (88% of the total), the related proceeding has already been completed (see Table 1.5.4). Among the proceedings concluded, in 61% of the cases the parties reached a settlement or a conciliation agreement during the proceeding, while in 14% of the proceedings the final provision was reached (more than half of them with managerial resolution, because of amounts lower than €500.00). In most cases, the time needed for conclusion were respected with an average of 77 and 138 days, from the submission of the request, for the conclusion of the proceeding respectively with agreement or decision.

Tab 1.5.4 - Concluded settlement requests

Outcome of the dispute	No. concluded proceedings	% on concluded proceedings	Average duration (days)	Regulatory deadline	Average repayment/compensation (Euro)
Agreement at hearing	1.024	42,77%	77	-103	845,00
Decision	226	9,44%	135	-45	215,00
Resolution	126	5,26%	138	-42	2.298,00
Transaction	440	18,37%	-	-	420,00
Waiver	410	17,12%	-	-	
No further proceedings	168	7%	-	-	
TOTAL	2.394				

The outcome of the settlement procedures showed that the operators granted an amount of approximately 1.2 million euro to customers, by way of repayments and allowances.

The Authority coordinated and updated the Co.re.com. settling, by delegation, disputes between users and operators, through continuous training and guidance activities on the issues that are the subject of the dispute and on the interpretation profiles of the rules of the "*Regulation on the procedures for settling disputes between electronic communication operators and users*" (Resolution No. 173/07/CONS) and the "*Regulation concerning compensation applicable in the settlement of disputes between users and operators*" (Resolution No. 73/11/CONS).

In carrying out the tasks provided for by Legislative Decree no. 130/2015, in relation to the keeping of the list of ADR (Alternative Dispute Resolution) bodies responsible for managing national and cross-border disputes between consumers and professionals, and based in the European Union, the Authority updated of the above list by registering 13 ADR bodies according to the "*Regulation on the keeping of the list of ADR bodies in the electronic and postal communications sector*", adopted with resolution No. 661/15/CONS.

Again considering the ADR procedures, by resolution No. 11/17/CONS, the Authority also issued Guidelines on the general functioning of the "joint negotiation" bodies (Article 141-ter, subpara. e) of the Consumer Code) and, specifically, on an Guarantee Body for joint negotiations in the electronic and postal communications sector.

Lastly, the Authority implemented a new system for the electronic management of disputes in order to improve the protection of users, including through the new tools for participation in out-of-court dispute resolution procedures with professionals, as provided for by European legislation, such as the ODR (Online Dispute Resolution).

Special projects for the quality of services

During the year, the "Internet Measure" and "Mobile Internet Measure" projects continued, aimed at providing transparency to users on the quality of the performance of the Internet network. During the reference period, around 15,000 users obtained a free certification on the quality of their fixed-location service through the "Internet Measure" project, which reached approximately 295,000 registered users. In addition, 109,000 downloads of the free software "MisuraInternet Speed Test" were carried out, which allowed users to know the instant value of the quality of their Internet access.

In July 2016, the measurement system was implemented in line with the new ETSI standard ES 202 765-4 for the certification of the quality of Internet access on lines with speeds exceeding 30 Mbps and the new "Ne.Me.Sys" software version with a more user-friendly and simple interface, which allows users to follow the progress of measurements and guides them in solving possible problems and in interacting with the help-desk team.

Taking into account the mobile segment, the Authority, as part of the "Mobile Internet Measure" project,

aimed at providing transparency to users on the quality of the broadband and ultra-broadband data transmission service (*mobile broadband*), coordinated two of the four new on-site measurement campaigns (*drive test*), provided for by resolution no. 580/15/CONS, which extended the tests from second and third generation networks (2G and 3G) to fourth generation (4G) in LTE (*Long Term Evolution*) technology. The first campaign was carried out on-site from December 2015 to May 2016, the second from October 2016 to March 2017. Each campaign involved forty cities, with a population of around 12 million inhabitants and an explorable area of about 8,000 sq. km. The results of the first campaign have been published and are available to users on the project websites. The publication of the results of the second campaign, currently being drafted, is scheduled for July 2017. Both the overall, non-compared reports of the measurements and the compared results of the measurements taken are available at www.misurainternetmobile.it.

Relations with consumer and user associations

The relation with consumer and user representatives is carried out systematically, as well as in the hearings related to individual proceedings, through the Permanent Discussion Table with their associations, established since 2006 by resolution no. 662/06/CONS.

The constant sharing of ideas with the Consumer Associations represents a crucial element of knowledge and incentive for the fulfillment of the functions of relation with the citizens and of protection of the users, given to the Authority by the establishing law.

During the meetings held last year, a particularly fruitful interaction with the associations of the National Council of Consumers and Users (CNCU) was confirmed, with reference both to the supervision activity and to the new regulations also introduced at Community level, in particular those referred to in Regulation 2120/2015 (the so-called *Telecom Single Market Regulation - TSM*) on *European roaming* and *net neutrality*.

A special meeting where the operators were invited, was dedicated to the identification of the contribution of the electronic communications sector with respect to the earthquake occurred in central Italy, consisting, as already mentioned, both in urgent actions to suspend payments for users stricken by the event, and in solidarity initiatives for the populations.

Moreover, the relations with the National User Council (NUC) have also been intensified, with which the results of the works of the BEREC (Body of European Regulators for Electronic Communication) have been shared with regard to the protection of users, a matter on which the NUC was very active in the last year.

Finally, a contribution was made to the launch of the Guarantee Body for the joint negotiations in the electronic and postal sector in March 2017.

1.6 The new regulatory generation: digital services and radio spectrum

The regulatory activity entails a careful phase of study and analysis of technological and market trends, in particular when operating on such innovative areas as those where the Authority is involved.

The most recent in-depth studies have led to analysis, research and knowledge surveys that involved, among others, online platforms, Internet services, new ultra-broadband communication networks, and Machine-to-Machine services. (M2M). Delving into these issues has sometimes allowed to highlight the limits of the current regulatory system, pushing the Authority to reflect on what should be the "new generation regulation", namely able to stimulate competition in the markets and the infrastructural investments of the operators. During the reference period, significant supervisory activities were started and focused on the right implementation of the EU 2015/2020 Regulation on roaming and net neutrality, which have led to the adoption of important measures, including some warnings against mobile operators.

The Authority has also concluded, and published online, the mapping of all Internet access networks to spread throughout the country, providing an important and useful tool for users, operators and the political decision-maker on the real development of networks and Internet access services. The data, as detailed below, are provided in open format under the *Creative commons* license.

Finally, the Authority initiated a joint survey with the Authority for the protection of personal data and with the Competition and Market Authority, to identify any critical competition issues connected to big data and the definition of a framework of rules able to promote and protect competition in the digital economy markets.

Mapping of public and private Internet access networks

The "*Destinazione Italia*" decree³⁵ gave the Authority the task of setting up a database of all Internet access networks existing on the Italian territory. The database, as a map of available Internet access networks, provides a useful tool for developing innovative solutions to fill the digital gap in the broadband and ultra-broadband.

After a first phase aimed at identifying the system specifications, the Authority launched a public consultation intended for all the operators in the sector in order to identify the common technical features for data collection. The results of the public consultation were published in January 2016 with resolution no. 7/16/CONS on "*Launching the database of all access networks to both public and private properties in Italy*".

From a functional perspective, the implementation was carried out by devising a pilot project

with the main telecommunications operators (Fastweb, Wind, Telecom Italia, Retelit, Lepida, Metro-web, Linkem, Vodafone, BT Italia), with whom exchange formats, measurement metrics, acquisition methods, provision and updating of information, and techniques for managing inbound and outbound flows have been defined and tested. The technical specifications identified with the pilot project were published in December 2016³⁶.

The technical solution identified by the Authority includes, among others, the implementation of a cartographic portal that can be accessed from a PC or smartphone. The information, which can be accessed very easily thanks to the use of graphic mapping technology, may be used: *i)* by individual users, who are interested in knowing what infrastructure of Internet access is connected to their homes; *ii)* by operators, to define their investment plans; *iii)* by the Government, institutions and local authorities, in order to identify any measures to fill the digital gap.

In particular, the system, ensuring the confidential management of the so-called sensitive information, can be accessed to analyse the coverage of copper networks, fiber optic networks, wireless technology and 2G, 3G and 4G mobile networks. As far as the Internet access service is concerned, the mapping of the Authority provides an indication of the connection speeds allowed by the copper-based fixed networks³⁷ and of the data about the number of national, regional and provincial Internet subscriptions. Particular attention was paid to the design of the interface, which, thanks to the adoption of web/GIS technology, is expected to facilitate communication even for "*non-experts*". The data are openly provided on the under the *Creative commons* license. An app for mobile devices will also be available on the portal.

³⁵ Article 6, paragraph 5-bis, of the Decree Law of 23 December 2013, no. 145, "*Destinazione Italia*", converted with amendments by the law no. 9 of 2014.

³⁶ Directorial resolution no. 1/16/DSD.

³⁷ The speed is calculated by a simulator based on a theoretical probabilistic model in which the real length of the single copper network connections is analysed.

Radio spectrum management and use of frequency bands for wireless broadband services

With reference to the management of the radio spectrum for electronic communications systems and, in general, the use of frequencies for wireless broadband services, the Authority's activities continued in order to achieve an efficient allocation of scarce resources at European and national level in the field of *spectrum management*. In this regard, the work was also carried out with the aim of favoring, in the long run, future developments on the use of the spectrum, the adoption of new approaches for a more efficient use of frequencies and the development of wireless and mobile systems towards the fifth generation (5G). To this end, new uses and various forms of spectrum sharing were also analysed, aimed at promoting the efficient use of frequencies, technological innovation and competition.

Specifically, in line with the planned strategic objective of promoting shared use of the spectrum, the Authority carried out a public consultation, started with resolution no. 121/16/CONS, regarding the shared access to the spectrum in "Licensed Shared Access" (LSA) mode for terrestrial systems of electronic communication, being the first European regulator to launch a systemic check on the LSA sharing. This was done in order to analyse and evaluate the use of spectrum sharing as a spectrum management tool, not necessarily limited to a particular frequency band, but as a general methodological approach. The results of the public consultation, reported in a summary document published on the website of the Authority, have shown that the LSA approach, albeit with different specifications by the various parties involved in the consultation, was considered overall an interesting opportunity for market development and a useful tool for faster deployment of *Mobile Fixed Communications Network* (MFCN) systems.

In particular, LSA-type correlation mechanisms have been considered potentially interesting when aimed at the use of spectrum portions that can not be released in short time from other uses to be assigned on an exclusive basis, or in general not releasable by the current

incumbents, especially in the event of poor use of the spectrum and the static nature of existing applications, as in some cases of governmental *incumbents*.

By resolution no. 557/16/CONS, the Authority launched a survey on the development perspectives of wireless and mobile systems towards the fifth generation (5G) and the use of new spectrum portions above 6 GHz. The survey is aimed at analysing: *a)* the various frequency bands at international level potentially suitable for 5G networks, with a focus on bands above 6 GHz; *b)* technological developments on the use of spectrum related to the development of 5G networks (*including small cells, network densification, backhauling, massive MIMO*); *c)* aspects regarding the spectrum allocation modalities related to the development of 5G networks (for example, *licensing, coverage, spectrum sharing*); *d)* aspects regarding the spectrum used in the Internet of Things (IoT); *e)* the evolution of 5G network architectures to ensure scalability and agility in the management and creation of services; *f)* aspects related to the development of the main 5G wireless applications and the degree of interest of companies in various so-called vertical. The topics of the Survey entail various innovative and forward-looking elements about the future development of 5G networks that are likely to affect different aspects of spectrum regulation. The information collected can be extremely useful to support the national and community path toward the identification of new bands for the 5G network and the regulatory aspects necessary for the allocation and use of these bands, as well as to monitor the constant efficient use of the bands already allocated, within the Authority's powers.

During the reference period of this Report, the market for the supply of services provided by mobile operators was characterised by the concentration no. M/7758 between H3G and Wind to which the entry of a new operator (Iliad) is linked, pursuant to the provisions of the decision of the European Commission, adopted on 1 September 2016, which approved the aforementioned concentration. As for the provisions of the aforementioned Community decision, the request for the opinion of the MISE was then examined

by the Authority, pursuant to article 14-ter, paragraphs 5 and 6 of Legislative Decree no. 259/2003, on the transfer of rights to use the frequencies belonging to H3G and Wind that would flow into the merging entity (so-called "internal" trading) or that, according to the approved commitments, would be transferred to the new entity Iliad (so-called "external" trading). This activity provided, as required by the Code, for the acquisition of the opinion by the AGCM. At the end of the procedure, the Authority adopted Resolution no. 430/16/CONS, subsequently submitted to the MISE, on the positive opinion including the assessments on the obligations to be associated with the transfer of frequencies (criteria for contributions, coverage, postal code, etc.) and evaluations provided by the AGCM.

As known, the law no. 232/16 of 11 December 2016 ("State Budget for the 2017 financial year and the multi-year budget for the three-year period 2017-2019"), in paragraphs 568-575, introduced new provisions concerning use of 900 and 1800 MHz band frequencies. In particular, paragraph 569 states that *"holders of rights to use the frequencies in the 900 and 1800 MHz band expiring on 30 June 2018 may request authorization to change technology on the entire band assigned starting from 1 July 2017 and at the same time the extension to the new technical conditions as at 31 December 2029 for the duration of the aforementioned rights of use, upon submission of a single application pursuant to Article*

25, paragraph 6, of the electronic communications code, referred to in the legislative decree 1 August 2003, no. 259, to be submitted by 15 February 2017, accompanied by a detailed financial technical plan". In light of this provision, the Authority was called to express opinions to the Ministry regarding the assessment of the requests submitted by the parties holding the rights of use in question.

Finally, after a period of public consultation, resolution no. 380/16/CONS, approving the Regulation for the allocation of some satellite-based channels available on transponders conveyed by Eutelsat, was adopted. The Regulation, a unique one as it prepares a public competition for access this type of resources for broadcasting or television contribution services, is a prelude to the publication of the related call for tenders, whose works are being prepared by the MISE.

In terms of management of the radio spectrum at the Community level, the Authority continued to participate, together with the MISE within their competences, in the two main bodies of the European Union, namely the RSC, *Radio Spectrum Committee*³⁸ and the RSPG, *Radio Spectrum Policy Group*³⁹

Particularly important for Italy, as a form of community assistance for countries

38 The RSC, established by decision no. 676/2002/EC of the European Parliament and of the Council of 7 March 2002, pursues the objective of fostering the harmonisation of radio spectrum management and use in the European Union, providing for the definition and adoption of the relevant technical implementation measures. The main issues dealt with by the RSC Committee during the period of this Report concerned: a) updating of the technical regulations for the use of mobile radio terminals on board aircraft (MCA systems, Mobile Communications on Aircrafts) in order to simplify their operations (decision (EU) 2016/2317); b) updating of technical standards for the use of mobile radio terminals on board ships (MCV systems, Mobile Communications on Vessels) with the introduction of new technologies and new frequency bands (Decision (EU) 2017/191); c) implementation of the activities for the adoption of the harmonisation measures for electronic communications systems in the 2.3 GHz band, including the presentation of test pilots carried out in some EU countries including Italy, and studies on coexistence with the adjacent WiFi band; d) adoption of harmonised technical standards for the use of the 700 MHz band by electronic communications systems (Decision (EU) 2016/687); e) continuation of work for the introduction of the camera service in the 2.7-2.9 GHz band and for the shared use of the band; f) adoption of a mandate to the CEPT for the development of technical spectrum harmonisation conditions for the new 5G generation systems; g) start of work and studies for the sixth update of the framework for the use of the spectrum for unlicensed SRD (Short Range Device) systems; h) adoption of a CEPT mandate for the harmonisation of additional portions of the 1.5 GHz L band for the development of a new 5G generation systems; i) start of work on the revision of the regulatory framework for the use of the spectrum by UWB (Ultra Wide Band) systems.

39 The RSPG established by Commission Decision no. 2002/622/EC, as amended by Decision No 2009/978/EC, adopt opinions and technical reports in order to assist and provide strategic advice to the Commission, and possibly to

showing problems of frequency coordination with neighboring countries, is the establishment of the so-called *good office*, set up by the RSPG in the "*Process of EU Assistance in bilateral negotiations with third countries and between EU countries*". The *good offices* provide assistance to the member countries within a working group coordinated by an expert from a third country, which ends with a technical opinion submitted by the RSPG to the European Commission in order to facilitate the resolution of problems. This mechanism was first launched in Italy, due to the problems of coordination in the television bands with Malta, and was then extended to Italy's problems also with France, Slovenia and Croatia. Other countries involved in negotiations with Italy, such as Switzerland, took part in the work. During the period covered by this Report, numerous meetings were held under the guidance of France and the numerous initiatives undertaken by the Italian administration were completed. In February 2017, the completion of the shutdown of the interfering television transmitters was announced by Italy along with the positive conclusion of the long dispute. The group filed the theme of Italian television interference with the final report, and was in charge of continuing the activity on the theme of FM radio interference and, by extending its competences to coordination issues, on the theme of migration of TV channels from the 700 MHz band and the related coordination of national roadmaps.

Supervision of the implementation of the EU 2015/2120 Regulation on network neutrality

Following the adoption of the BEREC Guidelines on net neutrality, on 30 August 2016, the Authority launched supervisory activities to ensure the correct application of the EU Regulation 2015/2020 on the Italian market that grants the National Regulatory Authorities (NRAs) a fundamental role in safeguarding the "open" nature of the Internet and in promoting the availability of access services to non-discriminatory conditions and quality levels reflecting progress in technology.

At the same time, the Authority ensured active participation also to the BEREC working groups in order to contribute to the coherent application of the European rules on network neutrality, in the spirit of full cooperation with the other member countries.

The monitoring and the supervision carried out by the Authority focused on different aspects, with particular reference to: *i)* commercial and negotiation practices, including the so-called "*zero-rating*" practices⁴⁰; *ii)* freedom of use of terminal equipment by end users; *iii)* traffic management measures; *iv)* provision of "*specialised services*"; *v)* assessment of transparency measures in contracts for the provision of Internet access to users.

other European institutions (Parliament and Council), on radio spectrum policy issues and on European coordination of the implementing measures. With regard to the RSPG Group, the period covered by this report was particularly profitable as a number of important opinions have been adopted: *a)* "*Spectrum related aspects for next-generation wireless systems (5G)*", which represents a fundamental step in achieving the objectives of the Commission's Action Plan 5G as it identifies the so-called pioneering bands for an accelerated development of the new 5G generation of mobile systems; *b)* "*Spectrum Aspects of the Internet-of-Things (IoT) including M2M*", which analyses the state of development of the Internet of Things sector and the impacts that the expected development deriving from the 5G will have on spectrum management; *c)* "*Spectrum Aspects of Intelligent Transport Systems*", which directs the next activities in the field of great development of the automotive & transport, including the developments expected with the 5G; *d)* "*Interim Opinion on Common Policy Objectives for WRC-19*", which anticipates the analysis of the points on the agenda for the next World Radio Conference 2019 highlighting the aspects likely to be included in a common European policy; *e)* "*Spectrum issues in the proposal for a European Parliament and of the Council establishing the European Electronic Communications Framework*", which provides a common position on spectrum management on the proposal of the Commission for the revision of the regulatory framework, support for the new discussions in the European Council and Parliament.

⁴⁰ "*Zero-rating*" practices shall mean offers that do not count the data traffic generated by (or towards) particular services or applications (so-called "*zero-rated*") for the purpose of achieving the consumption thresholds in the offers that provide for a consumption threshold ("*data cap*").

With reference to the zero-rating offers, the Authority, as already mentioned in paragraph 1.5, has started, from September 2016, the supervisory activities and has sent specific questionnaires to the main operators of the fixed and mobile network aimed at collecting elements useful to evaluate the compliance of the offers with the EU Regulation. All the operators involved responded to the request for information and an in-depth and continuous interaction with the market operators providing zero-rating offers or planning to do so was conducted. The start of the supervision by the Authority has had a positive effect on the market, leading the operators to withdraw or adjust some offers clashing with the EU Regulation.

By adopting resolution no. 123/17/CONS, the Authority adopted the first provision concerning net neutrality, aimed at securing the right of users to an Internet without arbitrary restrictions. With the aforementioned resolution, the Authority clarified in detail the reference framework for the zero-rating offers, reiterating that the latter can be marketed on condition that, upon reaching the general traffic limit set by the offer, the same treatment for all types of traffic will be ensured.

Together with the activity described above, the Authority started investigating into possible restrictions on the freedom to use terminal equipment connected to the imposition by electronic communication services providers, including service providers to access the Internet, to use their own equipment.

The Authority will prepare and send to the European Commission and to the BEREC, by the end of June 2017, a report with the description of the activities carried out and an indication of the main results reached until April 2017.

Supervision in the field of international roaming

With regard to mobile communications, the Authority is in charge of ensuring the enforcement of the EU Regulation 2012/531, so-called "Roaming regulation", and of the amendments introduced by the TSM Regulation. The TSM Regulation introduced the principle of the so-called "*Roam-Like-At-Home*", which provides for the application of the national tariff for voice/SMS/data traffic generated in any of the member countries of the European Union starting from 15 June 2017. To this end, the TSM Regulation provides for the updating of all national tariffs to allow their extension, on equal terms applied to the user, to foreign countries. This Regulation also provides for a transitional period (from 30 April 2016 to 14 June 2017), during which roaming providers are granted the opportunity to apply a surcharge to the current national prices for the provision of regulated retail roaming services. During the transitional period, the price applied for roaming offers can not be higher than the regulated price thresholds (*price cap*) for the wholesale market, shown in Table 1.6.1.

The TSM Regulation also allows the possible application of alternative tariffs in which the limits do not follow the rules shown in the table.

Tab 1.6.1 – Conditions applied to roaming offers during the transitional period

Outgoing calls	National tariff + maximum surcharge of 5 eurocent/min (VAT not included)
	NB: the final roaming tariff must not exceed 19 eurocent/min (VAT excluded)
Incoming calls	Maximum price 1.14 eurocent/min (VAT not included)
Outgoing SMS	National tariff + maximum surcharge of 2 eurocent/min (VAT not included)
	NB: the final roaming tariff must not exceed 6 eurocent/min (VAT excluded)
Data traffic	National tariff + maximum surcharge of 5 eurocent/MB (VAT not included)
	NB: the final roaming tariff must not exceed 19 eurocent/mb (VAT excluded)

In this case, the roaming customer must explicitly opt for an alternative tariff and must be informed by the operator on the existence of the regulated roaming tariffs and on the related benefits.

The enforcement and supervision activities carried out by the Authority were aimed at verifying the correct application of the provisions regarding: i) Eurotariff (until 30 April 2016); ii) *Roam-Like-At-Home* (from 30 April 2016); iii) *tariff transparency*; iv) roaming agreements.

The supervision on regulated prices was carried out by the Authority in collaboration with BEREC, through the regular monitoring of the evolution of roaming prices, for the provision of voice call, SMS messages and data transmission services to customers⁴¹.

The surveys showed that the values of the prices applied to users, in Italy, are in line with those applied in the main European countries. The monitoring activity also revealed an increasing competitive dynamic along with a significant innovation in roaming tariffs, in which the presence of voice/SMS/data bundles, typically daily or weekly, favors the use of smartphones, safeguarding and protecting the user from the bill-shock risk.

Machine-to-Machine services (M2M)

The Authority has been collaborating with the Authority for Electricity, Gas and the Water (AEEGSI) for a long time on subjects of mutual interest, with particular reference to Machine-to-Machine (M2M) communications. The AEEGSI has in fact contributed to the M2M survey ended with resolution no. 201/15/CONS and is a member, together with other interested parties (public and private), of the board of the Standing Committee on M2M services.

The Authority contributed to the public consultation on the definition of the functional specifications of the second-generation smart meters of low voltage electricity (second generation smart metering), started

by the AEEGSI by provision no. 416/2015/R/EEL. This consultation ended in March 2016 with resolution no. 87/2016/R/EEL, which defined the functional specifications enabling the intelligent low voltage meters and the performance of the related second generation smart metering systems (2G or 2.0) in the electricity sector, in view of the replacement of the first-generation meters.

Considering the importance of the connection to the smart meter network, the Authority has set up a Working Group to analyse data communication technologies in smart metering systems. The WG has carried out an in-depth analysis of the technological alternatives available for the connection of smart metering systems, evaluating their competitive and regulatory aspects, in order to provide useful elements for the definition of the regulatory strategies of the Authority.

The WG carried out its analysis, first by acquiring information, guidelines and documentation from a wide range of parties involved in the hearing, such as: operators of public electronic communications networks, the main manufacturing companies in the electronic communications sector, operators managing towers and transmission broadcasting systems and mobile communications (so-called Tower Companies), as well as some of the stakeholders representing the utility market. During the activities, the WG then shared opinions with AEEGSI offices.

In light of the diversity of the parties and the various following interests involved, the WG decided to consider, in its own opinion, the communication aspects related to the smart meters of all the utility sectors - electricity, gas, water - for which standards and remote reading and/or remote access systems had been developed.

On the basis of the information and reflections emerged in the contributions and during the hearings, the WG drafted a final report, containing "*Results of the activities of the Working Group for the analysis of data communication technologies in*

⁴¹ During 2016, monitoring campaigns no.16 and 17 were carried out.

smart metering systems", published on the website of the Authority on 31 March 2017.

First of all, the report analyses the various technologies on the market and in particular: *a)* wired systems, using PLC technology; *b)* wireless technologies EC-GSM, LTE-M and NBIoT, based on frequencies designed for exclusive use (licensed); *c)* wireless systems based on frequencies for collective use (unlicensed) with particular reference to WMBus, LoRa and SigFox.

The analysis focused on the characteristics of the data connection technologies between the smart meter and the operator/user site⁴², highlighting the strengths and weaknesses of each of them from time to time, in a *future-proof* perspective.

1.7 Inspection activities and the Communications Operators' Register

The Communications Operators' Register (COR)

In the period of reference, the gradual implementation of the IT system for the management of the Register of radio and television broadcasting frequencies has been completed, with the aim of monitoring radio operators that broadcast in analogic technique, in accordance with Resolutions no. 235/16/CONS and 236/16/CONS. This innovation provides an online database of all national terrestrial frequencies broadcasting infrastructures and represents a useful tool to support the Authority's Offices in activities linked to the complex problems of international frequency coordination, in analyses connected with the launch of digital radio, as well as in any future planning activities for the band.

In order to improve the tools used by the Authority in verifying compliance with the anti-concentration limits on the number of authorisations for the supply of national and local television programmes, as per art. 23 of Annex A, Resolution no. 353/11/CONS, the Authority has adopted

Resolution no. 308/16/CONS amending the Communications Operators' Register's forms concerning the information to be provided by audio-visual media service providers and network operators.

On 31 October 2016, Law no. 198 of 26 October 2016 laying down "*Provisions on the creation of the fund for pluralism and innovation of the information sector, on delegation of powers to the government for the redefinition of public support measures for the publishing and local radio and television broadcasting sectors, of rules on journalists' retirement benefits as well as redefinition of the organization and responsibilities of the National Council of the Order of Journalists. Provisions concerning the procedure for radio, television and multimedia public service concessions*", which determined the redefinition of public support measures for the publishing and local radio and television broadcasting sectors and amended the Authority's verification activities, provided for in art. 5 of Presidential Decree no. 223/2010, was published in the Official Gazette of the Italian Republic. As a result of this, it was necessary to modify the Regulations concerning the organization and management of the COR with Resolution no. 492/16 /CONS, setting the deadline for the transmission of the annual online communication to 31 January each year for all the publishing companies applying for grants, pursuant to art. 3, paragraph 3, of law no. 250/1990. The certifications pursuant to the above Presidential Decree shall be issued not later than the end of May.

In the reference period, after the publication of law no. 232 of 11 December 2016 on the "*State Budget for the 2017 financial year and the multi-year budget for the three-year period 2017-2019*" which modified, among other things, art. no. 24 bis of Law Decree no. 83 of 22 June 2012, converted into a law, after amendment, by law no. 134 of 7 August 2012, the obligation to register with the COR for all the economic operators involved in call center activities on national phone-numbers as well as for third parties entrusted with call center services was introduced. To comply with the new

⁴² Regardless of whether the communication device - of any technology - can be wired inside the meter (*embedded*) or housed externally by PLC extension or connected to the meter itself through a connector (physical port).

regulatory provisions, Resolution no. 1/17/CONS has been approved, which introduced the new forms with which national telephone numbers must be communicated to the Registry. It was also necessary to implement the automated information system of the COR in order to enable economic operators carrying out call centre activities to register.

Ordinary Management Activities

During the period of reference, the COR automated information system handled around 18,000 requests (registrations, annual communications, amendments, certifications, cancellations etc.). The number of operators applying for registration shows a strong increase with respect to the previous year, rising from about 900 applications to around 2,300. This increase is mainly due to the introduction of the obligation to register with the COR for all subjects providing call center services. Also in 2016, more than 3,500 operators who had not sent their annual electronic communication for more than three consecutive years were cancelled from the register.

During the year, about 5.800 annual reports and 8,000 requests for changes were transmitted by the operators (of which 1,711 were sent directly by the registered subjects and about 6,200 acquired automatically from the Register of Companies through the application cooperation processes); this shows a good level of updating of the COR data. In particular, it is needed to highlight the increase in the number of annual reports transmitted, mainly due to supervisory and awareness raising activities carried out by the Authority and by the delegated Co.re.com. Furthermore, 50 certification requests were sent and all of them have been finalized.

Controls relating to publishing activities on companies applying for grants

In the reference period, as part of the COR management activities, the certifications provided for by art. 5 of Presidential Decree no. 223 of 25 November 2010 were transmitted to the Presidency of the Council of Ministers - Department for Information and Publishing (DIE) for the examination of the status in the COR of the

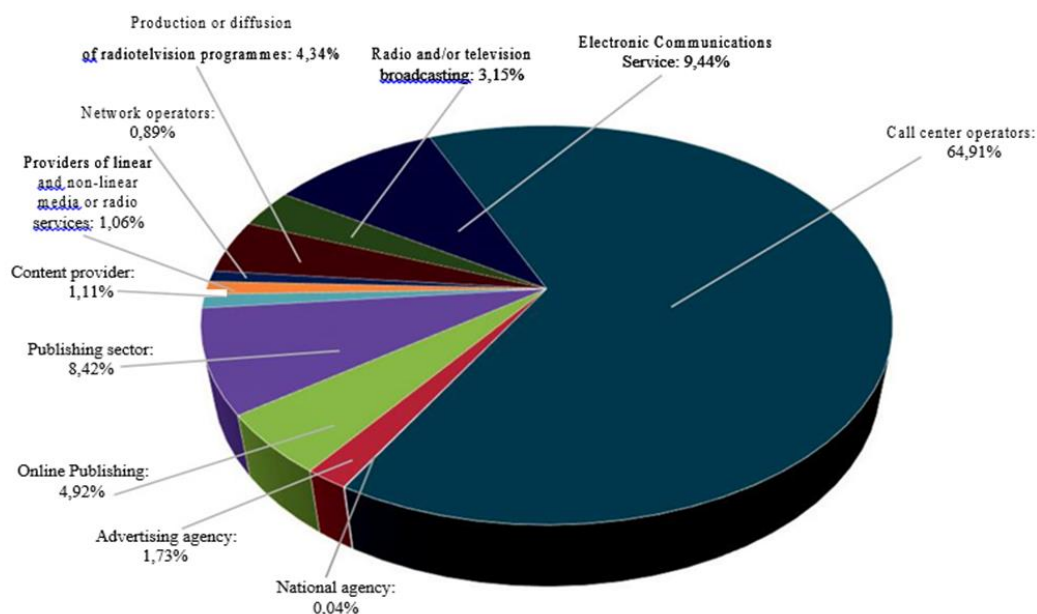


Figure 1.7.1 - Type of activity notified to the COR by the operators who applied for registration (May 2016-April 2017)

companies applying for contributions as pursuant to law no. 250 of 7 August 1990, and for contributions allocated to the Italian press abroad pursuant to art. 1-*bis* of Law Decree no. 63 of 18 May 2012, converted into law, after amendment, by law no. 103 of 16 July 2012 and to Presidential Decree no. 138 of 11 August 2014.

The positions of all the 246 registered companies applying for grants have been verified, in accordance with the provisions set by the Department for Information and Publishing (DIE).

Following this supervisory activity, eight sanctioning procedures were initiated, six of which for failure to transmit the annual electronic report or for late transmission and two for failure to transmit the variation communication and the annual electronic communication to the COR.

A report as per art. 24 of law no. 689 of 24 November 1981 was transmitted to the Public Prosecutor's Office of the competent court, following the identification of an "objective connection" between the administrative offence and the crime relating to the sanctioning procedure no. 7/16 / SIR of 16 March 2016 for violations of the provisions of law no. 416 of 1981, aimed at ensuring the transparency of property and the related regulatory provisions concerning communication obligations to the COR.

The National Register of Broadcasting Infrastructures

The COR Special Section for broadcasting infrastructures has for years been the main point of reference for numerous technical and administrative activities, including those related to radio spectrum planning and international frequency coordination and, in particular, those related to the transition from analogue to digital terrestrial television and the ongoing freeing-up of the 700 MHz band, which, as is well known, shall no longer be used for radio-television broadcasting mobile services and will be dedicated to mobile services only, starting from 2020/2022. The Register provides updated data relating to all digital television and sound broadcasting plants operating on the national territory.

Furthermore, since January 2017, the data on analogue radio broadcasting systems operating over the FM band (87.5-108 MHz) are also available. In fact, during 2016, all the functions necessary to allow the inclusion of analogue sound broadcasting systems

operating in the FM band within the special section of the Register were implemented. The first collection of technical data from the said systems was completed, as scheduled, on 15 December 2016. With this operation, the Authority holds an electronic database containing information on all the main types of infrastructures for broadcasting on terrestrial frequencies operating throughout national territory.

On 31 March 2017, the Register contained 37,264 active systems, of which 20,519 were of the digital television type, 196 were of the digital radio type (DAB) and 16,549 were of the analogue FM broadcast type. Due to the inclusion in the Register of FM broadcasting systems, there has been a considerable increase in the volume of activities compared to the previous year. During the period in question, in fact, about 6,944 accesses were registered with the National Service Card (CNS), during which approximately 11,600 communications were received and automatically validated, all of which were completely dematerialised. Through these communications, more than 23,000 changes to the systems were made, including new registrations, technical/administrative changes, sales, takeovers or terminations.

Inspections

The inspection and monitoring activities carried out by the Authority are regulated by Resolution no. 220/08/CONS, then integrated by Resolution no. 710/13/CONS, concerning the postal services sector.

Based on the above provisions, the inspections, during the reference period, were aimed at verifying:

- the correct application of the regulations ruling the sector by the operators of electronic communications services (telephony and data);
- the correct and full exercise of the radio and television broadcasting rights relating to the main sport events, as well as of the procedures for accessing sport facilities by the communication operators;
- compliance with the rules governing the supply of services in the postal sector;
- the implementation, by radio-television operators, of the rules governing the payment of the TV licence fee.

With regard to the correct payment of the annual fee for the use of the television broadcasting network by national and local operators of the radio broadcasting service, verifications are carried out, where needed, with the support of the Special Unit for the radio broadcasting and publishing of the Financial Police – Guardia di Finanza (see also Chapter IV) and on the basis of a series of in-depth analyses on the reports sent by the operators in 2016 and 2017, referring to the 2016 fee.

In addition to the inclusion of analogue radio broadcasting systems operating over the FM band (87.5-108 MHz) within the special section of the COR, Resolution no. 235/16/CONS, approved on 31 May 2016, has defined new methods for sending to the Authority the statement concerning the payment of the concession fee by radio broadcasters, as provided for by art. 4, paragraph 1, of the decree of 23 October 2000 of the Ministry of the Treasury, the Budget and Economic Planning. The information system created for this purpose, whose back office section is currently being completed, has made it possible to acquire about 600 online statements and to contact the subjects that failed to submit it, using the list of operators who have entered their systems into the Register of frequencies.

As for controls on the electronic communications services, the inspection activities often carried out with the help of the Postal Police Section of the Authority and the Special Unit for the Broadcasting and Publishing of the Financial Police – Guardia di Finanza, concerned several operators. In particular, monitoring and verification activities were carried out on telephone operators, both through office work and at their premises, in accordance with the regulations on relations with users. A further inspection activity was carried out to acquire information useful to verify whether telephone services and data connectivity offers can be replicated.

With regard to the postal sector, the inspection activities, carried out with the help of the Special Unit for the Broadcasting and Publishing of the Financial Police – Guardia di Finanza, were aimed at verifying the correct application of the sector regulations. In particular, the activities were oriented both to the verification of compliance with the rules set by the Authority for the protection of consumers, and to the verification of fulfilment of the requirements and qualifications needed to operate in the postal sector.

As regards the verification of compliance with the legislation on sports audio-visual rights, the related activities concerned eight events of the "Serie A Tim", "Serie B" and "Tim Cup" football tournaments. In particular, the inspections concerned the verification of any violations committed by the organizing companies or by the organizers of the competitions (such as, for example, denials of access to spaces suitable for the exercise of the right to report to communication operators), or the verification on any improper use, by the same operators of communication, of the live streaming features, allowing the filming and transmission of events on the main social networking platforms.

In terms of verification of the regular payment of the administrative sanctions imposed by the Authority on the part of the subjects operating in the communications sector, a total of 123 proceedings were handled and, for cases of failure of voluntary compliance, 105 proceedings were initiated to register and report such cases to Equitalia S.p.A., in order to recover the amounts not collected. The sum collected for administrative sanctions amounted to Eur 1,394,982 over a total amount of Eur 2,328,230 collected for administrative penalties.

Supervision of public administrations' and public bodies' reporting obligations on institutional advertising and communication expenditure (art. 41 of the "Audio-visual Media and Radio Services Consolidation Act"- TUSMAR)

With regard to the supervision of notification obligations relating to advertising expenditure of public administrations and public bodies pursuant to art. 41, paragraph 1, of Legislative Decree 31 July 2005, n. 177 (TUSMAR), by approving Resolution no. 4/16 / CONS, the Authority has clarified some aspects of the supervisory system, pointing out that, through the new data collection system, only the administrations that have actually allocated sums to the purchase of spaces for institutional advertising on mass media shall forward their statements. The completed forms shall be transmitted, in electronic form, by accessing the Authority's web page, from 1 to 30 September each year. As a result of the monitoring activity on the statements transmitted through the electronic model "Enti Pubblici (Public Bodies)" as well as of the preliminary investigation

conducted on about fifty administrative offices, sanctioning proceedings were initiated against 12 public administrations and bodies for the alleged violation of the quotas as per art. 41, paragraph 1, of the TUSMAR. These proceedings are still ongoing. Together with the analysis of the communications

received, the Authority reported to the Government some critical issues arising from the application of the related legislation, which have been identified during verification activities as well as during hearings held with public administration's representatives.

CHAPTER II

The economic and competitive environment: structure and prospects of regulated markets

Introduction

In 2016, the Gross Domestic Product (GDP) at market prices continued the growth already recorded the previous year; at the end of the year, GDP stood at 1,673,291 million €, up by 1.8% compared to 2015 (see Table 2.1). Household spending also grew, albeit at slightly lower rates (+ 1.3%). Finally, investments still show a good increase (+ 2.0%), although slowing down compared to 2015. Overall, therefore, the main indicators of the Italian macroeconomic situation continue to grow, in continuity with what was found in 2015.

Table 2.1 – Italian economic situation (mln € - current prices)

	2015	2016	Chang. % 2014/2015	Chang. % 2015/2016
GDP	1.644.421	1.673.291	1,3	1,8
Household spending	1.001.164	1.013.953	1,5	1,3
Investments	128.142	130.648	2,5	2,0

Source: Istat, *Conti economici trimestrali*, IV trimestre 2016

In this context, the economic resources of the communications sector - which includes telecommunications, media and postal services - amount to a total of approximately 53.6 billion Euros, on the rise (1.5%) compared to 2015 (see Table 2.2)⁴³. Figure 2.1 shows that the most significant contribution still comes from the telecommunications sector, which represents 59% of the entire sector (about 31.9 billion Euros); followed by the media (television, radio, publishing and Internet), accounting for a total of 28% (corresponding to about 14.7 billion Euros) and, finally, postal services, representing 13% (around 7 billion Euros) of the total.

In the telecommunications and media sectors, it is possible to notice, for the first year, a trend reversal characterized by an increase (respectively of 0.2% and 3.9%) of total revenues (see Table 2.2).

With regard to postal services, total revenues continue to grow, like already recorded in 2015 (+ 2.6%).

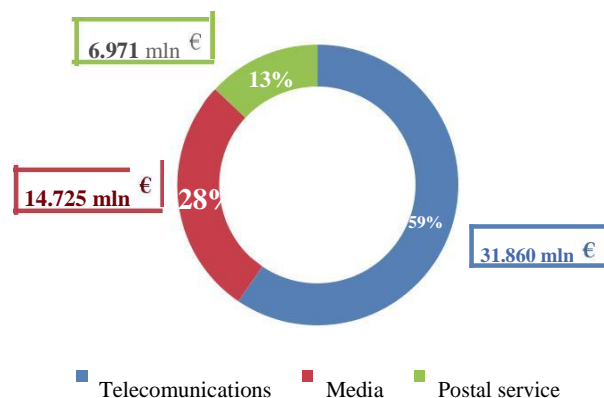


Figure 2.1 - Communications sector revenues (2016)

Table 2.2 also shows the contribution of each economic segment to the total revenues of the sector; as for the telecommunications sector, while revenues from landlines keep on decreasing, revenues from the mobile network show a significant increase (+ 2.4%). As for the media sector, the radio and television component grew by 6.5%, while the

Tabella 2.2 - Breakdown of revenues of the communications sector (mln €)

	2015	2016	Chan. % 2015/2016
Telecommunications	31.808	31.860	0,2
<i>Fixed network</i>	16.069	15.746	-2,0
<i>Mobile network</i>	15.739	16.114	2,4
Media	14.176	14.725	3,9
Television Radio	8.449	8.998	6,5
<i>Free access Tv</i>	4.536	4.979	9,8
<i>Pay-Tv</i>	3.294	3.381	2,6
<i>Radio</i>	619	639	3,2
Publishing	4.067	3.822	-6,0
<i>Daily newspapers</i>	1.971	1.841	-6,6
<i>Periodicals</i>	2.096	1.980	-5,5
Internet	1.660	1.905	14,8
Postal services	6.794	6.971	2,6
<i>Universal service</i>	1.729	1.512	-12,6
<i>Exclusive service</i>	329	359	9,1
<i>Other postal services</i>	976	1.039	6,5
<i>Express Courier</i>	3.760	4.061	8,0
TOTAL	52.778	53.556	1,5

⁴³ The figures referring to 2016 are based on estimates made by the Authority.

publishing sector continued to lose resources (-6%), albeit at a lower rate than in the recent past. On the contrary, online services keep on growing (+14.8%), with an even higher rate than the previous year. Revenues related to postal services, on the other hand, continue to show a significant reduction in the universal service component (-12.6%), offset, however, by the growth in the activities of exclusive services and express courier services (respectively, + 9.1% and + 8%).

As regards the impact of the communications sector, and of the individual segments of which it is composed, GDP is substantially unchanged over time (see Table 2.3). In particular, the communications sector accounts for around 3.2% of GDP, with telecommunications accounting for 1.9%, media averaging 0.9%, and postal services for 0.4%.

Table 2.3 - Impact on GDP of the communications sector (%)

	2015	2016
Telecommunications	1,9	1,9
Media	0,9	0,9
<i>Television and Radio</i>	<i>0,5</i>	<i>0,5</i>
<i>Publishing</i>	<i>0,2</i>	<i>0,2</i>
<i>Internet</i>	<i>0,1</i>	<i>0,1</i>
Postal services	0,4	0,4
TOTAL	3,2	3,2

Source: corporate data and Istat

The electronic communications sector under the TUSMAR

The "Audio-visual Media and Radio Services Consolidation Act" (TUSMAR) provides a series of tools to guarantee the freedom and pluralism of the means of communication. These include the provisions of article 43, which, in paragraph 11 in particular, identifies the limits to revenue share that companies, even through subsidiaries or affiliated companies, may simultaneously hold in the Integrated Communications System (SIC) and in the electronic communications sector.

In this regard, the TUSMAR explicitly refers to companies operating in the electronic communications sector "*as defined in accordance with article 18 of Law Decree no. 259*

of 1 August 2003 [...] "(hereinafter, the Electronic Communications Code). In particular, Article 18 provides that: "The Authority, taking the utmost account of the Recommendations relating to the relevant markets of products and services of the electronic communications sector, hereinafter referred to as" the recommendations ", and the guidelines, defines the relevant markets in accordance with the principles of competition law and on the basis of the characteristics and structure of the national market for electronic communications [...]"

Although Article 43, paragraph 11, of the TUSMAR refers generically to the broad concept of "electronic communications sector", the reference to Article 18 of the Electronic Communications Code connects the electronic communications sector to the procedure for defining the relevant markets of products and services pursuant to the Electronic Communications Code, according to which the relevant markets, susceptible to ex ante regulation, are defined by the Authority on the basis of the Recommendations and the Guidelines, and the principles of competition law, taking into account the characteristics and structure of the electronic communications market. In particular, Recommendations are subjected to a revision process by which the European Commission, when updating its own guidelines in the light of technological and market evolution, also redefines the list of markets that are deemed to be immediately susceptible to ex ante regulation. However, as described above, the definition of national markets lies with national regulatory authorities that, on the basis of the principles of competition and of the characteristics of the national market, may also identify different markets from those identified by the Commission's Recommendations. The starting point for the definition of the electronic communications sector, as the basis for calculating the operators' share of revenues, is therefore the markets identified by the Authority pursuant to Article 18 of the EC Treaty, as part of the procedures for analysing national markets, which took place over three regulatory cycles, the last of which ended in 2016.

Taking into account the changes occurred over time and, therefore, the need to use homogeneous categories of services, the product markets - resulting from the analysis carried out for the purposes of the procedure pursuant to Resolution no. 178/17 / CONS - are:

the markets for retail fixed network services (telephone access services, data access services, telephone traffic services, leased lines);

the markets for wholesale fixed network services (access services, telephone traffic services and leased lines);

the markets for wholesale mobile services (voice call termination services on individual mobile networks, access and call collection services in mobile public telephone networks, SMS termination services on a single mobile network);

the market for radio and television broadcasting services for the transmission of content to end users (sale of services of television networks' operators to other operators on digital terrestrial Tv).

With regard to the retail markets for mobile network services, it is considered that - although representing a non-negligible component of the total turnover of the telecommunications sector – these markets cannot be included in the electronic communications sector as defined in Article 18 of the Electronic Communications Code, since their "characterization" made through market analysis was not carried out to assess the possible application to such markets of an ex ante regulation, but rather – for instrumental purposes - to provide an in depth assessment of the regulatory structure of related wholesale markets.

In 2015, the total amount of resources of the entire "electronic communications" sector, defined on the basis of the foregoing, was 15,361 million Euros.

In this context, the revenues earned by Telecom Italia in 2015 amounted to approximately 8,579 million Euros, corresponding to 55.9% of total revenues coming from the electronic communications sector, as defined in accordance with Article 18 of the Electronic Communications Code.

2.1 Telecommunication markets' frameworks

Main trends of 2016

After ten years of contraction of the overall resources, the sector started to grow again.

Households and businesses' spending in telecommunication services in 2016 shows an increase close to 1%, compared to a reduction of 1.8% recorded the previous year.

Revenues from traditional voice services continued to decrease (-7.6%), but the resources deriving from data services grew (+ 5.6%).

Investments in telecommunication infrastructures decreased by 5% in 2016, after the growing trend of the last two years. Demand now starts to meet supply: during 2016, *ultrabroadband* accesses almost doubled (from 1,2 to 2,3 million). Thanks to the gradual introduction of mobile broadband, the consumption of data through mobile devices increased (+46%).

As regards fixed networks, after an initial growing trend during 2016, the framework is now changing according to trends similar to those experienced in previous years: a progressive reduction in Telecom Italia's market share is accompanied by an increase in the shares of the main competitors.

Significant dynamism can be observed for Fixed Wireless access services (FWA) whose revenues show a growth of 23%, even though, in terms of quantity, they still represent a niche phenomenon.

The competitive environment in the sector is now changing, although the effect, on fixed networks, of Enel's entry into the broadband market through the Open Fiber project and, on mobile networks, of the merger between Wind and H3G in WindTre still remains to be seen (Iliad's entry into the mobile market is also expected as a result of the conditions set for the approval of this merger).

After ten years of constant reduction, in 2016, the overall revenues of the telecommunications sector returned to increase.

As stated before, in relation to the greater macro-economic variables (GDP and household expenditure), the resources of the telecommunication sector remained unchanged in 2016 compared to the previous year, while the number of investments decreased (Table 2.1.1).

Table 2.1.1 - Telecommunications Sector in Italian Economy (%)

	2015	2016
Revenues (TLC Services/GDP)	1,9	1,9
Households (TLC expenditure/Overall Expenditure)	2,6	2,6
Investments (Investments in TLC/Total Investments)	6,0	5,3

The general trend in revenues in the fixed and mobile communications networks is strongly influenced by the trend in the prices of services which, as can be seen from the index shown in Figure 2.1.1⁴⁴, was specifically constructed to obtain a summery measure of

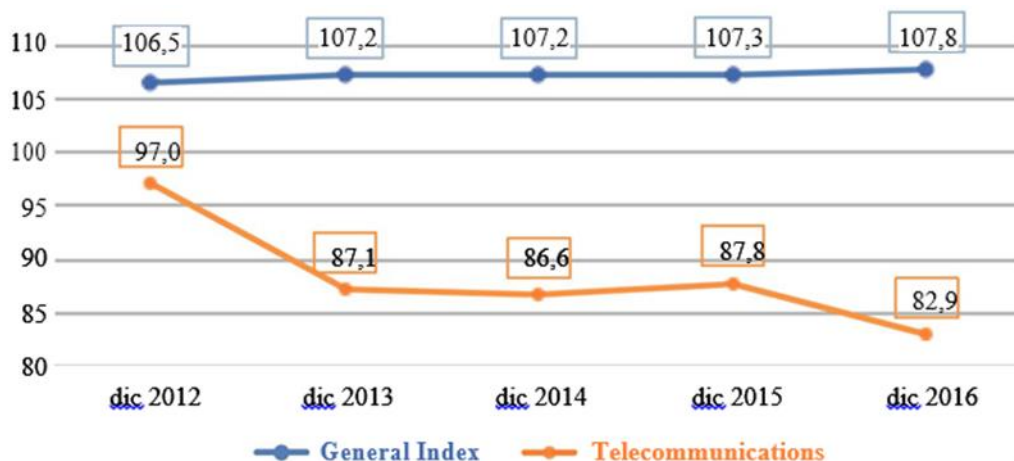


Figure 2.1.1 - Price trend in telecommunications (2010=100)

44 Source: Analysis of ISTAT data. The telecommunications price index was calculated by weighting the price indices for the following categories of goods and services: "082010 - fixed telephones and fax machines", "082020 - mobile telephones", "083010 - fixed telephone services", "083020 mobile telephone services", "830830 internet connection and other services", for the corresponding annual weights assigned to them within the basket of goods and services that make up the general price index.

45 For more details on price trends in the telecommunications sector, and more generally on the Authority's fields of competence, please visit the Authority's Communications Observatory at <http://www.agcom.it/observatory-on-communications>.

46 The basic data refer to: BT Italy, CloudItalia, Fastweb, Telecom Italia, Tiscali, Vodafone, WindTre. It should be noted that since January 2017 the new integrated operator WindTre has started up, born from the merger of Wind Telecomunicazioni (VimpelCom Group) and H3G (CH Hutchison group). The data shown below therefore refer to the new company (called WindTre or W3) and have been obtained by combining, for the year 2016, the figures relating to the two operators.

47 For more details on this subject, please refer to "Corporate Balance Sheets Years 2011-2015" - Main income, balance sheet and employment figures in telecommunications and postal and express courier services" by the Authority and available on the web page <http://www.agcom.it/focus>.

As for the workforce, in 2016, contrary to the constant trend recorded in 2015, the number of employees decreased by 2%, mainly due to the rationalization of corporate processes implemented by the main companies.

Trends in the sector

As already mentioned above, in 2016, after the downward trend that has been observed since 2006, the economic resources of telecommunication operators show a slight recovery (Figure 2.1.2): the average growth was 0.2%, and is mainly due to mobile network services (+ 2.4%), whose increase, in fact, more than compensates for the reduction in fixed network services (-2%).

By analysing the data related to the expenditure of private and business customers (Figure 2.1.3), it is possible to identify a trend very

similar to that relate to overall revenues: compared to an average growth of around 1%, spending on fixed network services shows a reduction of 1.3%, while spending in mobile network services grew by 2.9%.

The trend in revenues from the two main types of services, voice services and broadband access services, is a proof of the structural dichotomy that has characterized the evolution of the sector in recent years (Figure 2.1.4). In fact, while in 2011 revenues from voice services were much higher than those deriving from data services (17.17 billion Euros compared to 9.55 billion Euros), in 2015 revenues were equal, amounting to almost 10,5 billion Euros, and, last year, revenues from data services amounted to 11 billion Euros and overtook those from voice services, which fell to less than 10 billion.

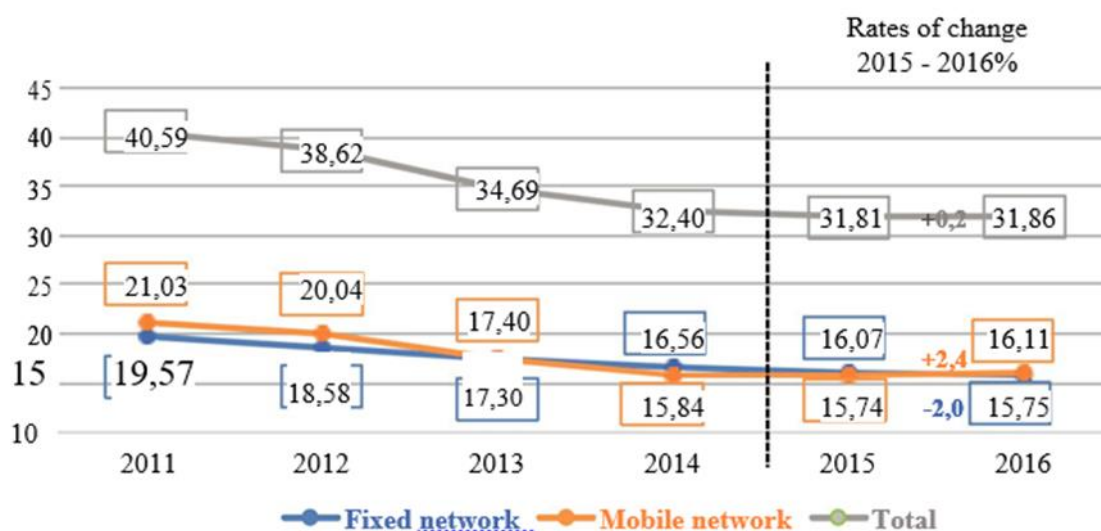


Figure 2.1.2 - Fixed and mobile telecommunications: total revenue (billion €)⁴⁸

⁴⁸ Data on fixed and mobile telecommunications are based on information and estimates referring to a sample of companies. With reference to the year 2016, both for this figure and for the following figures and tables, it should be noted that the data may not be completely homogeneous and, therefore, not directly comparable with those indicated in the 2016 Annual Report. In some cases, in fact, companies have made additions and reclassifications due to variations in calculation methodologies (for example the drivers for revenues or investments), and changes in the corporate economic activity (this is the case for the WindTre merger). This led to adjustments, some of them significant, in terms of economic resources. Moreover, in the tables and figures that follow, in the case of data expressed in value, for mere rounding reasons, the sum of the individual addends may not coincide with the overall result, as the values relating to percentage variations may not be entirely corresponding to the calculation made on the data indicated in the tables. Gross revenues are the sum of final expenditure for private and business customers, as well as revenues from intermediate services provided to other operators. Unless otherwise indicated, economic data also include data on virtual mobile operators and Fixed Wireless Access services providers.

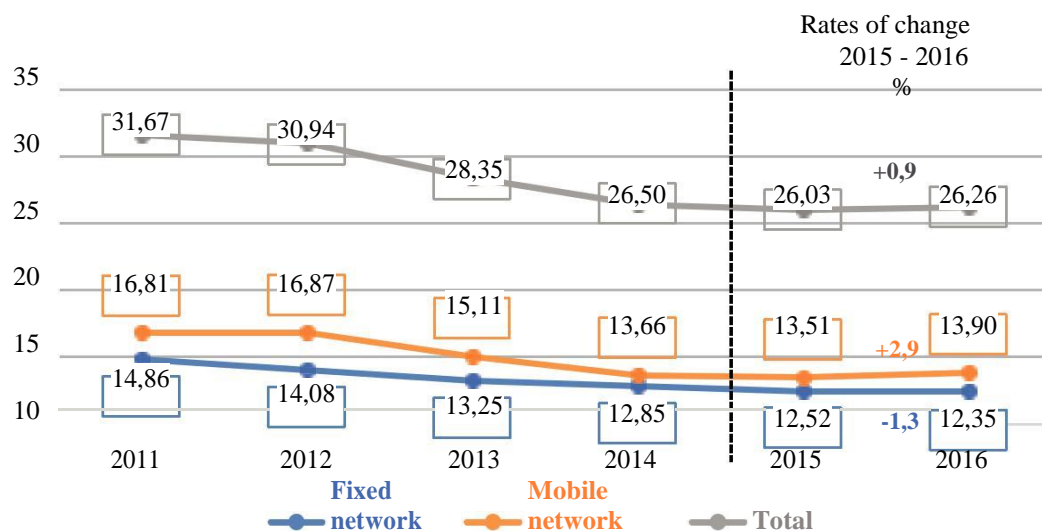


Figure 2.1.3 - Final expenditure of residential and business users (billion €)

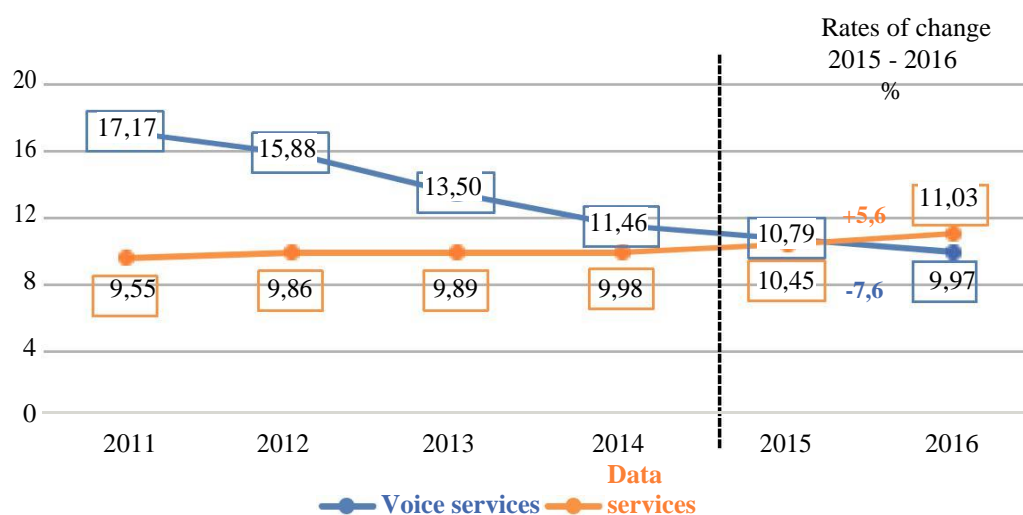


Figure 2.1.4 - Fixed and mobile telecommunications: revenues from retail voice and data services (billion €)

Revenues from *wholesale* services continue to show a downward trend (-3,1%), but it is interesting to notice that during the year 2016, such decrease was more intense for the revenues from land-line services (-4,6%). Revenues from mobile network services decreased by only 0.9%, amounting to 2.21 billion Euros (Figure 2.1.5).

The revenue trend of intermediate fixed network services is strongly linked to the stabilization of wholesale service prices resulting from the consolidation of the regulatory process undertaken by the Authority in 2013 and ended, in 2015, with the approval of Resolution no. 623/15/CONS on the analysis of access markets, as well as to the reduction in volumes of intermediate services that make greater use

of the incumbent operator's infrastructures. The latter will become increasingly important in the future due to the diffusion of new generation wholesale services which, in order to be used, require greater investments in proprietary infrastructures by the competitors of the incumbent operator, such as the use of sub-loop unbundling services which, in 2016, grew by over 80%. The trend in revenues from wholesale fixed network services was certainly influenced by the reduction in the prices of fixed interconnection services and the reduction in volumes of traditional wholesale access services (ULL, virtual ULL, shared access, WLR and bitstream).

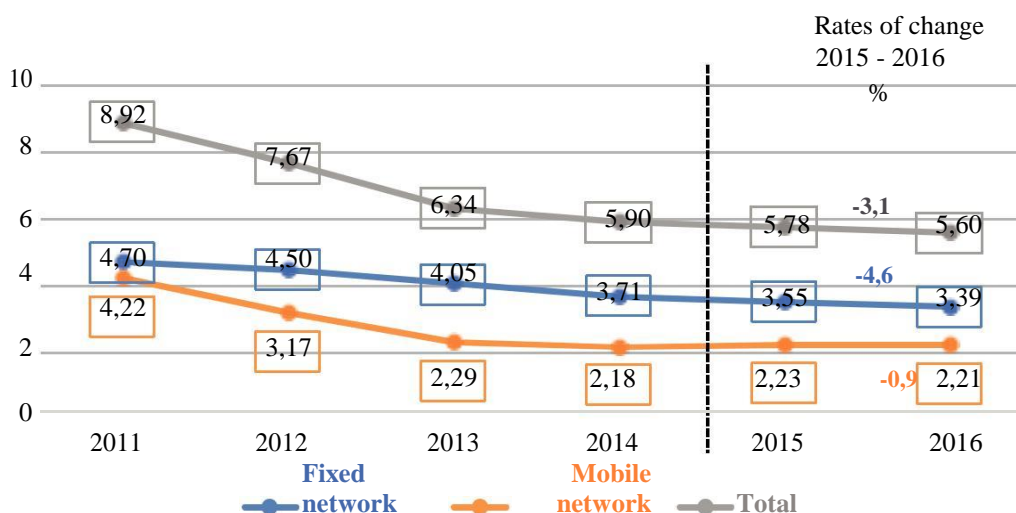


Figura 2.1.5 - Fixed and mobile telecommunications: revenues from intermediary services (billion €)

Revenues from mobile network services, on the other hand, have been affected by regulations applied to prices of termination services on mobile networks, which set the price at 0.98 cents per minute on a symmetrical basis for all operators (Resolution No. 497/15/CONS).

The trend in retail revenues by type of customer (Table 2.1.2) shows a reduction, on an annual basis, in the business user segment (-2.5%), and an increase in the private user segment (2.5%). Such increasing trend is due not to the revenues from fixed network services, which remained substantially unchanged (+ 0.2%), but rather to revenues from mobile networks (+ 3.8%), driven by the growth of services and online apps that led to a strong surge in the use of the Internet.

Table 2.1.2 - Total expenditure by category of customers (million €)

	2015	2016	Chang. % 2015/2016
Fixed network	12,52	12,35	-1,3
- Private	6,65	6,66	0,2
- Business	5,87	5,69	-3,0
Mobile network	13,51	13,90	2,9
- Private	11,11	11,53	3,8
- Business	2,40	2,37	-1,2
Total	26,03	26,26	0,9
- Private	17,76	18,20	2,5
- Business	8,27	8,06	-2,5

Overall investments in infrastructures (Figure 2.1.6) show a reduction of just over 5% in 2016 compared to the previous period. In this regard, it is possible to observe two different and opposite dynamics: investments in the fixed network have increased by about 6% and, as previously mentioned, are, among other things, the result of the actions taken by the competitors of the incumbent operator (showing a growth of 6.7%) aimed at building more infrastructures. Investments in mobile networks, on the other hand, show a significant reduction (-20.6%), which however seems to be the natural consequence of the significant efforts undertaken in previous years for the completion of 4G networks. Investments in MVNOs (Mobile Virtual Network Operator) remain steady and marginal, while investments made by FWA operators increased by over 50%, amounting to 220 million Euros in 2016.

In 2016, the distribution of expenditure of households and businesses over the main operators (Figure 2.1.7) remained relatively stable compared to the previous year. The business volume of WindTre (+0.7), Vodafone (+0.4) and Fastweb (+0.2) is growing, although less than one percentage point, while Telecom Italia (-0.7), BT Italy (-0.6) and Tiscali (-0.1) are lagging behind. The percentage weight of the first three operators is increasing compared to last year, representing 85.4% of total spending, compared to 78.6% in 2015, mainly due to the

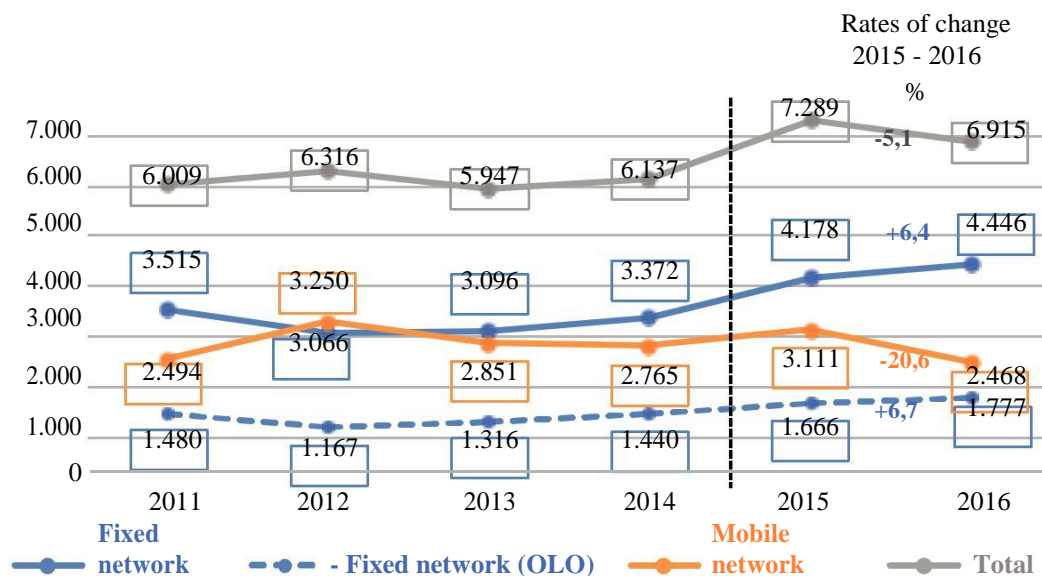


Figure 2.1.6 - Investments in fixed assets (million €)

the merger of Wind and H3G. In this regard, as already mentioned, it is needed to point out that in January 2017 the new integrated operator WindTre, born from the merger of Wind Telecomunicazioni (Vimpel-Com Group)

and H3G (CH Hutchison group) has started operating. The data shown below therefore refer to the new company (called WindTre or W3) and are obtained by combining, for the year 2016, the figures relating to the two operators.

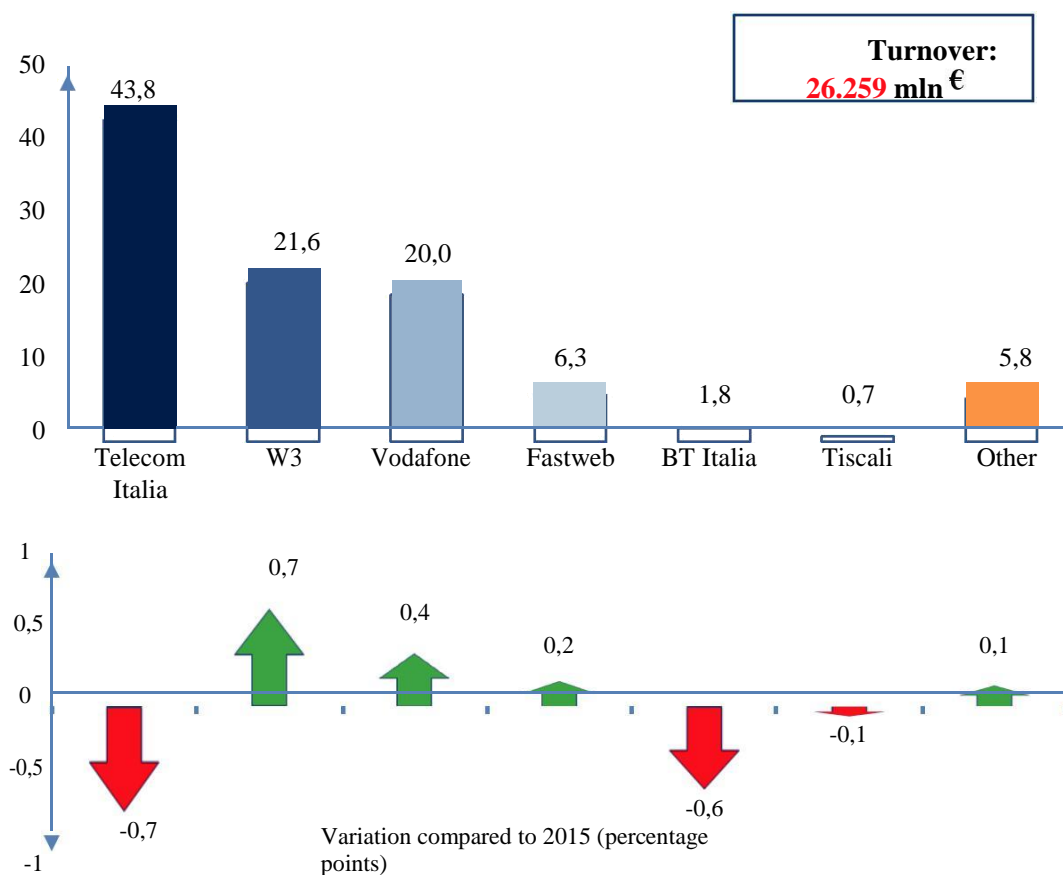


Figure 2.1.7 - Fixed and mobile networks: overall total expenditure of users by operator (2016, %)

The experience of private and business users relating to communications services

During the period of reference, the Authority strongly promoted cooperation with Universities aimed, among other things, at analysing in depth legal, sociological and technical-economic issues related to relevant institutional aspects (see Chapter IV).

In this context, by using the data acquired through the research program "Services and contents for new-generation networks" (Screen), a number of studies have been set up to analyse the habits and experience of consumption, by individuals and businesses, of the different types of communication services: fixed and mobile telecommunications services, Internet and postal services and, more generally, digital goods and services. Such analyses are aimed at contributing to the debate on current and future trends in a society that is increasingly geared towards digital communication.

There are two prerequisites for the use of innovative services: the possession of devices that allow "anywhere and anytime" communications and access to the network. The results of a survey conducted on private users show that the penetration rate of a smartphone and/or a cell phone is very high (94.1%); likewise, the consumption of mobile data is also growing, both in terms of the number of data traffic-enabled SIMs and in terms of traffic volumes. Business users, contrary to private customers, tend to use more fixed network tools, such as landlines (91%) and fixed personal computers (86.1%), while the penetration rate of mobile devices is lower (Figure 1).

As regards access to the Internet, people aged between 14 and 74 that have access to the Internet (from home and/or from the workplace) amount to 74%, with significant generational differences: while in the older age group (65 -74 years) only 33 individuals out of 100 access the Internet, in the younger age group (14-34 years) such percentage rises to 92%.

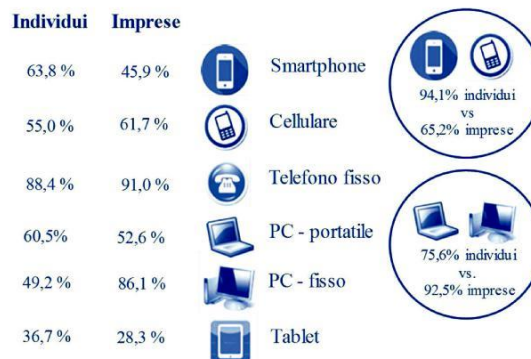


Figure 1 - Use of devices by individuals and businesses

The Internet also shows a high capacity of engagement as more than 70% of people who have access to an Internet connection connect almost every day. The importance of the Internet in daily life is widely confirmed by the fact that access to the network is considered an indispensable service by over 90% of the population, and more than traditional communication services, such as voice telephony services, considered to be essential by the 86% of the population.

The gap existing between the Italian penetration rate and distribution of the most modern communication tools and the other European countries is due not only to generational issues. In fact, the analysis carried out shows that knowledge, measured by the level of education, has a significant impact on the diffusion of "digital culture"; in other words, within the same age group, individuals with a higher level of knowledge are more likely to use digital technologies.

With regard to business customers, the percentage of companies with Internet access is higher than the percentage recorded for private users (90% vs. 74%). In terms of business size, based on the number of employees, the data show that all small (10-49 employees) and medium-sized (50-249 employees) enterprises have access to the Internet, while a certain percentage of micro-sized companies (<10 employees) is still lagging behind.

As for the importance that companies attribute to communication services, the data show that the Internet is not yet fully part of the cultural heritage of the Italian small and medium-sized companies; as a matter of fact, about a quarter of them believe that Internet services have little importance, fixed and mobile voice telephone services, on the other hand, are considered to be the most important type of communication services (84%). Such data on the perceived importance of online services confirms that companies often struggle to recognize the opportunities offered by the Internet.

Companies, contrary to private consumers, seem to react more slowly to the changes that, in recent years, have affected the world of communications at continuously growing rates. While private users, especially younger ones, are able to keep the pace with the last trends in the use and access of new communication services, small and medium-sized enterprises are lagging behind.

The wide distribution of digital technologies introduced a series of changes also in the postal services: on the one hand, a decrease of paper correspondence may be observed (letters, documents, etc.), as a result of the development of electronic communications (e-substitution), on the other hand, new consumption habits, related to the diffusion of e-commerce, have led to an increase in the demand for express courier services for parcel delivery (see paragraph 2.3).

Although the most common type of dispatch in Italy is the letter - in the form of private correspondence or formal letters to organizations and individuals - more than a third of Italian companies declared to have reduced, in the last year, the use of traditional postal services. Letters and postcards have been replaced by electronic mail (88.4%) or certified emails (50.1%) (Figure 2). As for private users, the use of traditional postal services decreased by one fifth while e-mail (69.7%) or certified emails (19.9%) replaced traditional mailings.



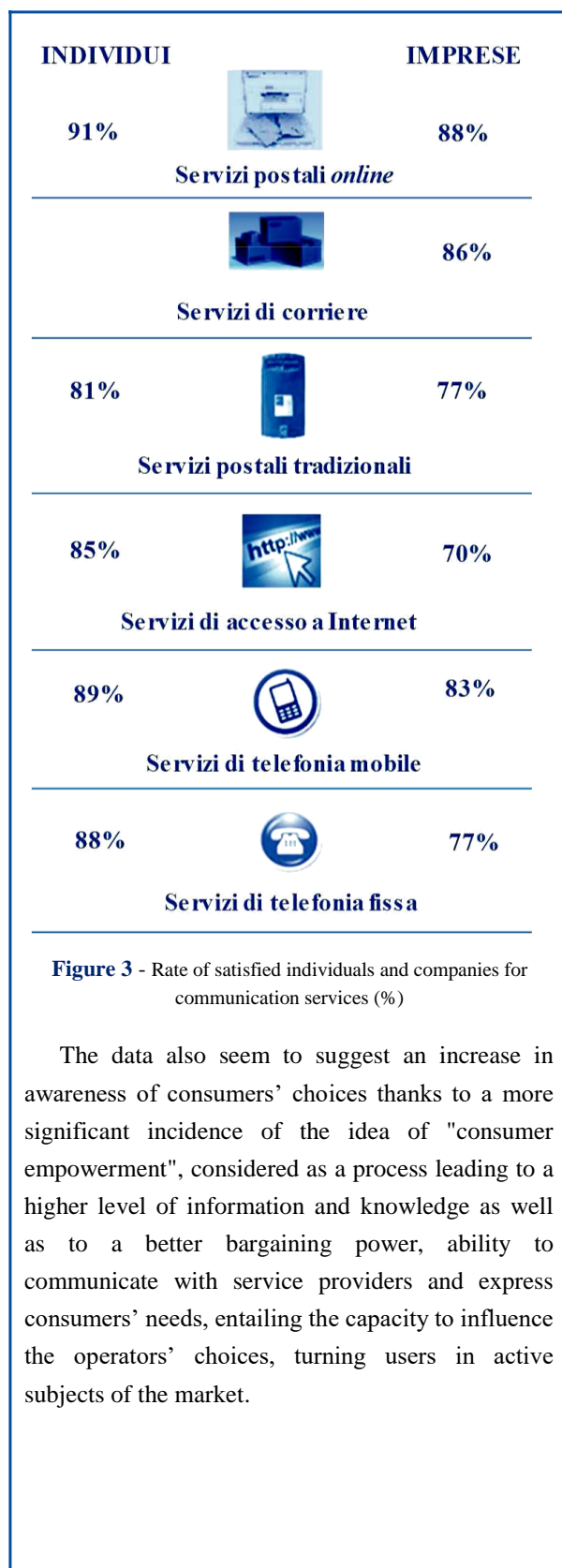
Figure 2 - Services that have replaced traditional postal services and have reduced their use by individuals and businesses (%)

The fast development of technological innovations, resulting in significant changes in the use of services, led the Authority to question the effectiveness of regulation, including rules on protection (transparency of information, safe switching from one operator to another, contracts, etc.), and awareness-raising policies on the advantages of a competitive market.

In this sense, one important aspect is the level of satisfaction, understood as a measure of well-being, of private users and businesses with communication services. Such data is also a useful tool to define new regulatory measures, as well as to improve existing ones. Overall, the analysis shows a high percentage of satisfaction with communication services (Figure 3).

These findings are indicative, on the one hand, of the proper functioning of the communications markets, where services are offered to the public with a satisfactory quality/price ratio and, on the other hand, of a strong connection between service providers and consumers, based on trust and loyalty, which is proved by the fact that more than 80% of users who are satisfied with their operator has not changed their telephone provider.

With regard to the change of provider, almost 70% of private users and more than two thirds of companies switched operator for economic reasons; however, other factors have been identified, such as disruptions in the service or the need for services more appropriate to personal or corporate needs.



The fixed network markets

In 2016, retail revenues dropped, although less than the previous year, by 1.3%, mainly due to the decrease in revenues from

voice telephony services (-11.9%), as shown in Figure 2.1.8. More specifically, the volumes of voice telephony services fell down by 8.9%, reaching 45.1 billion minutes: national fixed network traffic decreased by 12.7%; the only increasing rate refers to calls towards the mobile network (+ 5.2%). As already pointed out in the last Annual Report, this may be partly due to the progressive diffusion of integrated fixed-mobile services offers made by operators of both landline and mobile telephony, as well as of data-voice bundle offers made by FWA operators.

However, revenues from data services show an increase of 4.4%, in line with the figure recorded last year. This is mainly due to the growing number of subscriptions to the fixed broadband network, amounting to over 15.27 million Euros in 2016, which increased by almost 4%, and to a rise in the number of subscriptions to next-generation services, such as fast Internet connection, for which, a so-called premium price is usually paid (Table 2.1.3).

In this regard, it is estimated that the average monthly revenues for broadband connections are between 24 Euros for those with performances below 10 Mbit/s, a figure that remains stable compared to 2015, and 42 Euros for connections with speeds exceeding 30 Mbit/s, in sharp reduction compared to 2015. It is also interesting to highlight how the average annual percentage of broadband accesses with a speed exceeding 10 Mbit/s has risen from 29.1% in 2015 to 42.6% last year. The increase in the number of subscribers and fast connections has led to a growth in data traffic on the fixed network, which, at the end of 2016, amounted to about 12,400 Petabytes, up 40% than the previous year's traffic.

As per the competitive framework of the broadband services market for households and businesses, Telecom Italia's market share continues to decline, reaching 45.9% of the lines at the end of 2016;

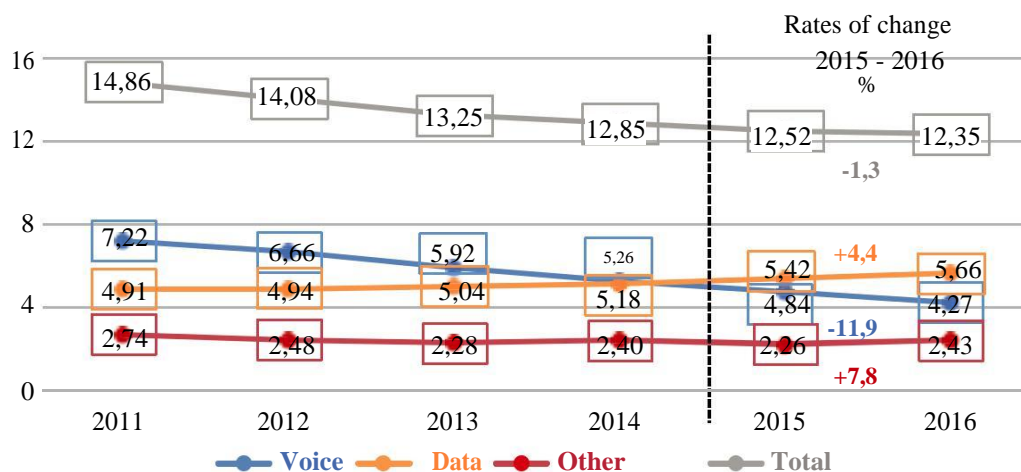


Figura 2.1.8 - Fixed network: user expenditure by type of service (billion €)⁴⁹

Table 2.1.3 - Access number and *broadband* revenues by speed (%)

	2015	2016	Var.
Number of accesses			
< 10 Mbit/s	70,9	57,3	-13,6
≥ 10 e < 30 Mbit/s	23,1	31,0	7,9
≥ 30 Mbit/s	6,0	11,6	5,7
Total	100,0	100,0	
Revenues			
< 10 Mbit/s	59,5	49,2	-10,4
≥ 10 e < 30 Mbit/s	29,6	33,5	3,9
≥ 30 Mbit/s	10,8	17,3	6,5
Total	100,0	100,0	

which means a reduction of 1.1 percentage points compared to 2015 (Figure 2.1.9) ⁵⁰.

In Italy, the socio-cultural and demographic factors are fundamental to the distribution of information technologies, especially the Internet; they also appear to be crucial to the development of such innovations: 90.7% of families with at least one minor has a broadband connection (fixed and mobile), compared to 88% in 2015, but only 20.7% (18% in 2015) of households whose members are over 65 have a broadband Internet access. In addition, 91.6% (89.4% in 2015) of households with at least one graduate component have a broadband connection,

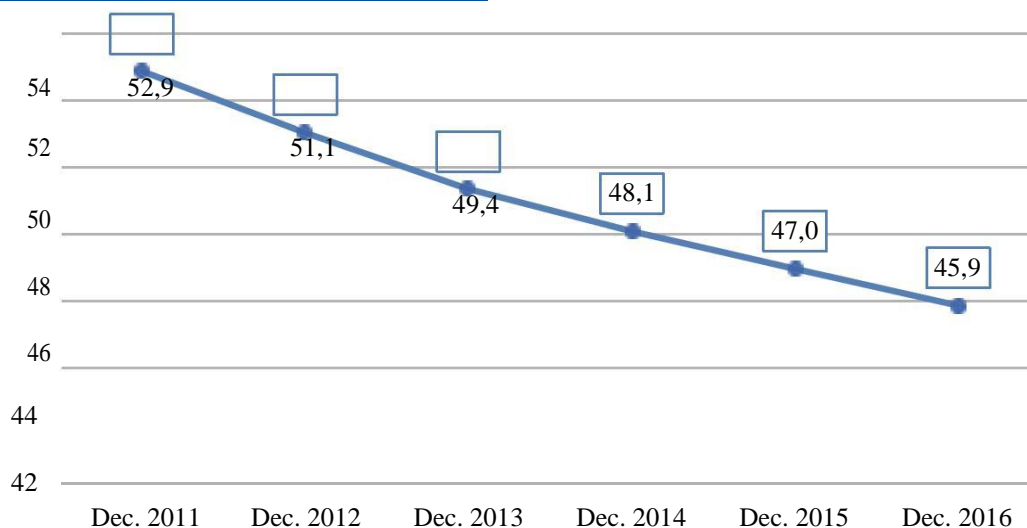


Figure 2.1.9 - Telecom Italia's market share in retail broadband services (%)

⁴⁹ Explanatory Note to the Figure: i) voice services revenues include those from access, telephony (local, national, international, fixed and mobile) and Internet dial-up services, net revenues from non-geographic numbering services and those from public telephones; ii) the Data item refers to broadband networks, including fees and services paid for according to consumption, direct data transmission switching services rented to end customers (excluding OAO), and revenues from M2M services; iii) "Other" refers to revenues coming from the sale/rental of equipment, terminals and accessories and other types of income not previously expressly considered.

⁵⁰ The data shown are based on those requested as part of the update of the European broadband reporting.

a figure that falls to 55.3% (51.7% in 2015) for households whose members' highest qualification is a secondary-school diploma (licenza media) ⁵¹. This aspect highlights, once again, the importance of a strong demand, and not just supply, in stimulating the diffusion of Internet-based technologies in Italy. Broadband access services, on a national basis, are available to about 25.7% of the population and to 60.2% of

households; while only about 3.8% of the population and 9.02% of households have access to ultrabroadband services. However, from a geographical point of view, it is possible to identify significant differences, as can be seen in Figures 2.1.10 and 2.1.11, which show the diffusion of broadband and ultra-broadband access services in the Italian Provinces.

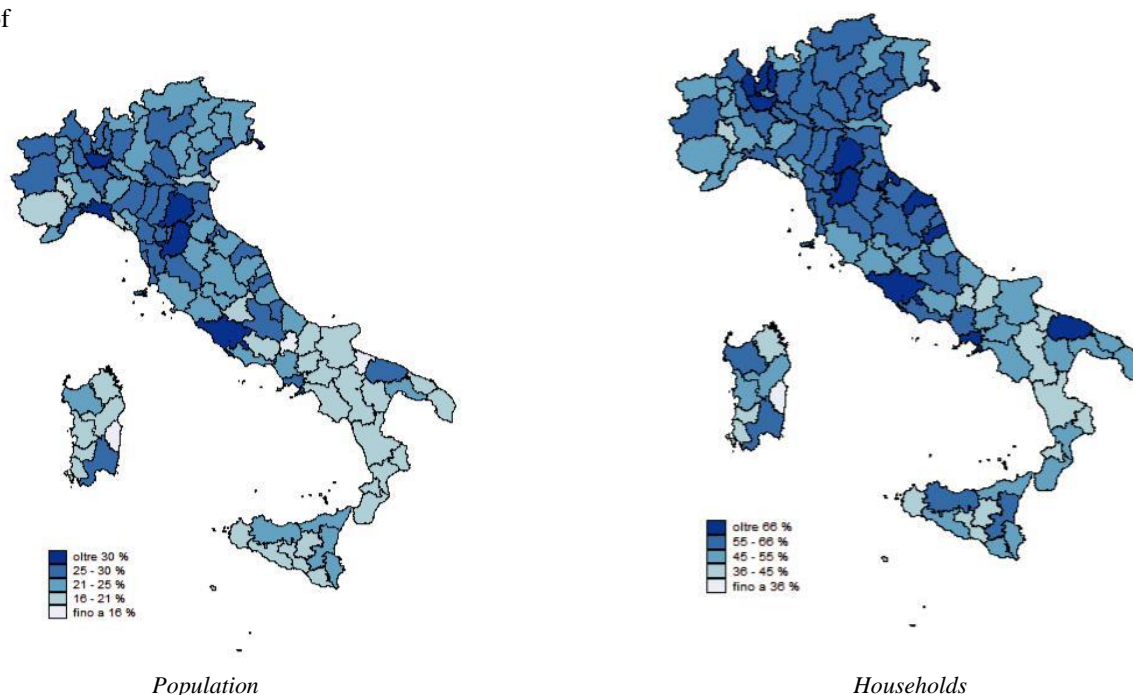


Figure 2.1.10 - Diffusion of broadband network in Italian Provinces (December 2016, %)

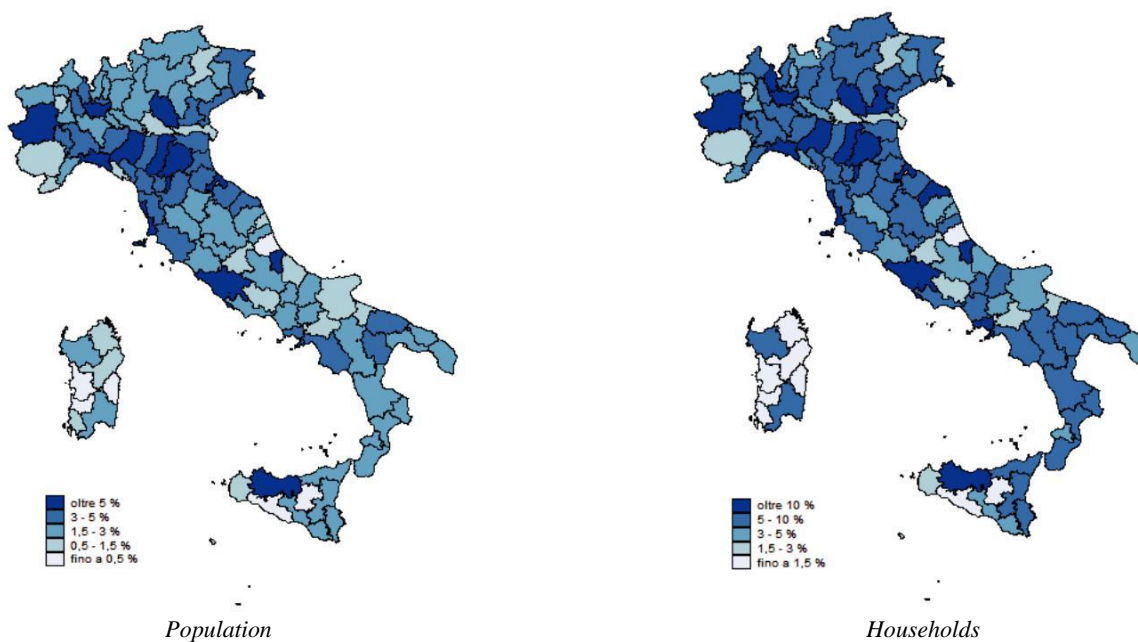
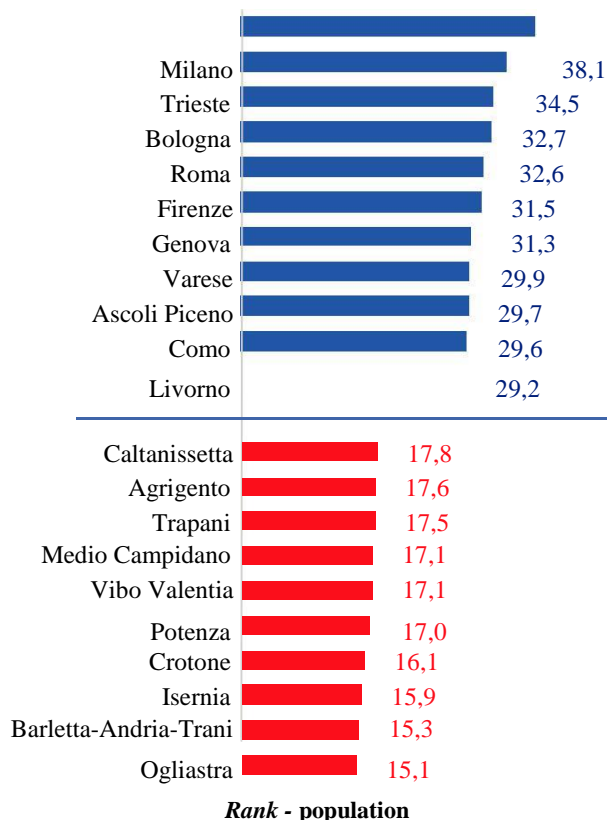


Figure 2.1.11 - Diffusion of ultra-broadband network in Italian Provinces (dicembre 2016, %)

⁵¹ Istat, "Cittadini, imprese e ICT – Anno 2016" Ed. 21.12.2016.

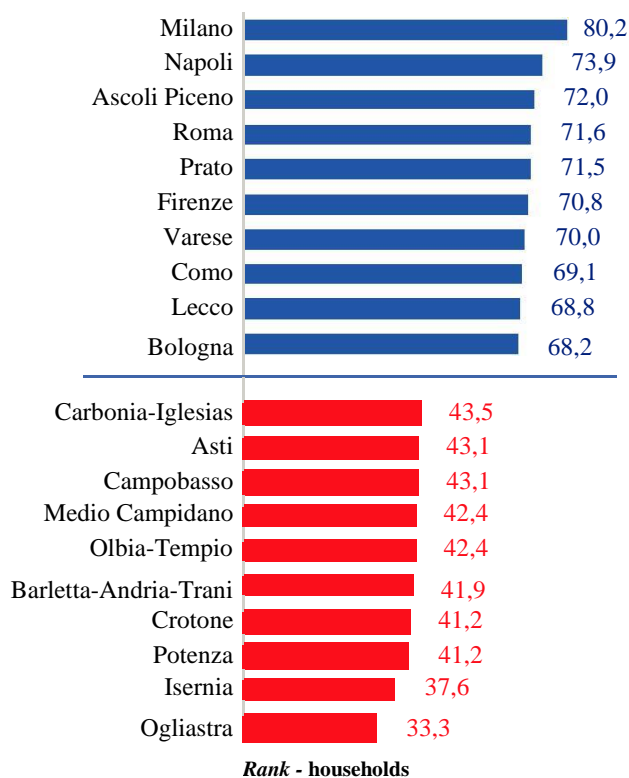
Overall, the analysis confirms the findings already highlighted in last year Annual Report: a substantial gap between the Southern and Central-Northern provinces can be identified, with the exception of highly-populated provinces, such as Naples and Palermo, as shown by the ranking of the ten



Rank - population

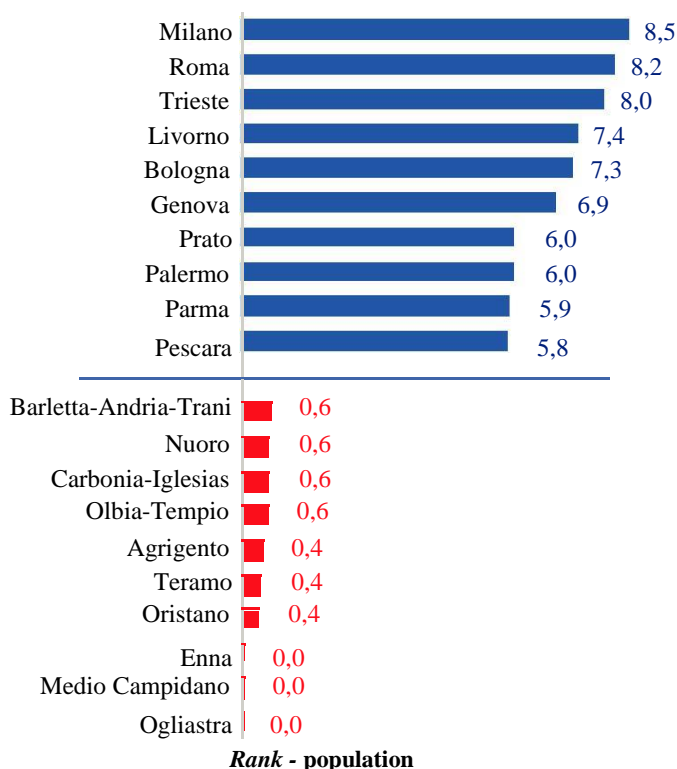
Provinces with greater and lesser diffusion of broadband and ultra-broadband connection (Figures 2.1.12 and 2.1.13).

As for the distribution in Italian provinces of potentially ultra-broadband connections, i.e. access lines with speeds exceeding 30 Mbit/s, a rather uneven picture emerges, as shown in Figure 2.1.14.

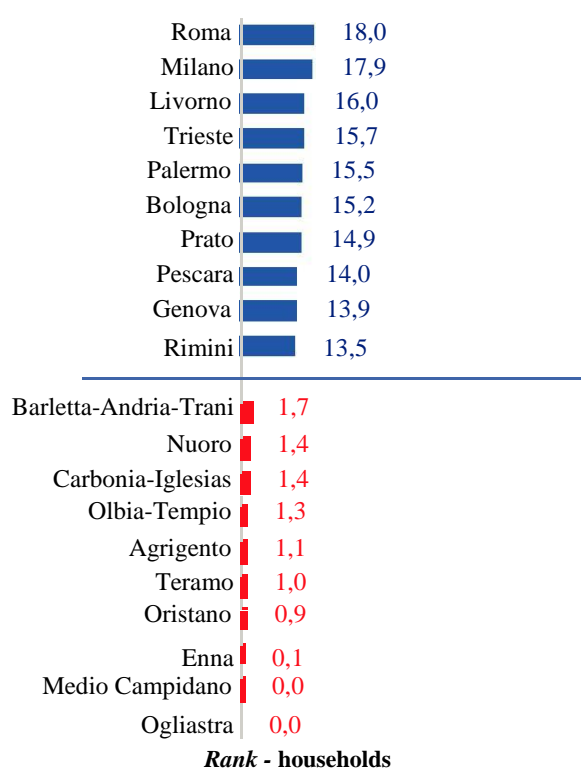


Rank - households

Figure 2.1.12 - Broadband access ranking by Province (December 2016, %)



Rank - population



Rank - households

Figure 2.1.13 - Ultra-broadband access ranking by Province (December 2016, %)

However, it should be emphasized that the households that have access to the primary network⁵² in 2016 exceeded 50% of the total, that is to say, 16.5 million units estimated out of a total of 32.7 million homes and buildings, recording a significant increase compared to 2015 (33%)⁵³.

In 2016, government programmes providing support to investments in broadband and ultra-broadband infrastructures had, once again, a significant impact on the activities of coverage of the territory. Such programmes allowed bidders to award tenders for public grants destined to increase coverage of new-generation services, with a particular focus on many Provinces of Southern Italy. It is important to underline that the use of public resources to support infrastructure investments is justified by the fact that investments in the so-called "market failure" areas (usually mountain areas, with a low population density) are characterized by low profitability, and is explicitly provided for by the "Italian Broadband Strategy" approved by the Italian Government on 3 March 2015, which led to the implementation of a specific framework agreement signed on 11 February 2016, during the State-Regions Conference ⁵⁴. Metropolitan areas and provinces with the highest population density, on the other hand, are more likely to attract operators' investments: in 2016, in the 42 provinces where property units that have access to primary networks exceeded 100,000 units, buildings with ultra-broadband connection amounted to 78%, covering 66.7% of the

Italian population. State investment policies have made it possible to increase significantly the coverage ratio of Southern regions; Figure 2.1.15 shows that southern areas actually present a higher degree of coverage than other areas in the country.

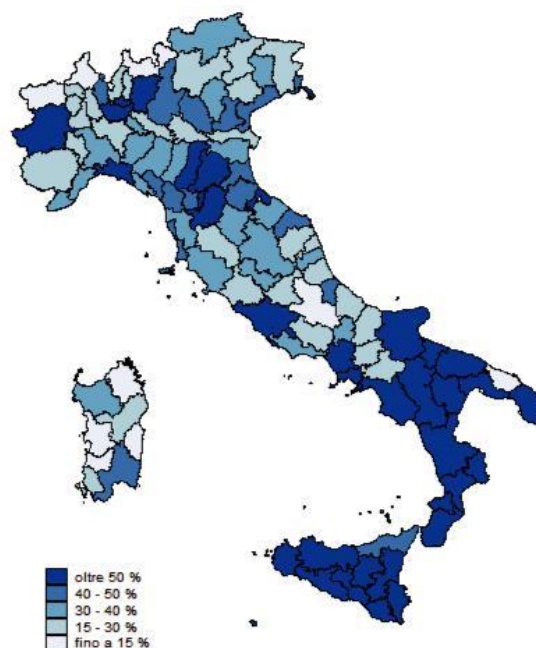


Figure 2.1.14 - Housing units with access to NGA services (2016, %)

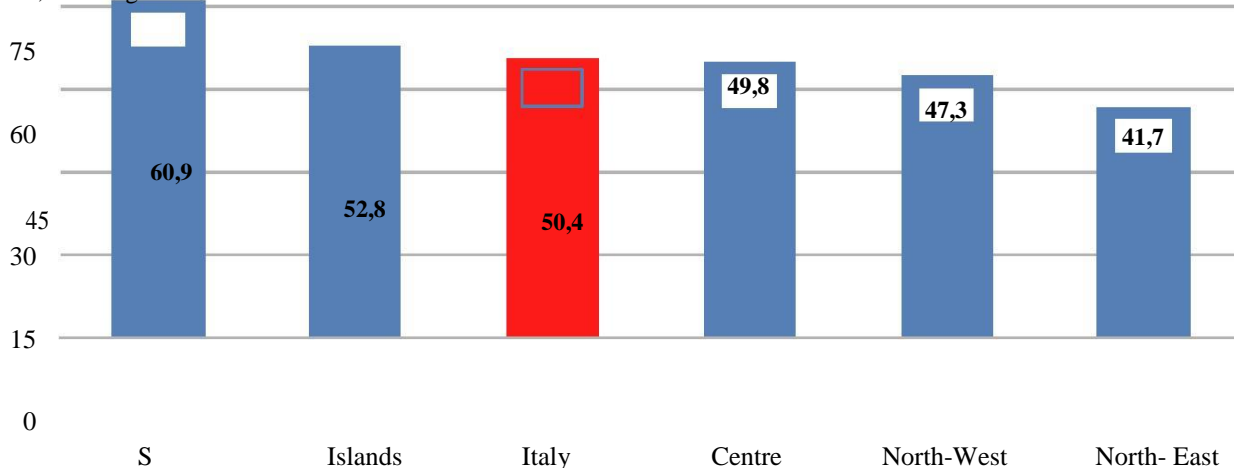


Figure 2.1.15 - Ultrabroadband coverage per macro-region (December 2016, %)

⁵²Number of property units that are connected to a street cabinet reached by optical fibre.

⁵³ The number of housing units was calculated taking as a reference the data collected by Istat in the 2011 census and includes occupied homes, both by residents and non-residents, and those not occupied accounting for a total of 31.2 million dwellings. This figure also include non-residential buildings in use, equal to about 1.5 million units.

⁵⁴ further information, see the "Italian strategy for ultra-broadband connection", published on the MISE institutional website, available at <http://www.sviluppoeconomico.gov.it/index.php/it/comunicazioni/banda-ultralarga/progetto-strategico-ultrawide-band>.

With regard to broadband and ultra-broadband services, the distribution pattern seems to be quite different. Table 2.1.4 shows the index numbers (where 100 is the average value of Italy) by supply, in terms of property units with ultra-broadband connection on the total units, and by penetration rate, in terms of the number of active broadband and ultra-broadband lines, in relation to, respectively, households and housing units with ultra-broadband connection.

In terms of potential coverage of the service, Southern regions present an index number 15% higher than the Italian average. However, when analysing the penetration ratio of broadband and ultra-broadband network, the results are different: central-northern regions show values higher than the Italian average, while the index number of Southern areas of the South and the Islands remains stable below the Italian one, equal to 100.

This fact confirms that supply represents a necessary but not sufficient condition for the distribution of such technologies among the population. In fact, the low penetration rate of broadband and ultra-broadband connections in the southern areas appears to be increasingly affected by social factors.

By considering the total expenditure of households and businesses in landline services (Figure 2.1.16), it can be noticed that in 2016 Telecom Italia's market share stood at 56.9%, with a reduction of 0.7 points percentages compared to 2015. Fastweb (+0.7 points per cent), Vodafone (+0.5 percentage points) and minor operators (+0.5 percentage points)

particularly benefited from this, with the consequent reduction, although marginal, of the degree of market concentration. A similar trend may be identified with regard to the type of users (Figure 2.1.17): the household segment accounts more than the business segment, with Telecom Italia representing over 60%, although declining compared to 2015. The market share of other operators, such as Vodafone and W3 is lower, accounting for 12.6% and 11.3% respectively, even though the both are growing (+0.6% and +0.1 percentage points). Fastweb's market share is also rising (9.4%).

As far as the business segment is concerned, Telecom Italia maintains its market leader position with a 52.7% share, even though the competitive pressure increased, due to Fastweb's stronger position on the market, reaching over 18%, and to BT Italy which stands at just over 8%. Lastly, many small and medium-sized operators, which usually address their commercial offer mainly to business users, are now growing (+0.8 percentage points), representing 13% of the segment ("Other" category).

As a result of the profound technological changes that have characterized fixed network telecommunications in recent years, revenues from broadband services in 2016, as already mentioned (see Figure 2.1.8), exceeded those deriving from the provision of traditional voice services. The former, in fact, increased by 4.4%, reaching 5,6 billion Euros, an amount that is largely higher than the latter's turnover, equal to about 4.3

Table 2.1.4 - Wide band distribution and infrastructures by macroregion (december2016, idex number: Italy = 100)

Italy (=100)	Offer:	Diffusion:	Diffusion:
	Property Estates with access to services	BB networks / Households	UBB networks / Property Estates with access to services
North	89,2	103,2	121,3
- North-West	93,8	105,8	118,5
- North-East	82,7	99,3	125,8
Centre	98,8	106,9	136,6
South and Islands	115,1	90,8	60,7
- South	120,8	93,0	61,6
- Sicily/Sardinia	104,8	86,4	58,7

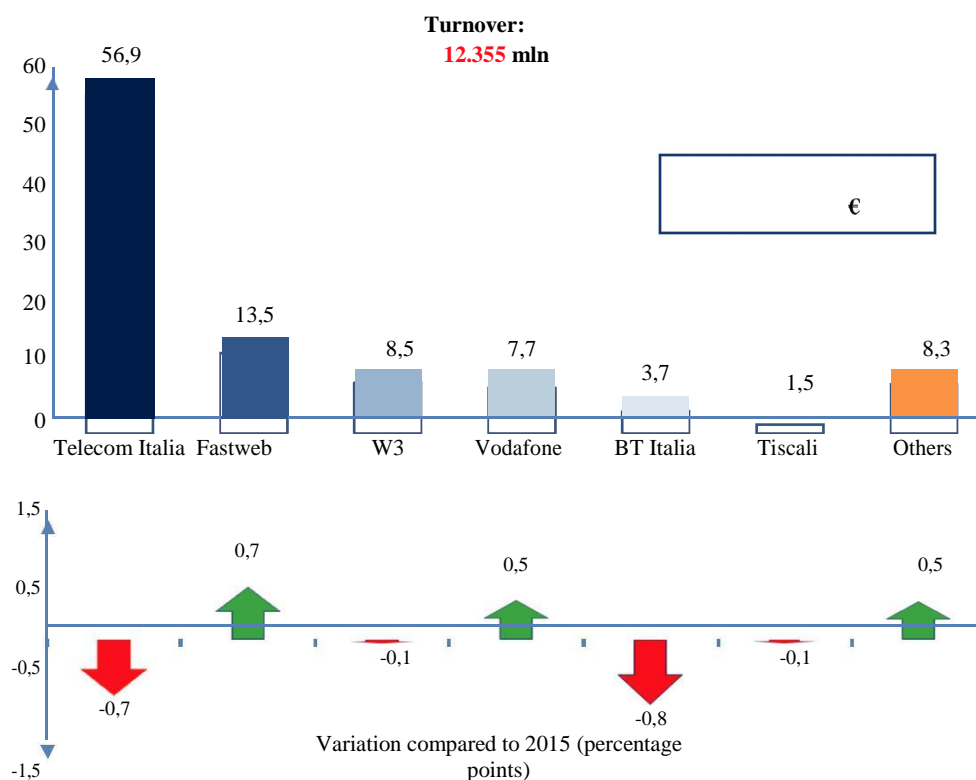
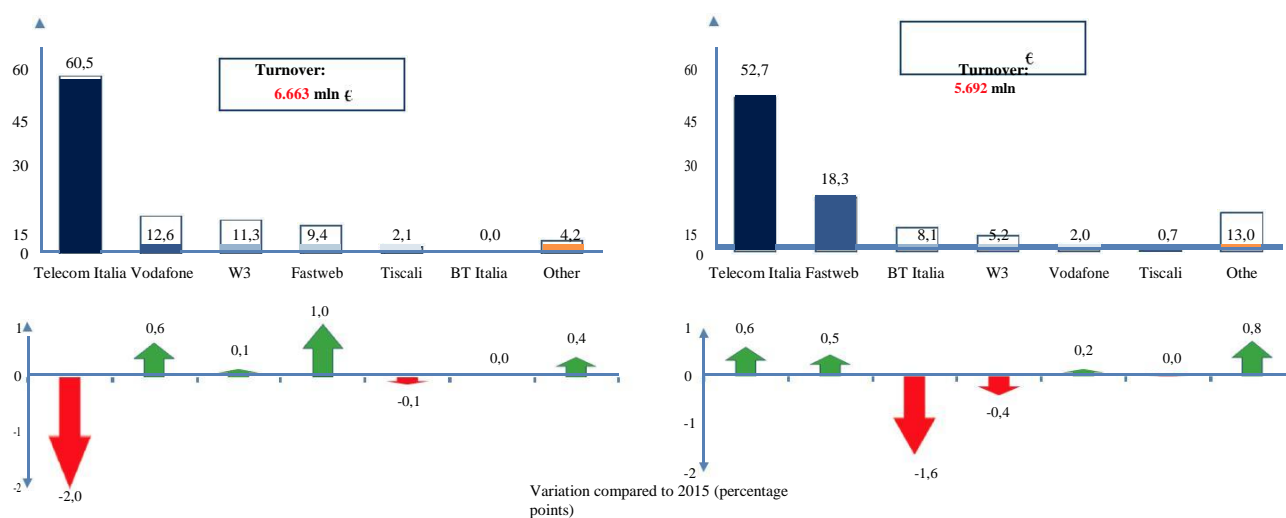


Figure 2.1.16 - Final user expenditure per operator (2016, %)⁵⁵



Residential users

Business users

Figure 2.1.17 - Final user expenditure by operator and by user type (2016, %)

⁵⁵ Market shares hereby reported cannot be directly compared to the corresponding values presented in last year Annual Report, due to changes in the calculation methods made by companies, as a result of the different set of information required by the Authority, to reclassifications or changes in companies' activity.

billion Euros⁵⁶. As a consequence of this, (Figure 2.1.18), competitive pressure in the data services field (growing market segment) is greater than in the voice services sector – currently in decline - whereby Telecom Italia's percentage weight is confirmed below 40%. Fastweb remains the second largest operator, having a share equal to more than a quarter of total revenues. Moreover, the market share of WindTre and Tiscali is decreasing while the shares of BT Italia and Vodafone remain almost unchanged. It is useful to

point out that the first four companies (Telecom Italia, Fastweb, WindTre and Vodafone) jointly represent more than 87% of the market, falling compared to 2015.

It should also be noted the positive trend of the FWA services sector, although at a moderate pace. The companies of this sector actually registered a change in revenues in 2016 compared to the previous year, reaching a turnover close to 200 million Euros, which represent almost 23% of total revenues (Figure 2.1.19).

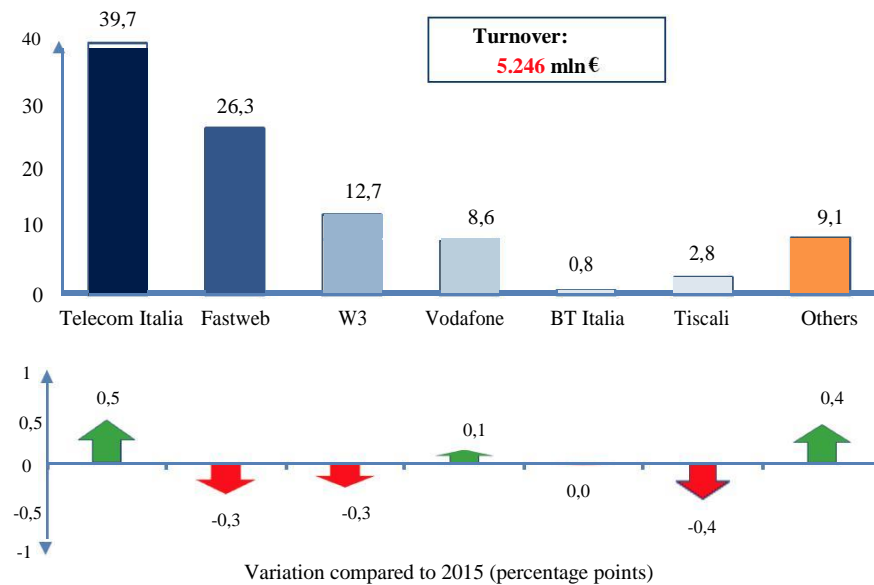


Figure 2.1.18 - Users' Expenditure for wide band services (2016, %)

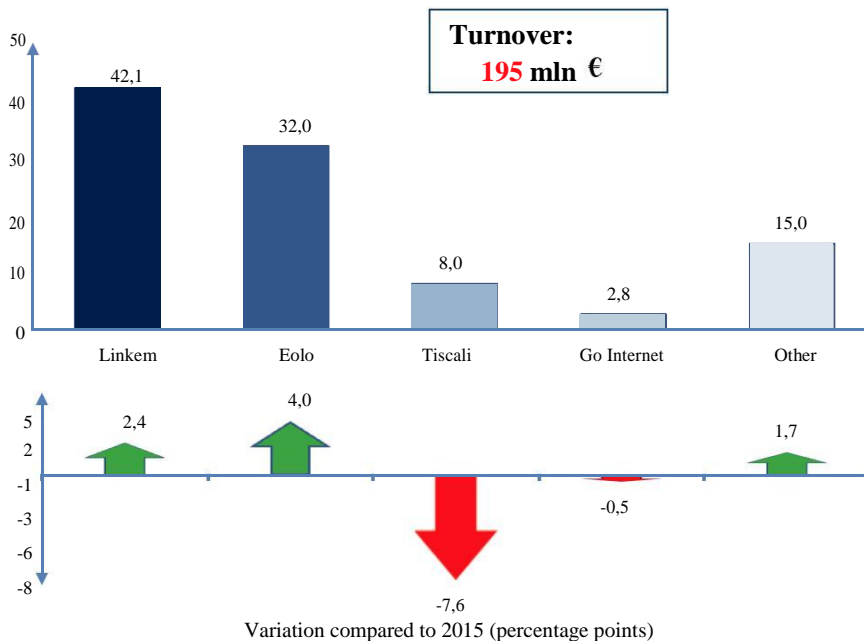


Figure 2.1.19 - FWA services expenditure (2016, %)

⁵⁶ Data services revenues amount to around 5.6 billion €, when traditional data services (switched-data and leased lines services) are also considered.

This trend appears to be mainly connected to the supply of broadband to rural areas and small urban centres, as well as to the replacement of landlines with high-speed wireless networks in the "second houses" market segment. The main operators of this market include Linkem and Eolo. The former is a market leader in FWA technology, representing over 42% of the total turnover of the sector, while the latter is a wireless fixed operator, which has shown the highest revenue growth (+4 percentage points in 2016) representing 32% of the total FWA services expenditure.

It is also interesting to note that FWA broadband operators' commercial portfolio mainly consists of advanced services: over 90% of revenues stems from subscriptions to connections with speeds exceeding 10 Mbit/s; more specifically, services provided for lines with speeds higher than ≥ 30 Mbit/s represent about 10% (Figure 2.1.20).

The mobile network markets

In recent years, the mobile communication services market has been characterized by profound changes due to the concurrent action of several factors, including: the regulatory action put in place by the Authority, aimed at adjusting wholesale prices to the Community regulatory framework and at promoting

consumer protection; the increasing price competition at retail level; the technological adaptation of the infrastructures, through the expansion of the coverage and distribution of LTE technologies; changes in users' consumption habits, especially in the use of "social" applications, supported by the introduction of increasingly advanced computers and mobile devices in the use of services and applications. The effects of the abovementioned merger operation between Wind and H3G also had an impact on the regulatory measures applied to these markets, which will lead, in the upcoming months, to the entry into the market of the new mobile operator Iliad (in view of the undertakings given by the parties to the European Commission).

Revenues from retail services increased in 2016 for the first time after five years (Figure 2.1.21), registering a growth of 2.9%, unevenly divided among the different types of services: revenues from voice services fell by 4.1%, while, on the contrary, revenues from data services grew by 6.9%. It should be noted that the growing use of social networking apps and, more generally, web services has encouraged the use of more advanced devices resulting in a significant increase in the sales of such devices: it is estimated that, at end of 2016, revenues amounted to around 1.76 billion Euros, growing by 14%.

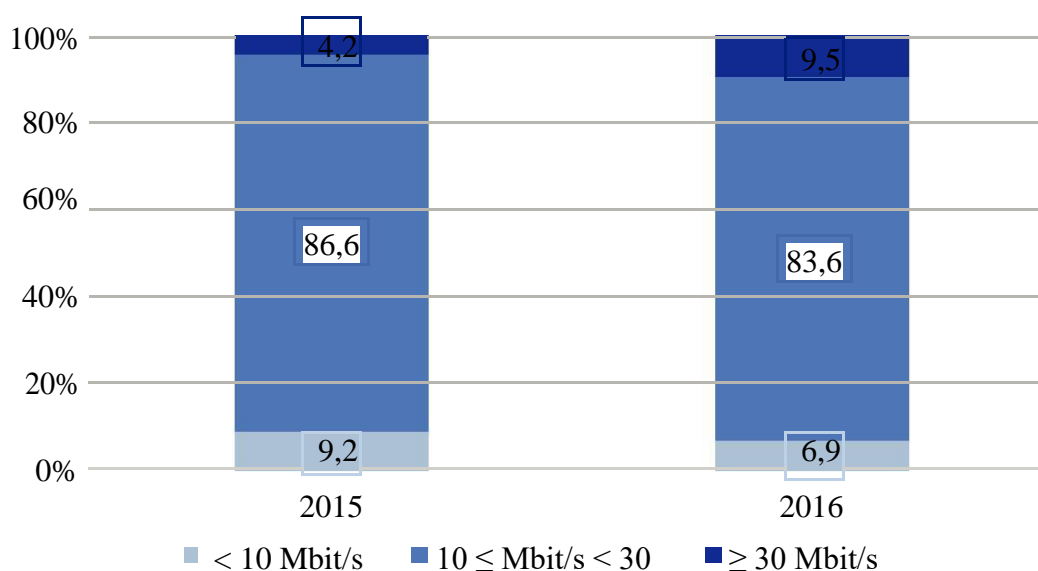


Figure 2.1.20 - Revenue from FWA broadband services by speed (%)

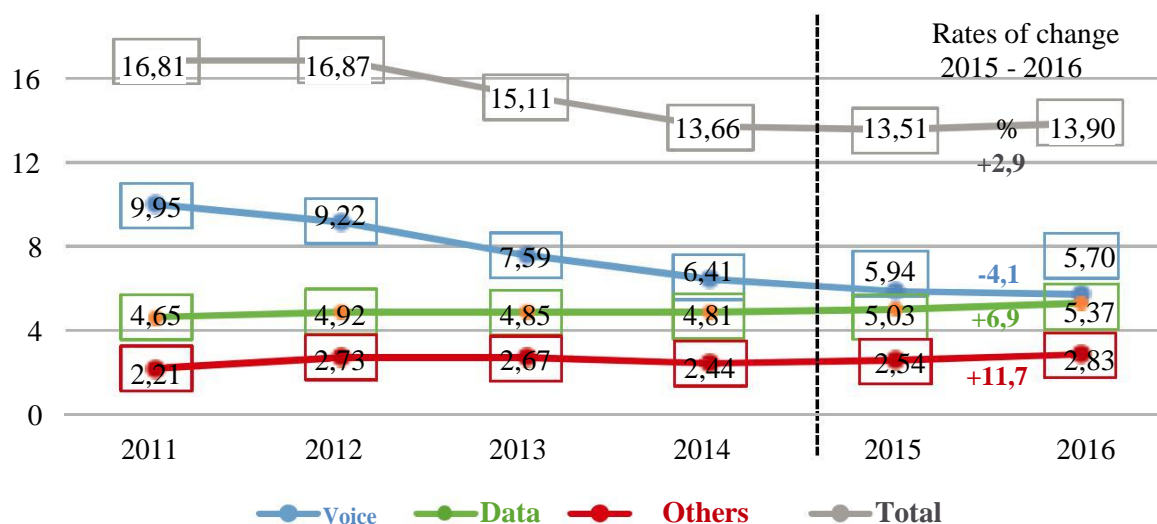


Figure 2.1.21 - User expenditure by type of service (billion €)

In terms of market volumes, voice services (Figure 2.1.22) increased by 2.6% in 2016, in line with the figure recorded last year. By analysing this data more in details, it can be noticed that direct calls outside the network (off net) are growing (+ 11.0%) mainly as a result of the reduction in termination prices imposed by the Authority, which encouraged inter-operator communications, increasing the degree of competitiveness of the market.

Calls towards fixed-line numbers also grew (+ 1.9%) thanks to the progressive spread of bundle offers including mobile and fixed network services.

The sending of SMS shows a trend similar to the dynamics observed in recent year: faced with an average reduction of 28.5% - due to the

growing popularity of social mobile communications - the on-net compartment dropped by 33% while the off-net compartment decreased by slightly more than 23%.

Revenues from voice services (Figure 2.1.23) maintain a downward trend, falling by 4%; the biggest fall has affected the services offered on the international network (-11.8%), while revenues deriving from calls towards national networks (on-net and off-net services) fell by 2.9%, representing more than 75% of the relevant market segment.

As for data services offered by mobile operators, traffic volumes in 2016 exceeded 1.000 Petabyte (+ 46% compared to 2015). As already pointed out in last year Annual Report, the spread of social networks and

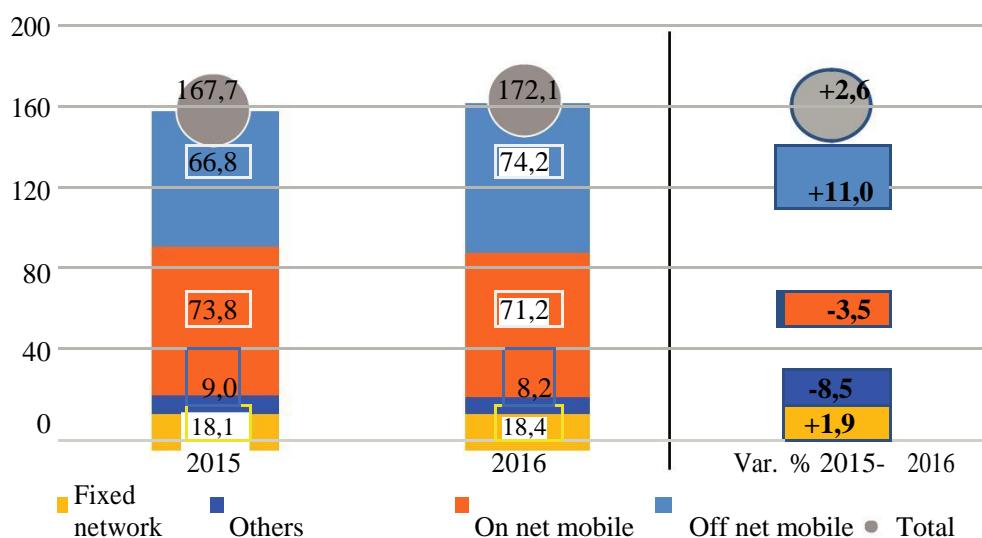


Figure 2.1.22 - Voice traffic in mobile telephony (billions of minutes and % change)

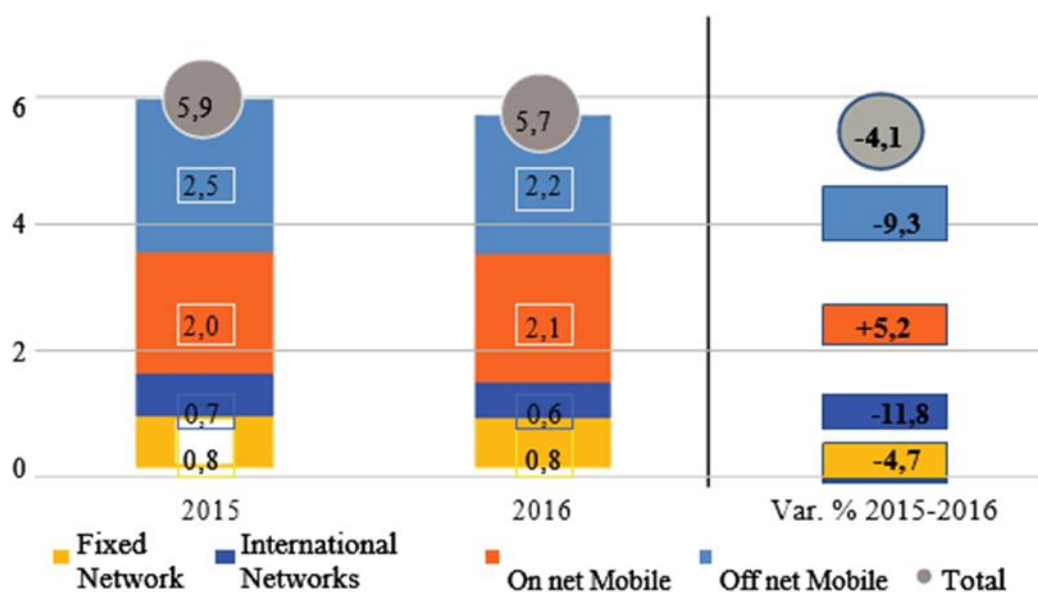


Figure 2.1.23 - Revenues from voice services per type of traffic (billions of € and % change)

services available on the web are the basis for consistent growth in data traffic; in 2016 the average monthly consumption was equal to 1.76 Gigabytes, with increasing growth rates: last year, consumption grew by 25% while this year rises to 33% (Figure 2.1.24).

The gap between SIM cards providing voice services and those providing also Internet services is widening (Figure 2.1.25)⁵⁷, a trend which is mainly due, as already highlighted above, to the

replacement of traditional messaging services with online messaging services, which provide a better communication experience thanks to the instant sharing of text as well as of sounds and images.

Revenues from data services showed an uneven performance between the various segments of which they are comprised; this, too, seems to be the result of the aforementioned "new" consumers' habits (Figure 2.1.26): on the one hand

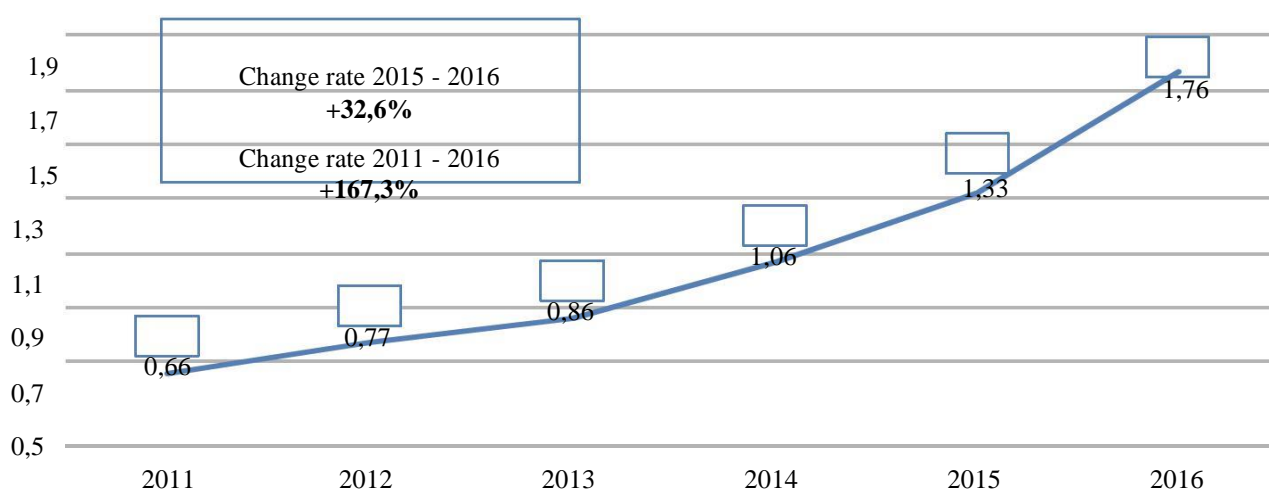


Figure 2.1.24 - Average monthly data traffic of SIM cards (Gigabytes/month)

⁵⁷ The number of "Human" SIM cards is given by the difference between the total number of active SIM cards and the number of "M2M" SIM cards. Human SIMs, therefore, also include "data only" SIM cards for which, however, unlike M2M SIMs, human interaction is provided (such as for tablets, etc.).

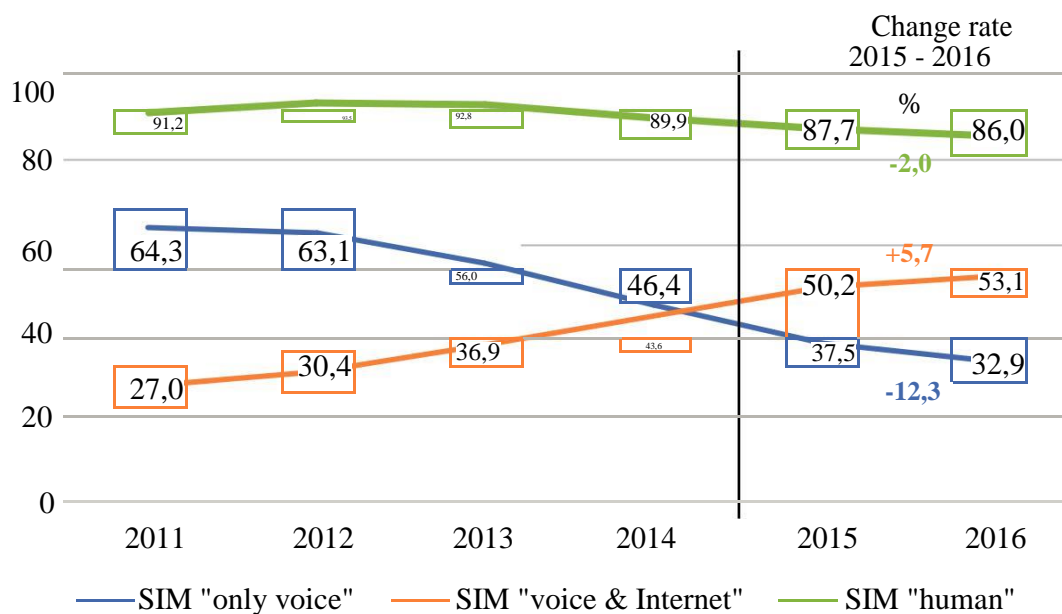


Figure 2.1.25 - Trend in the number of SIM cards (millions)

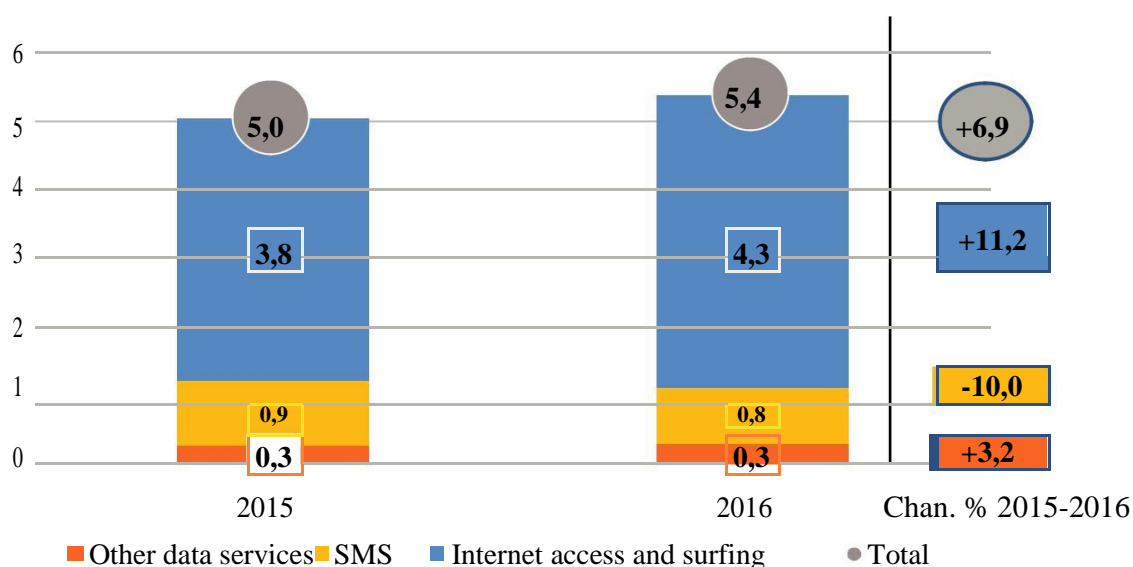


Figure 2.1.26 - Revenues from services by type (billions of € and % change)

there has been a significant decline in revenues from SMS (-10%), falling to 830 million Euros, while, on the other hand, Internet access and browsing services continue to grow steeply (+ 11.2%).

Figure 2.1.27 shows the progress of data services revenues over the last decade, divided in traditional services, mainly SMS, and other data services, mainly Internet access services. While in 2006 SMS revenues were about two-thirds of the total, in 2010 revenues from both services were

equivalent (around 2.3 billion Euros). In the following years, the gap between the two types of services has widened.

The average revenues per SIM card⁵⁸ show a slight increase (from 152 to 160 euros/year) compared to the previous year (Figure 2.1.28); it seems, therefore, that the downward trend in unit revenues of the last few years have been interrupted. However, it should be noted that this result mainly depends on the 2.3% reduction in the customer base, as the number of SIM cards dropped from 88.8 to 86.8 million in 2016.

⁵⁸ The values are calculated net of "M2M" SIM cards.

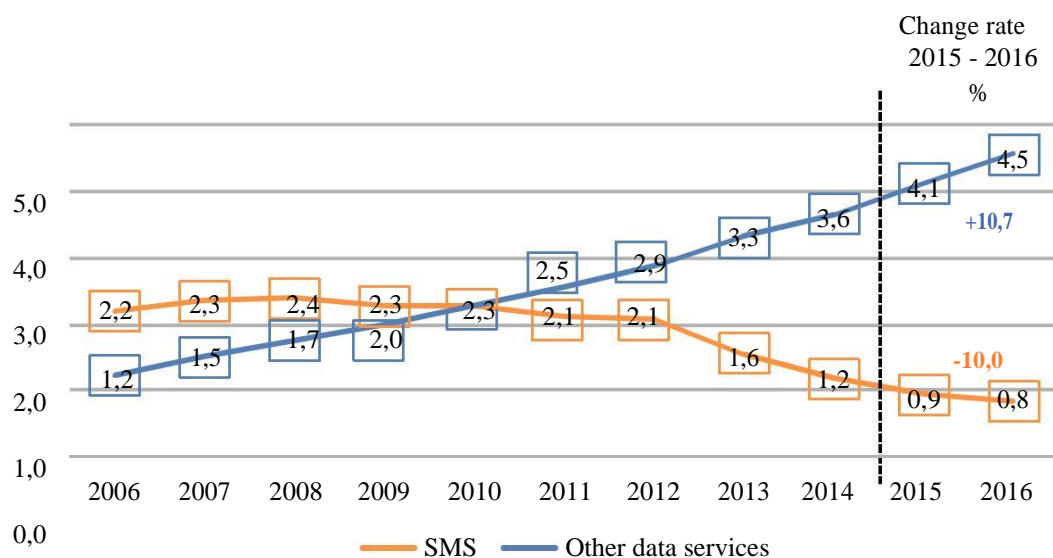


Figure 2.1.27 - Revenues from SMS and other data services (billions of €)

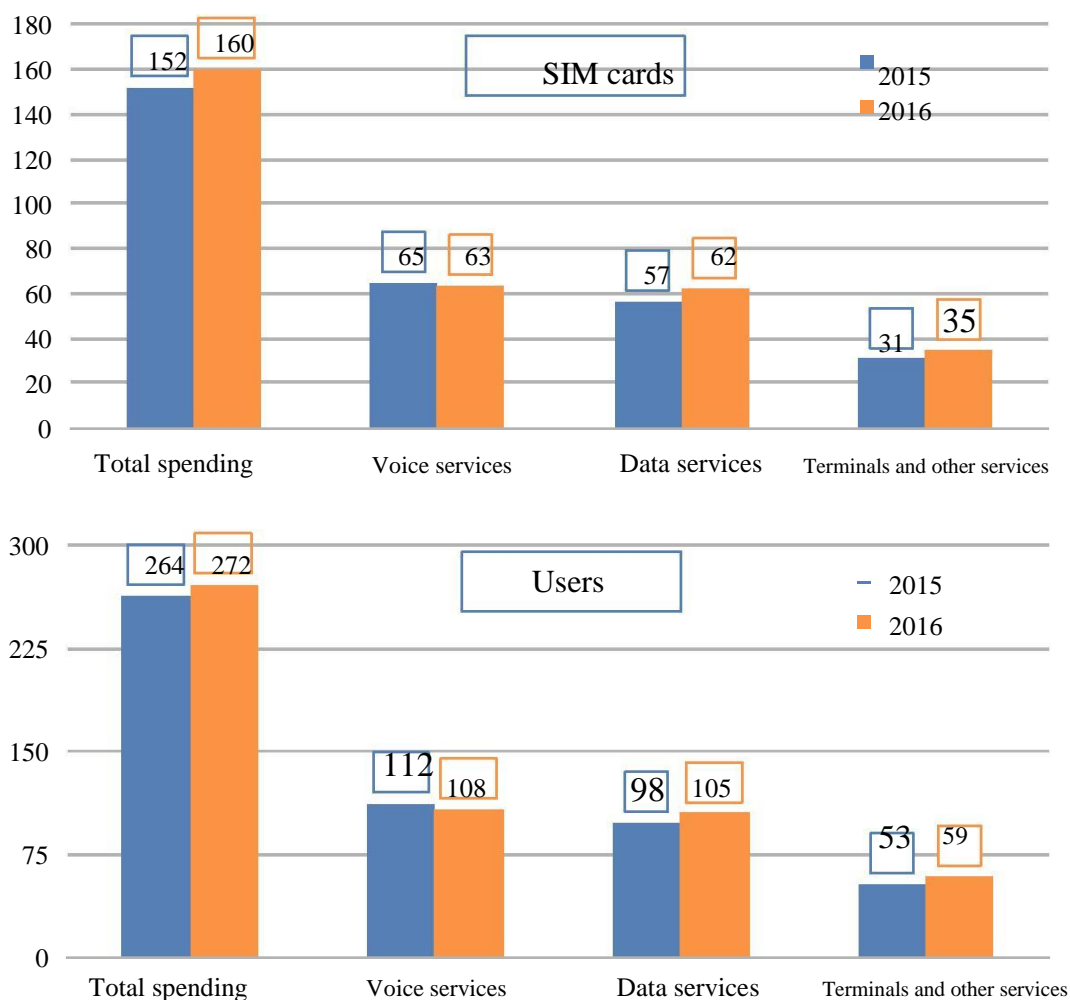


Figure 2.1.28 - ARPU: average revenues per SIM and user (euro/year)

With regard to the composition of expenditure per user, which in 2016 exceeded 270 euros/year, it can be noticed that the spending for data services (105 euros/year) is now substantially equivalent to voice services expenditure (108 euros/year)⁵⁹. In this context, too, there was an overall increase in average revenues (ARPU).

The composition of unit revenues by type of service is the result of current trends in revenues and total volumes (Figure 2.1.29). More specifically, unit revenues from voice services fell by 6.6% while data services unit revenues decreased by 24.2%. As regards unit revenues from SMS, on the other hand, significant growth was observed (+ 26.0%). This result, in line with the figure observed in the previous year, seems to confirm a corporate strategy aimed at curbing the structural compression of market volumes resulting from a "traditional" service that is used, above all, by customers characterized by low consumption volumes, less prone to the adoption of new services and, therefore, scarcely sensitive to changes in unit prices.

WindTre is the leading mobile operator in the market for the year 2016, representing 33.3% of revenues (Figure 2.1.30), followed by Telecom Italia (32.1%) and Vodafone

(30.9%)⁶⁰. The result is a competitive framework of "three-way competition", which will be further fuelled in the coming months by the entry of a new operator with its own mobile network infrastructure (Iliad).

Considering the distribution of market shares according to user categories (Figure 2.1.24), different market concentration levels can be observed. In the household market segment, WindTre is the market leader, increasing by +5.5% compared to 2015. In the business segment, on the other hand, Telecom Italia, despite losing 1.4 percentage points, remains the largest operator with a market share reaching over 48%, while WindTre and Vodafone, up respectively by 2.2 and 1.1 percentage points, do not represent, each, even a quarter of the business market.

With regard to the MVNO operators, which provide mobile virtual services, turnover fell down by 6,8%, amounting to 514 million Euros, compared to 550 million Euros in 2015. (Figure 2.1.32). Off net mobile calls (-2%) and data services (-3.2%), instead, show a smaller contraction. The volume of investments remain marginal (slightly more than 20 million Euros), while the number of direct employees (slightly above the

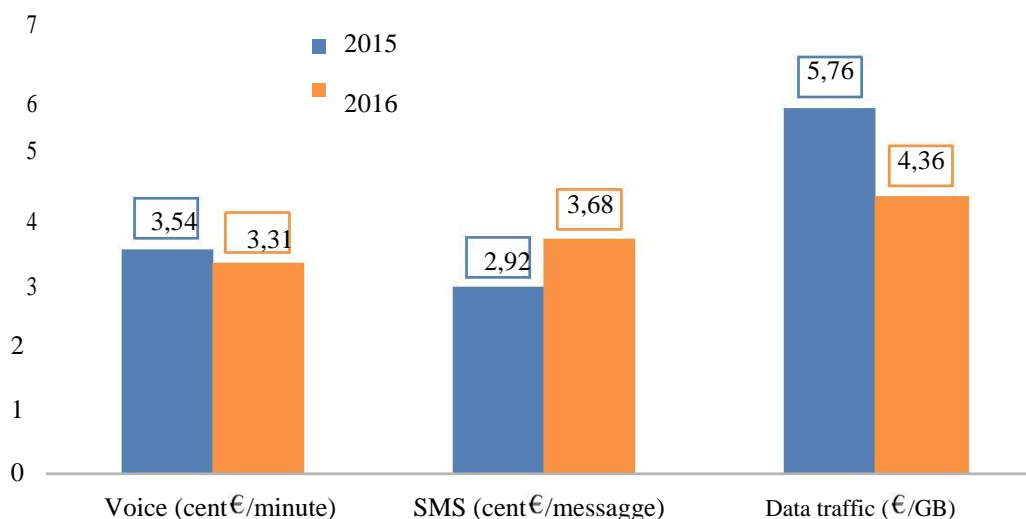


Figure 2.1.29 - Unit revenues for voice, SMS and data services

⁵⁹ The values of the figure in question were calculated with reference to the data on the population, aged between 10 and 80 years, reported on the ISTAT website (<http://demo.istat.it>).

⁶⁰ The reported market shares, due to some variations in the calculation methods and reclassifications made by the companies, are not immediately comparable with the corresponding values presented in the last Annual Report.

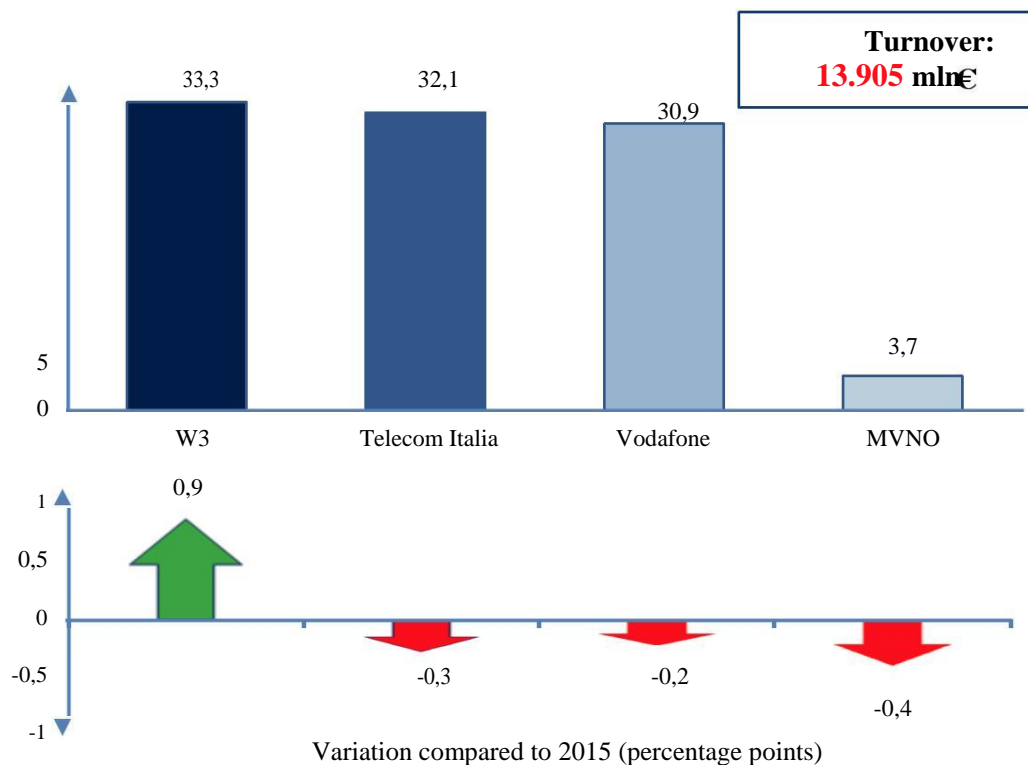


Figure 2.1.30 - Market shares in final expenditure (2016, %)

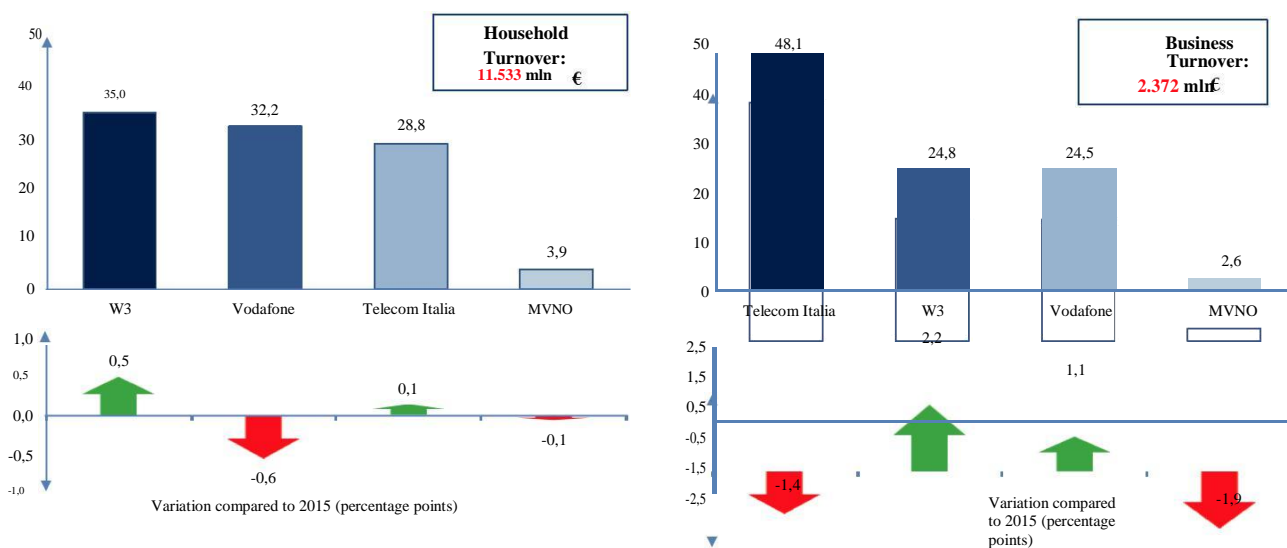


Figure 2.1.31 - Market shares in final expenditure by type of customer (2016, %)

number of employees at the end of 2016⁶¹) decreased significantly (-23%). In relation to the competitive scenario, PosteMobile continues to represent little less than half of the relevant market segment, while Fastweb is growing (+1.9 %), thanks to a business

model based on an integrated offer providing fixed network services, together with Lycamobile (+2.2 %), which provides services to non-Italian residents, and Coop Italia (+2.1 %).

⁶¹ This does not apply to Fastweb's and BT Italia's mobile virtual telephony employees, who are traditionally included in the fixed network workforce.

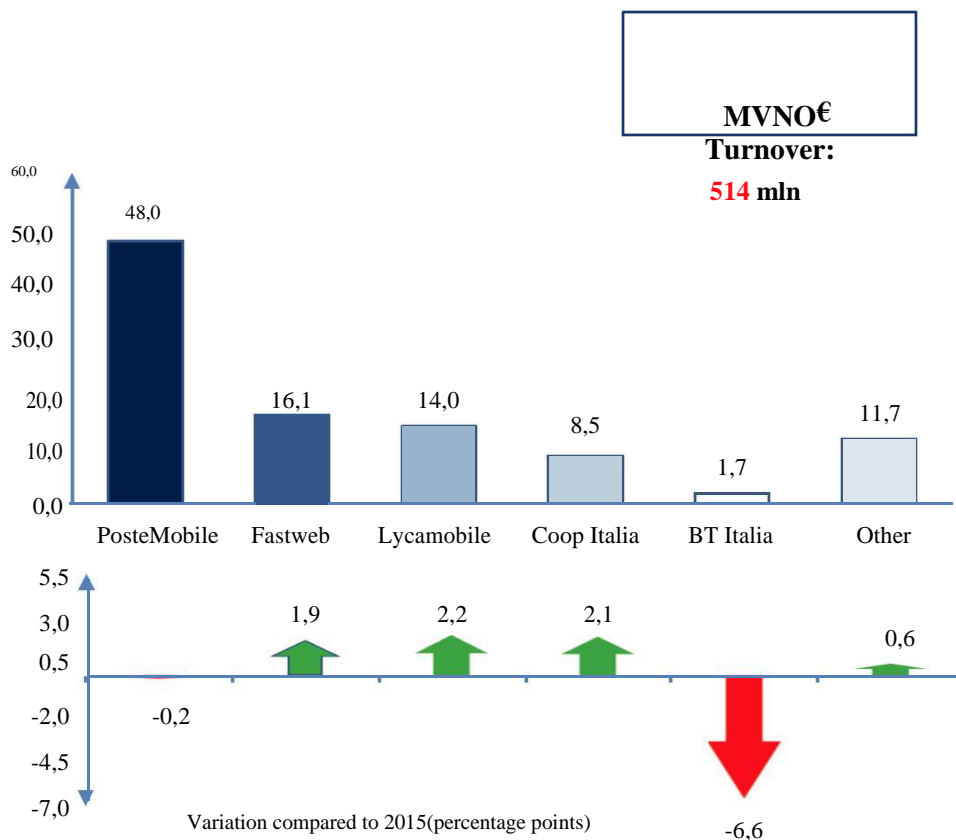


Figure 2.1.32 - Market shares in MVNOs (2016, %) (2016, %)

With specific reference to in the core mobile telephone services, represented by voice and data services, competitive trends in 2016 seem to be decidedly less marked than in the past. More specifically (Figure 2.1.33), Vodafone (36%) strengthened its leadership in the voice services segment, while WindTre (35%) recorded a similar result in the data sector. As for Telecom Italia, voice services show a decline, while data services are going up. Besides the in-depth analysis of such trends,

provided by the Authority's Communications Observatory, a useful indicator for the assessment of mobile telephony market competitive trends is represented by the number of lines acquired and abandoned and by consumers' use of the mobile number portability service. In 2016, the number of lines acquired and abandoned by mobile operators amounted to 46.8 million Euros, with a reduction of around 7% compared to the previous year.

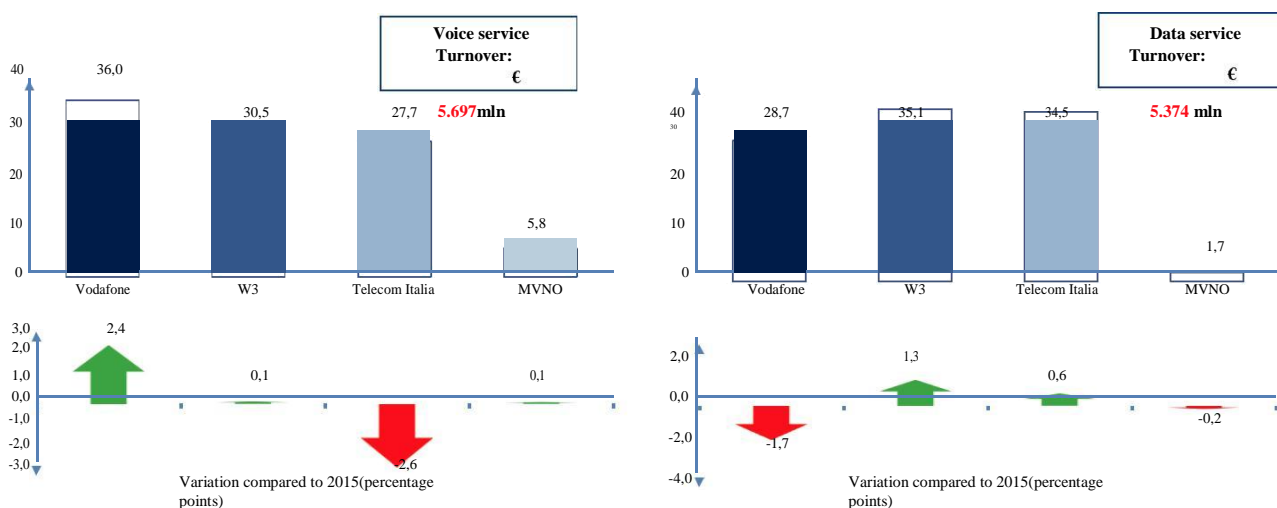


Figure 2.1.33 - Market shares in voice and data segments (2016, %)

The dynamic movement index (Figure 2.1.34) provides a representative overview of the intense competition on the market⁶². On average, inbound and outbound movements with respect to the customer base decreased from 56.6% in 2015 to 53.9% in the previous year, confirming the achievement of a relative homogeneity in the structure of the services offered and a certain consolidation of the general structure.

The total number of the operations related to the mobile number portability service carried out in 2016 exceeded 100 million units (Figure 2.1.35),

with an increase of 12.7 million compared to 2015, in line with the figure reported in the previous period. The volumes observed over the years are a proof of the effectiveness of Resolution no. 147/11/CIR and subsequent Resolution no. 651/13/CONS, which provided for the reduction of activation times of the number portability service as well as for its gratuity to the customers that request it. The trend of the "mobility" index related to mobile number portability, which measures the tendency to switch to a new operator, shows an increase of two percentage points⁶³.

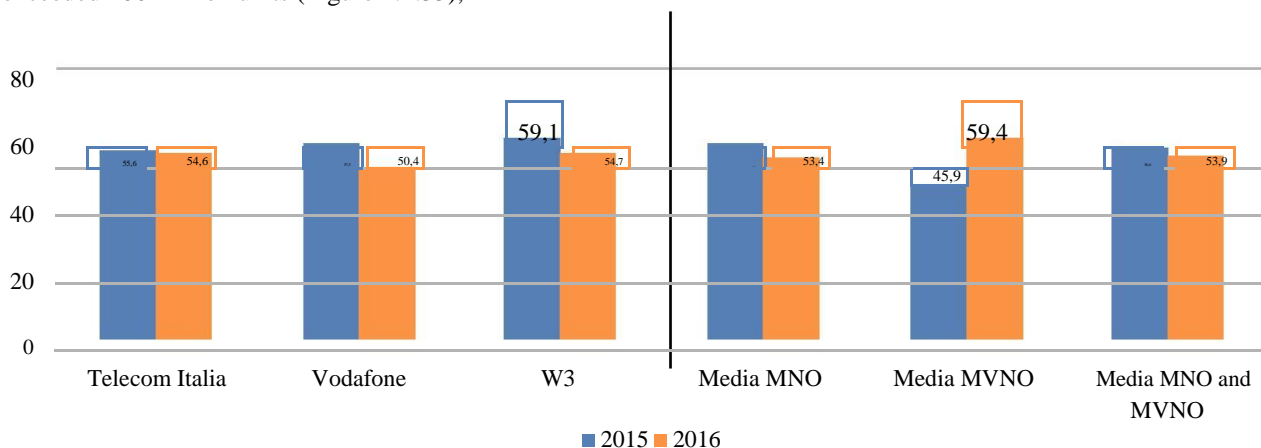


Figure 2.1.34 - Dynamic movement index (%)

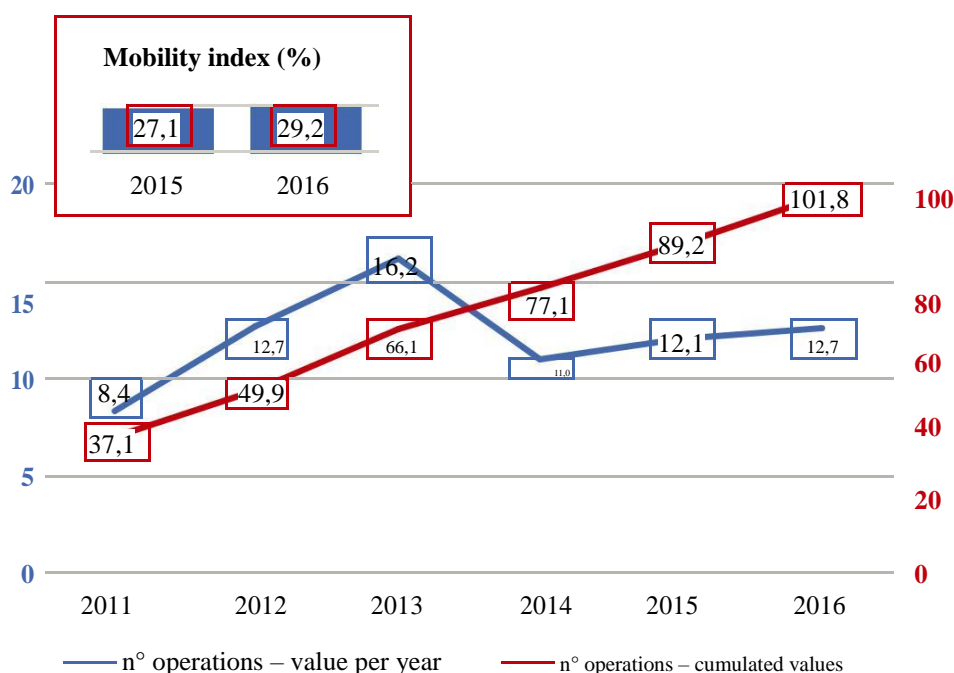


Figure 2.1.35 - Mobile number portability service: number of transactions (millions of units) and mobility index (%)

⁶² The index is given by the ratio between the sum of the acquired and abandoned lines (numerator), and the average customer base (denominator).

⁶³ The mobility index is given by the ratio between all the lines donated/acquired through the use of the mobile number portability service during the year and the corresponding average overall customer base (net of M2M lines). It should be noted that this result is also due to the reduction in the value of the index denominator represented by the average customer base, which fell from 90,6 to 87,5 million customers.

2.2 The evolution of the media and the digital revolution

Main trends of 2016

- ✓ After years of crisis, there are significant signs of an overall recovery of the system. More specifically, it should be underlined the growing trend of television and the positive performance of radio.
- ✓ An increase in the provision of information and entertainment services on the Internet can be observed, which are becoming increasingly popular among users. At the same time, the positive trend of online advertising sales continues, reaching almost 2 billion Euros.
- ✓ The only sector that is not experiencing any reversal trend is the publishing sector, which seems to be characterized by a persistent crisis.
- ✓ The media sector is facing a corporate consolidation process, which in the last year, has concerned, specifically, the publishing segment.
- ✓ The analysis of the information system carried out by the Observatory on Journalism highlights some critical issues, including: growing job insecurity affecting journalists, the existence of a gender gap and entrance barriers for new generations. Furthermore, the emergence of an insider-outsider trend (typical of the Italian labour market) can be observed, which considers age, gender and contractual typology as discriminating factors.

The Information System in Italy

Over the last few years, the information system has been going through a phase of transition characterized by profound technological and market changes.

In this context, the Authority, in the light of the various regulatory, supervisory and sanctioning powers in terms of audio-visual and radio media services as well as publishing services, bases its activity on the research and analysis of the functioning of all the elements

composing the information and communications system.

Specifically, the Authority analyses the information provided, from the point of view of publishing companies, verifying funding sources and market structures, and in terms of production, examining the evolution of the journalistic profession and the different aspects of the field. At the same time, the Authority analyses information demand, to detect the changes in citizens' use of information and the relevant implications.

The study shows that the technological evolution of the last few years has highlighted some characteristics of the information sector, including, above all, the principles of non-rivalry and non-exclusivity in consumption, which made the problem of financing even worse. In this regard, it should be noted that, due to the increase of free information and, at the same time, to the reduced inclination to pay by consumers, the advertising component is becoming increasingly important as a source of funding for the media sector, representing almost half of the total resources of the information system⁶⁴.

Overall, funds for the information system are shrinking, even though the situation has been improving over the last two years (see Figure 2.2.2). From 2011 to 2015, the whole Integrated Communications System (SIC) underwent a significant economic contraction (-16%), even though

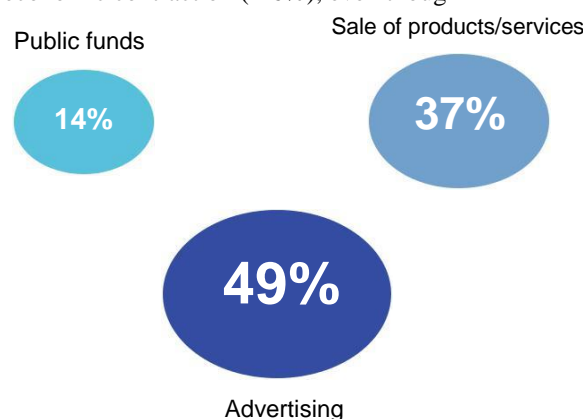


Figure 2.2.1 - Media financing sources

⁶⁴ The media sector's revenue figures for 2016 represent estimates made by the Authority.

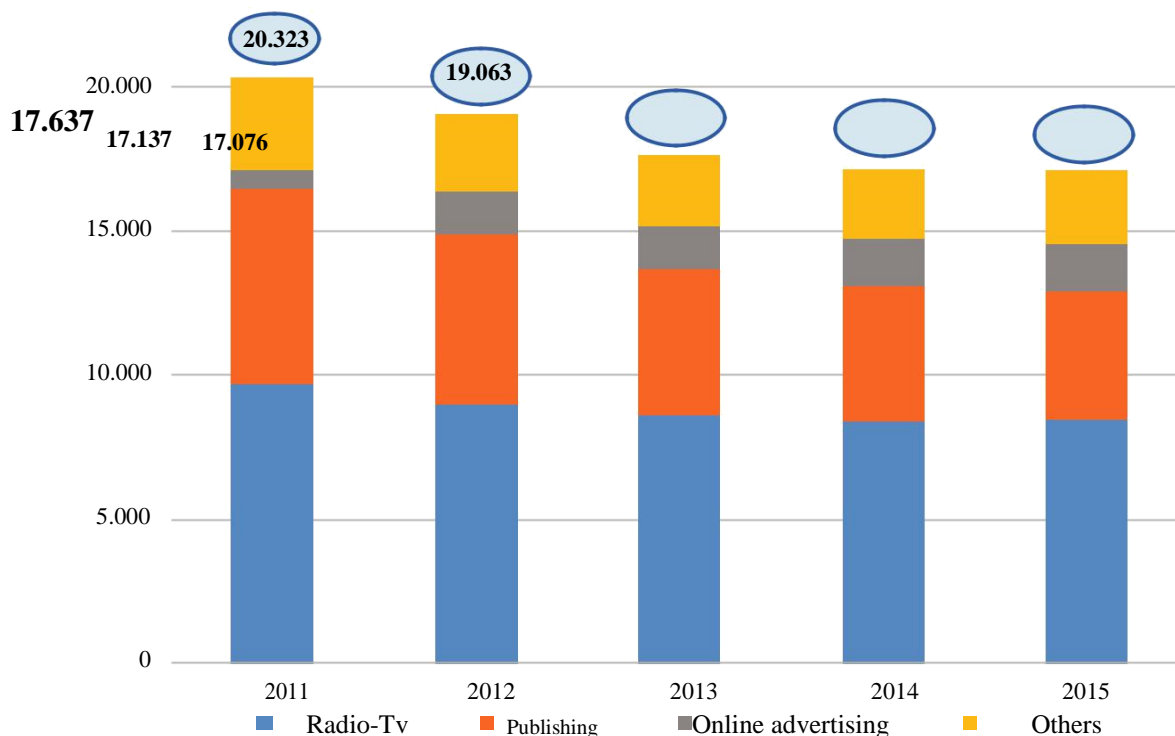


Figure 2.2.2 - Integrated Communications System dynamics (mln €)

with differences among the various markets. Radio and television remain the main segment of the SIC, representing 49.5% in 2015, while the publishing sector continues to decline, with a total decrease of 34% in the period of reference. On the other hand, the online advertising sector keeps on rising.

Such developments in financing go hand in hand with the consolidation process that will be better analysed in the following paragraphs and that seems to have an impact on the pluralistic structure of the Italian information system.

Focusing on advertising resources only, as shown in Figure 2.2.3, the same negative trend can be observed, although there seem to be some signs of recovery since last year, which appear to be consolidated in 2016.

By analysing in depth the single means of communications, television seems to be the sector that better reacted to the crisis, while newspapers and magazines underwent a structural decline resulting in a

significant fall of revenues from advertising. Online advertising, on the other hand, is rising, driven by the growth of digital platforms (search engines, social networking services). More specifically, over the last year, newspapers' and magazines' revenues have been decreasing (falling more than 6%), the radio sector registered a slight increase (+0,8%), television started growing again (by almost 7%) and the online segment continues to rise significantly (almost 15%), as shown in Figure 2.2.4.

At the same time, investments in the information system (in terms of staff and technology) followed the downward trend already observed for the revenues of this sector, which have been significantly decreasing since the last years of the previous decade. This decline inevitably affects the quality of information, jeopardising in-depth journalistic analysis as well as verification of sources activities, giving rise to dangerous phenomena, such as the so-called fake news.

Besides the ongoing surveys on Digital Platforms and the Information System (Resolution no. 309/16/CONS)⁶⁵ and on The local Information System (Resolution no. 310/16/CONS)⁶⁶, a comprehensive analysis on

⁶⁵ <https://www.agcom.it/documents/10179/5041493/Delibera+309-16-CONS/7f6d711a-ac5d-48b1-9b30-faa27d6a1ecb?version=1.0>.

⁶⁶ <https://www.agcom.it/documents/10179/5041493/Delibera+310-16-CONS/04871326-f0f9-4d03-b4fb-49907be63d77?version=1.0>.

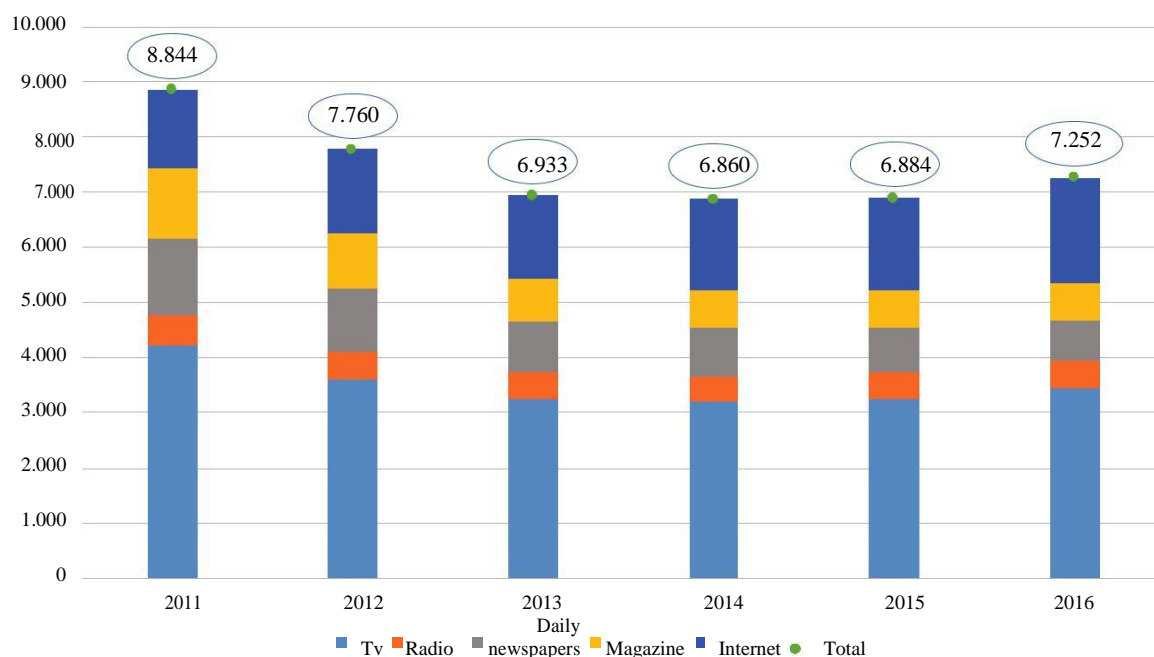


Figure 2.2.3 - Advertising sales per medium (mLn €)

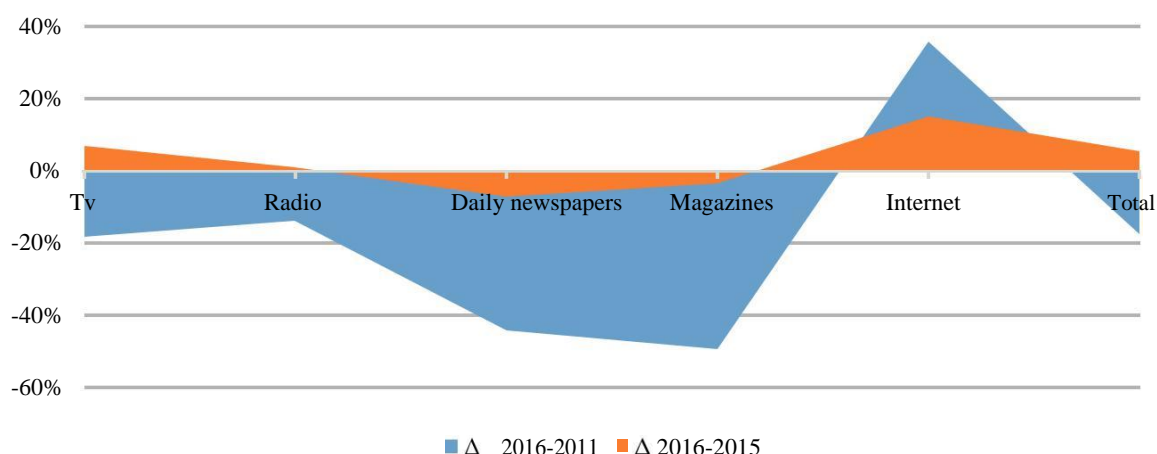


Figura 2.2.4 - Changes in advertising on traditional media and the Internet

information quality has been carried out by the Authority in the 2nd edition of the Observatory on journalism, published on March, 2017, which examined the factors that have a major impact on information production, focusing on the ability to conduct in-depth analysis, reliability, trustworthiness and the use of authoritative sources⁶⁷.

The study carried out through a specific survey conducted on Italian journalists shows a number of trends

related to the information system that reflect some of the aspects that characterize the whole national system and having a direct impact on the quality of information.

More specifically, on the one hand, the ageing of the journalistic population, accompanied by generation and gender gaps (see Figure 2.2.5) and characterized by significant structural differences between insider professionals (mostly employees, men and over the age of 45) and outsider professionals (mostly women,

⁶⁷ <https://www.agcom.it/osservatorio-giornalismo>.

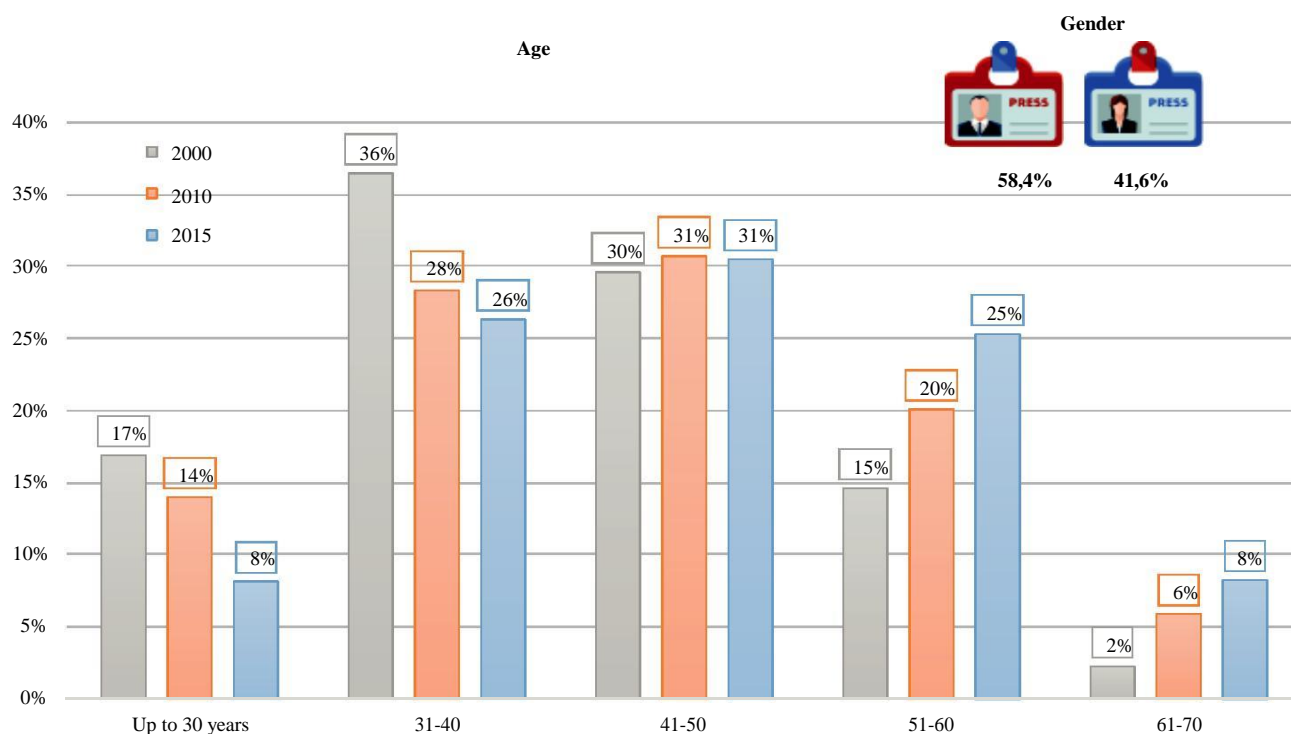


Figure 2.2.5 - Distribution of journalists by age (2000-2015)

free-lancers and “parasubordinate” young workers) and, on the other hand, by job insecurity and by the fragmentation of supply, with the majority of journalists increasingly working on a non-exclusive and irregular basis, due to precarious work contracts.

Job insecurity led to a reduction in revenues from journalism: nowadays, most journalists earn less than €20.000 (only 23% of self-employed workers and 17% of “parasubordinate” workers earn more), with

differences among the various means of communications, as pointed out in the Observatory (see Figure 2.2.6). Younger journalists, faced with entry barriers to the job market, and women often have precarious work contracts, with differences in terms of type of contract and wage, despite an increase in the number of female journalists (see Figure 2.2.7).

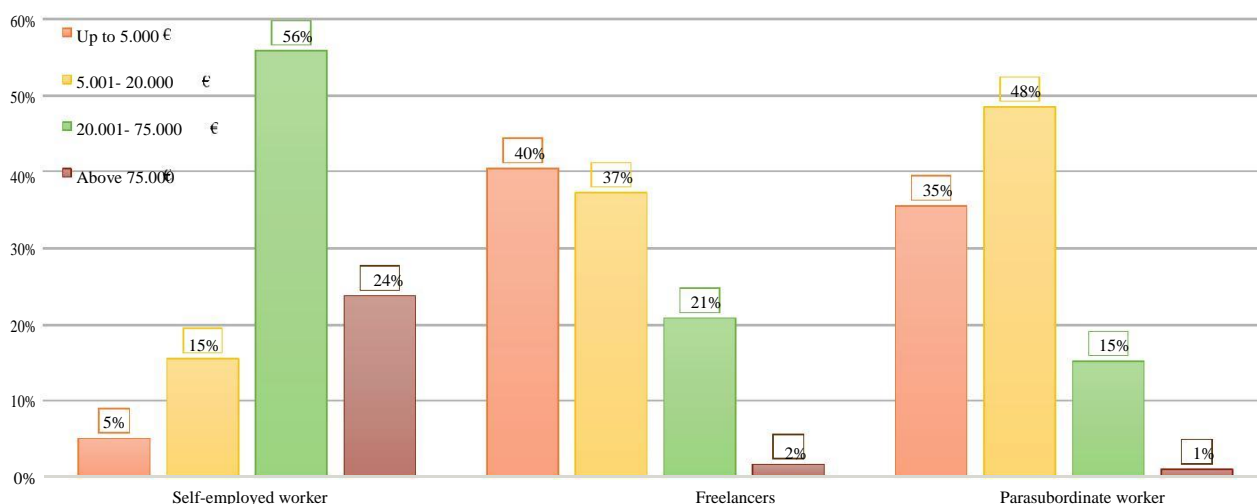


Figure 2.2.6 - Occupational status and income (2015)

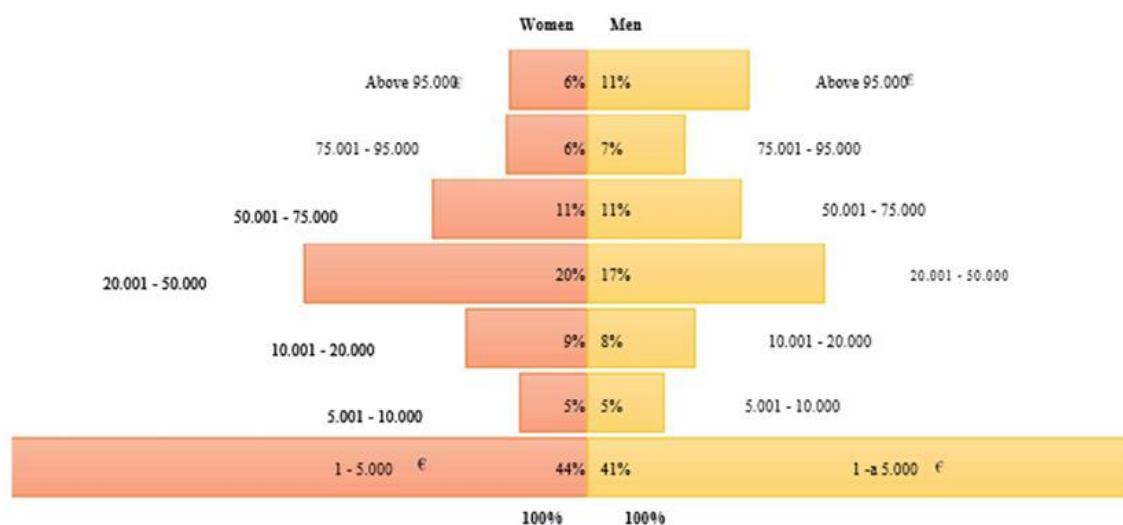


Figura 2.2.7 - Income pyramid by gender (2015)

The world of journalism has always had to face technological change and, despite the slow introduction of new technologies in Italian journalism, a need to acquire specific skills has been emerging over the last decade, as journalists are required to broaden their “digital” knowledge, with direct consequences on the sources and production of information. In this respect, Italian journalists use the Internet mostly as a source of information (70%) or for “passive” activities, such as monitoring online discussions (52%) or following the activities of people of interest (41%), both actions, however, are declining with respect to the previous survey made by the Authority (see the 1st edition of the Observatory on Journalism). It can be stated, then, that Italian journalists started to adopt some of the most popular habits of the participative web, even though with a light engagement attitude towards the public, especially when compared to different international contexts.

As regards the topics most frequently covered by journalists, politics (local, national and international) and news (local and national) are covered by one out of two journalists, followed by arts and culture (49%), social issues and education (45%) and science and technology (42%). Gender often has an influence on the subjects chosen.

Some specific topics (including the so-called hard news) are covered mostly by male journalists. The distribution of journalists among the different media is a proof of the essential role played by the publishing sector in providing information, due to its specific nature (see Figure 2.2.8). The majority of Italian journalists works for a magazine or newspaper (in both their printed and digital form) (44% and 42%, respectively). Journalists working for television and online news channels represent 23% for the both fields, while 18% works for press offices or in the corporate communication sector. Other media (such as, radio) that focus less on the news, as well as press agencies and publishing services, are lagging behind, representing 8% of journalists.

This context is the background reference for analysing the critical issues affecting the world of journalism in terms of coverage and disclosure of themes of public interest, which influence the production and quality of information and, therefore, pluralism.

Actually, a high percentage of professionals faced, in the last year, at least one problem related to their work (see Figure 2.2.9). In the current phase of crisis of the Italian information system, it can be observed that economic issues have the greatest impact, given the high level of job insecurity and risk of unemployment. Furthermore, various forms of

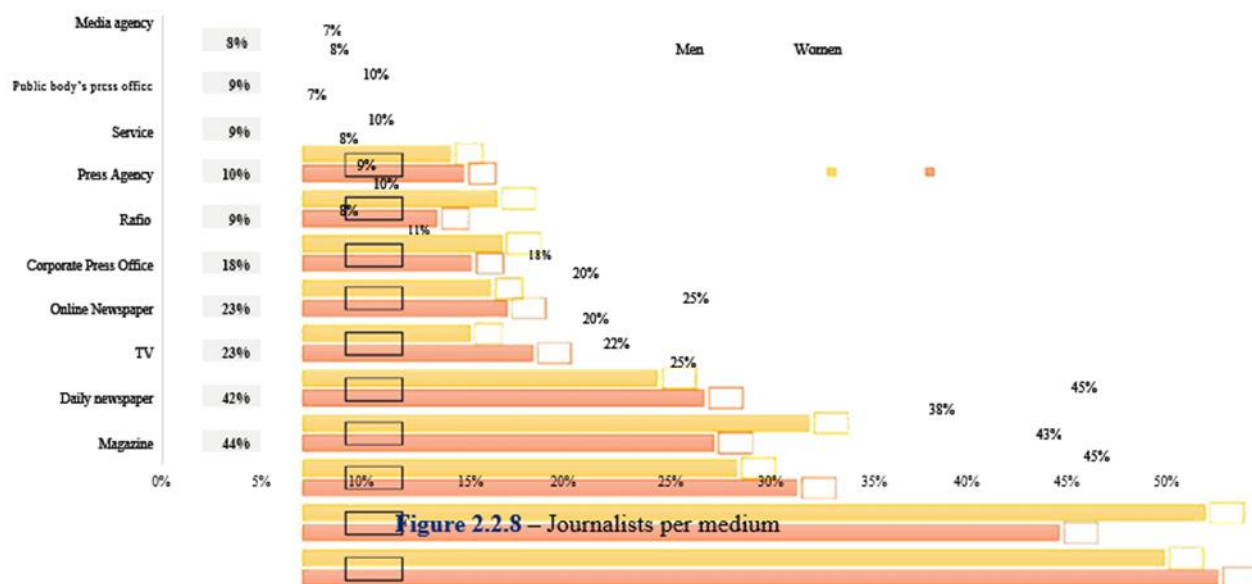


Figure 2.2.8 – Journalists per medium

intimidation aimed at the category, both of criminal origin or deriving from procedural abuse, are also frequent. This may produce a dissuasive effect on the exercise of journalistic profession and on freedom of information (the so-called chilling effect), potentially causing damage to the entire civil society.

It should be noted that local journalists are more likely to be threatened, due to the scarce economic resources of the local sector that make them more vulnerable to intimidation. During the last years⁶⁸ local publishers invested less than national ones,

because of economic problems; as a consequence, publishers' insufficient resources worsened journalists' work conditions, characterized by a high level of job insecurity and increasingly lowering wages, making it difficult for them to fight the various forms of censorship imposed from outside. At the same time, local media, hard hit by the crisis and with few economic resources, seem to be more fragile in dealing with intimidation, and often unable to meet litigation costs arising from complaints and legal actions, as well as to ensure professional legal support to the journalist. The geographical distribution of this phenomenon reflects the differences that characterize the Italian

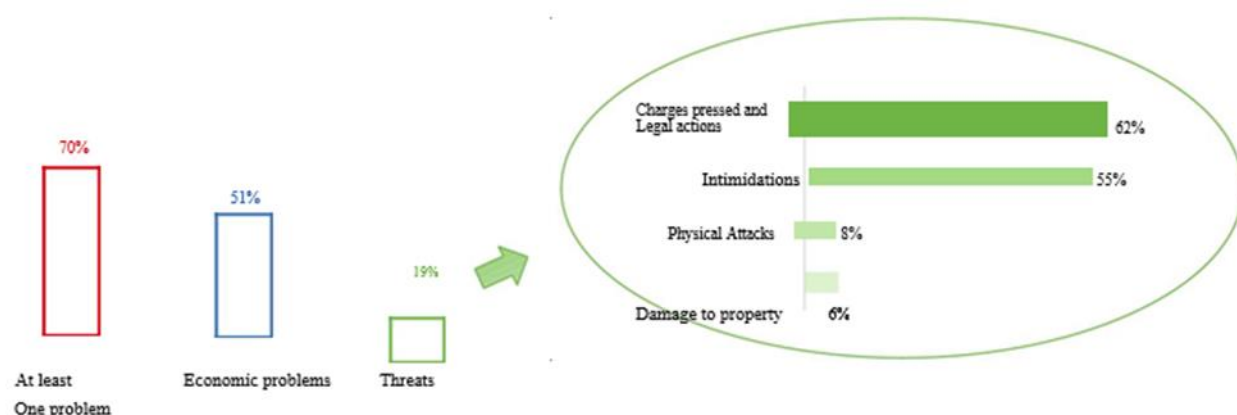


Figure 2.2.9 - Problems faced by journalists

⁶⁸ See resolution no. 146/15/CONS, on "Closure of the cognitive survey on "Information and Internet in Italy. Business models, consumption, professions ", started with resolution no. 113/14 / CONS".

territory. From a geographical point of view, in fact, the South keeps lagging behind, showing figures that are consistently higher than the Italian average, due to economic and intimidation problems (see Figure 2.2.10).

The crisis of the information system led the Italian Parliament to review the rules on public investments and incentives aimed at protecting pluralism in the publishing and local radio and television broadcasting sector through the approval of Law no. 198 of 26 October 2016, on the “Creation of the fund for pluralism and innovation of the information sector and on delegation of powers to the government for the redefinition of public support measures for the publishing and local radio and television broadcasting sector, of rules on journalists’ retirement benefits as well as redefinition of the organization and responsibilities of the National Council of the Order of Journalists”. The Law provides, on one side, a partial redefinition of the range of beneficiaries, by including publishing companies that, in a commercial setting, carry out an autonomous and independent information activity, of a general nature. As for small-sized publishers, provisions focus on non-profit associations and cooperatives of journalists, explicitly excluding the information bodies of political parties, movements and trade unions

as well as specialized magazines, and companies listed on the stock exchange.

Moreover, Law no. 198 promotes the idea that the allocation of public resources shall be accompanied by an effective economic and entrepreneurial capacity, therefore including, among other things, provisions such as the distribution of public resources according to the annual number of copies sold at local and national level, the definition of cost items related to the digital transformation of the offer as well as to the business model, incentives to hire workers under 35 years of age with permanent employment contracts, the reduction of contribution for companies that exceed certain wage limits and the setting of a maximum limit to public contribution, which shall not exceed 50% of the total company’s turnover.

Such provision is also aimed at promoting the digital switchover, a crucial process of transformation that cannot be postponed. Most information services are almost entirely provided online; as a result of this, Law no. 198 promotes a new, more careful definition of online publications, on which information production is based. However, it remains evident that the current crisis of the information system requires a constant monitoring activity, which the Authority has been carrying out for some years now through its normal activity and through the above-mentioned surveys, as well as the adoption of

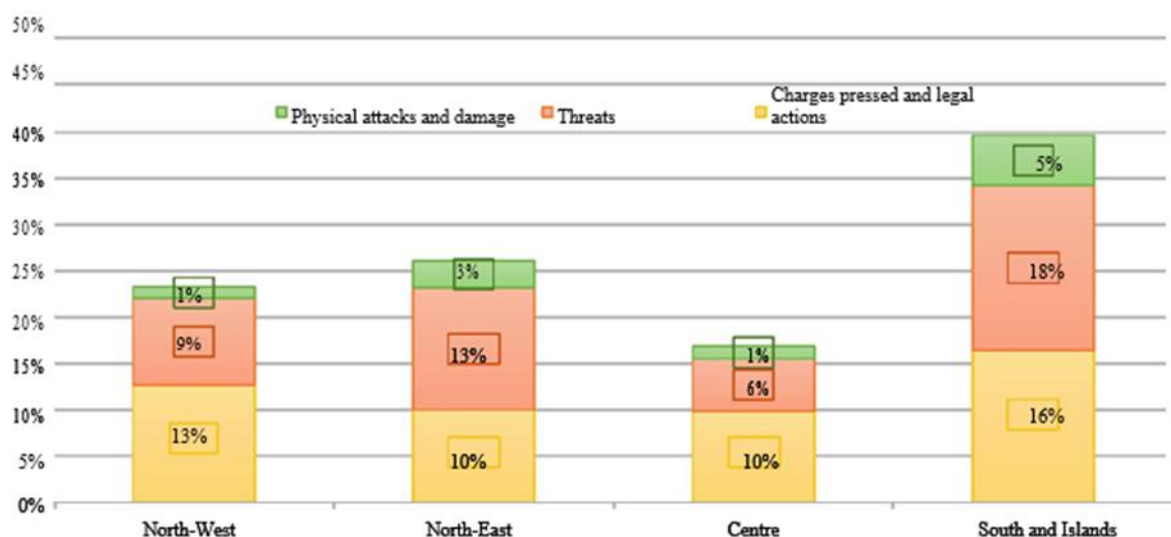


Figure 2.2.10 - Territorial analysis of intimidation

a global strategy to face all type of structural issues, from the significant reduction of funding sources to the problems related to the journalistic profession.

Television

Television has historically played a major role in the information system. Its importance is due to the large number of users (not yet reached by any other media) that have access to television through different platforms (terrestrial digital, the most common one, satellite and the web) and devices (from traditional television sets with digital terrestrial and satellite decoders to smart TVs and other devices connected to the Internet) and because of the use of television for information purposes, even though the information material represents only a part of the provided contents. In this respect, it is possible to point out that the number of Italian journalists employed in the television sector is just over half the number of journalists who work for daily newspapers (see Figure 2.2.8 and Observatory on journalism), the only means of communications with contents almost entirely dedicated to information.

Secondly, the importance of television is also connected to the revenues generated by this sector, which represents the most profitable economic segment of the Integrated Communications System (see Resolution No. 10/17 / CONS). To this regard, it is worth noting that, also in terms of funding sources (advertising, sale of products/services and public funds) television is the segment that, for each of them, generates more revenues than any other means of information. Besides, the number of companies operating in the television sector is high, but remains lower than the number of those operating in other sectors of communication, such as magazines, the Internet and radio. More specifically, television operators that broadcast at a national and local level are more than 500, and only few of them are large-sized enterprises with a high turnover. The majority of operators provides a classic television offer, although increasingly accompanied by online contents, delivered through websites and applications related to their channels and programs, as well as

through the pages and accounts opened on the various digital platforms. A small portion of operators includes providers of online audio-visual paid services only, which have recently entered the sector. These include Netflix, with more than 100 million subscribers, which has started its activity in Italy since the end of 2015, registering hundreds of thousands of users. Moreover, thanks to the new consumption habits of television contents and the growing interest in new audio-visual services and devices, as well as to the wide diffusion of fixed and mobile wide band and ultra-broadband telecommunications networks, a stronger convergence can be observed between audio-visual media services and telecommunications, as evidenced by the emergence of triple/quadruple play offers, including joint provision, through integrated solutions or commercial agreements between subjects operating in different sectors, such as voice services (fixed and/or mobile), Internet connection and audio-visual content.

By analysing in detail the dynamics and structure of the market, it may be noticed that, in a context marked by the general downward trend of the last few years, the television sector has suffered the least losses, in percentage terms, and has shown the most evident signs of recovery in 2016. As shown in Figure 2.2.11, As shown in Figure 2.2.11, for 2016, it is estimated that the value of the total resources of the television sector will once again be above 8 billion Euros, thanks to an increase of 7% compared to 2015. The composition of revenues related to television reflects the structure of the Italian information system (see Figure 2.2.1), with advertising revenues representing the main source of financing (over 40% of the total, equal to about 3.5 billion Euros, 90% of which deriving from free access TV), followed by the sale of television offers (36% of total revenues), which in 2016 suffered a decrease of almost 2 percentage points, while public funds are on the rise (television licence fee, agreements with public entities and public funds). The latter constitute a further and significant source of income for the sector (overall, 23%).

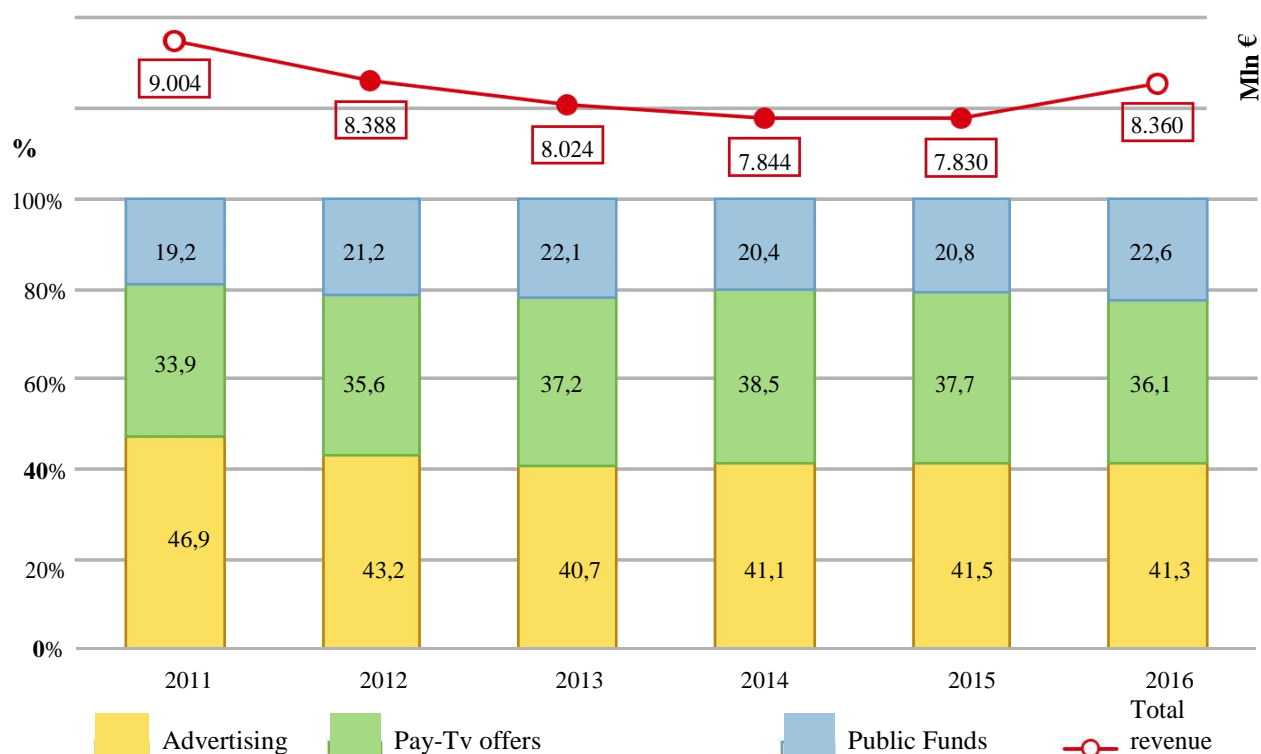


Figure 2.2.11 - Breakdown of total television revenues by type

With regard to the distribution of revenues for the entire sector among operators, the clear difference between the broadcasting groups that traditionally occupy the first three positions, holding similar market shares, and all the other operators is confirmed. More specifically, the 21st Century Fox/Sky Italia group, active in both the free Tv and pay TV segments, has the largest share (32%), although falling 1.5 percentage points, followed by the RAI group - holder of the concession for the public television service - which, thanks to an increase in revenues, rose to second place (with a share close to 30%) - and the Fininvest/Mediaset group, operating in both the free TV and pay TV sectors, which represent 28% of the total. Among the great number of further operators, the Discovery group and Cairo Communication group (La7) stand out, but with considerable lower revenues compared to the three main operators (close to 2%, albeit slightly increasing, see Figure 2.2.12).

Within the television sector, different market areas can be distinguished. As shown by the results of the in-depth analysis carried out by the Authority as provided for in Resolution no. 41/17 / CONS, on *"Identification of the relevant markets in the audio-visual media services sector, pursuant to Article 43, paragraph 2, of Law Decree no.*

177 of 31 July 2005 (Phase I) ", and in light of the changes and innovations that have taken place, a net distinction of products traded in the market of free and paid audio-visual media services can be made. Such distinction stems from the marked differences between the two product categories, which make them non-replaceable on both the demand and supply sides.

As regards demand, it should be noted that free TV is accessible to the whole television audience (about 25 million families), while the number of users who have access to pay TV services is considerable lower, representing slightly more than one third of the Italian population (about 9 million families). The different penetration rate between free access Tv and pay TV is a proof of the two different types of audio-visual services consumers. Indeed, free TV viewers show different preferences and tastes compared to pay-TV viewers: free TV continues to be the only means of communications able to reach all segments of the population, regardless of the social economic and cultural background. On the other hand, pay TV is

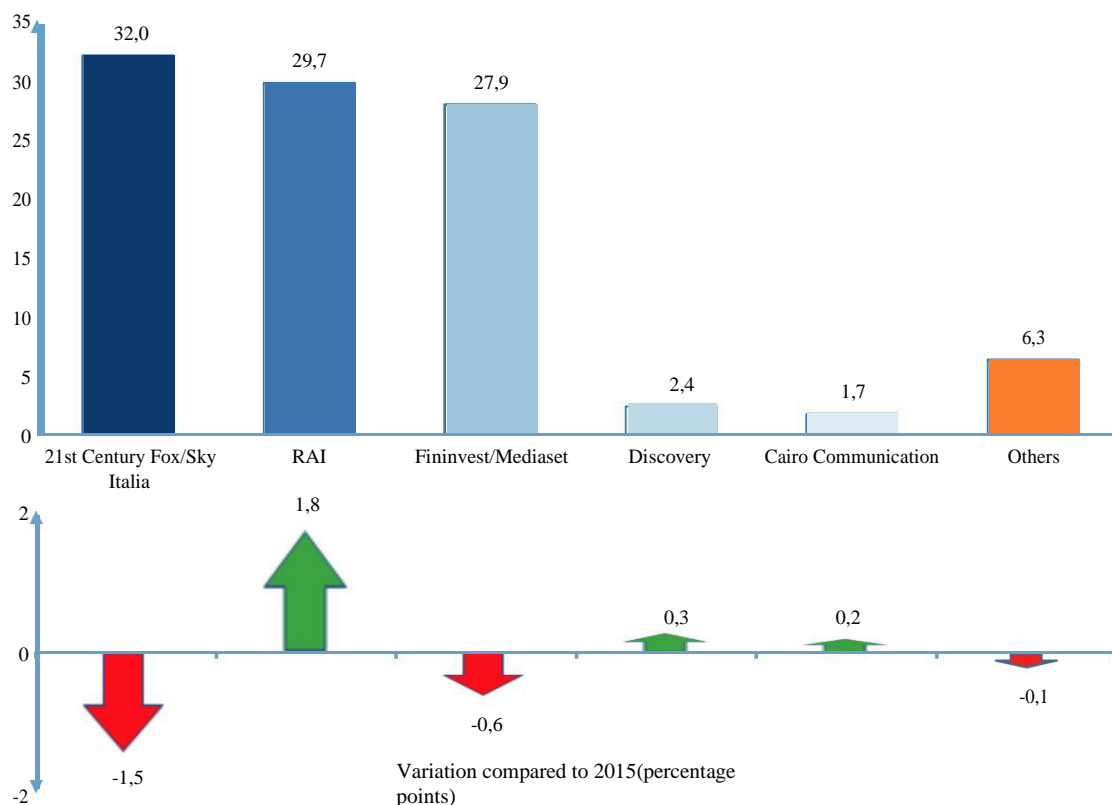


Figure 2.2.12 - Breakdown of revenues per operator (2016, %)

is mainly used by citizens with specific profiles, especially individuals with a higher spending capacity, who enjoy premium contents (such as, in particular, first window films, TV series, sporting events). As for the offer, many elements contribute to differentiating free television from pay television. Firstly, these two types of television offers are supported by different business models: free TV is financed by advertising sales (which is the main source of revenue) and public funds, while pay TV is largely funded by the sale of subscriptions (including pay-per-view services), and, to a much lesser extent, by advertising sales (see Figures 2.2.14 and 2.2.17). Therefore, as shown in Figure 2.2.13, free access TV implies only one type of commercial relationship, that is to say, the relationship between broadcasters and advertisers, based on the fact that, given the large mass of users reached by such means, advertisers would be more likely to pay. Pay TV, instead,

entails a direct commercial relationship with end users (as well as advertisers). The existence of a price higher than zero, as opposed to a free product, makes consumers perceive the product as different; as a result, they will be more likely to pay for it. Therefore, pay TV operators tend to offer better contents in order to awaken the interest of consumers and encourage them to pay. In order to convince consumers to subscribe, premium contents must appear particularly attractive to viewers, for this reason, pay TV operators' investments mainly focus on the contents. Since the production and acquisition of such contents (or the relative transmission rights) involve high endogenous fixed costs, which are not recoverable, sunk costs of this type represents an element of further distinction between the pay TV and the free access TV.

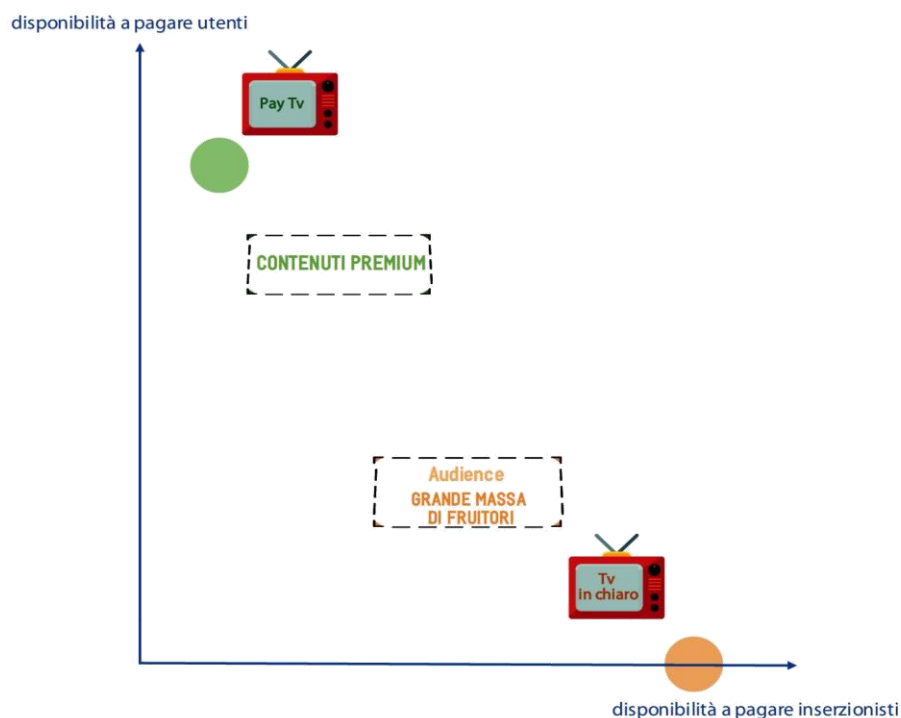
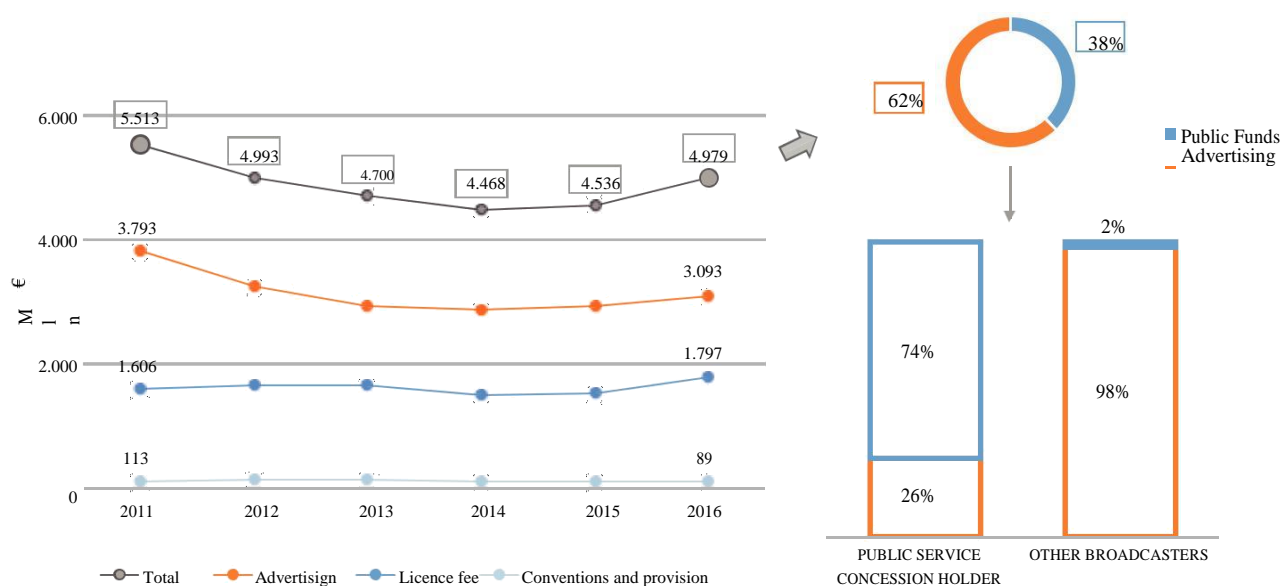


Figura 2.2.13 - Free-TV and Pay-TV business models

By examining in detail the revenues composition of the two different television segments, it can be noticed that free TV (both national and local), which accounts for about 60% of the total income of the sector, reached nearly 5 billion Euros in 2016, thanks to an increase of 10% compared to 2015 (see Figure 2.2.14).

This positive trend derives from a growth in both advertising sales (which exceeded 3 billion Euros, + 6% compared to 2015) and, more significantly, in revenues from the fee paid by citizens for the possession of television sets (1.8 billion Euros, + 17% with respect to 2015), despite the ISTAT index related to TV license keeps on falling and is lower than the general consumer price index (see Figure 2.2.15).



The share of the licence fee related to television has been calculated by applying to the total value of the radio and television licence fee a percentage equal to the share of direct costs attributed to this activity in the total direct costs of the public service (the so-called aggregate A of RAI's separate accounts). In particular, for the value of the fee relating to the years 2015 and 2016, reference was made to the separate accounts of RAI 2015.

Figura 2.2.14 - Revenues from free-to-air TV

In this regard, it is worth observing that the increase in fee revenues appears to be the consequence of the introduction of a new method for collecting the tax. In fact, for the year 2016, the fee, which amounted to € 100, was lower than the previous years and, for the first time ever, the sum was included in the energy supply bill, resulting in a drastic reduction of tax evasion.

It should also be noted that in the case of free TV, it is possible to identify two types of activities: commercial activities, financed by advertising revenues, thus arising competition among the different market operators, and activities supported by public funds, i.e. through “non-contestable” economic resources. In this sense, the concessionary of the public broadcasting service, RAI, represents a special case, since, besides providing citizens with the public television service, it also carries out commercial activities. It should be underlined, however, that over 70% of the RAI group’s television revenues derives from collection of the licence fee (see Figure 2.2.14).

As for the structure that characterizes the free access television market, a high level of concentration may be observed, as indicated by the value of the

Herfindahl-Hirschman index (HHI), which remains above the critical threshold of 2,500 points (see Figure 2.2.16). In particular, over 80% of total revenues with respect to free television is held by RAI, with an increasing share representing approximately half of the total and by the Fininvest/Mediaset group, with a share (although decreasing) estimated around a third of the total, followed by other operators, with shares slightly increasing but significantly lower (between 1% and 4%); i.e. the Discovery group (which airs the free TV channels Nine, Real Time, K2, Frisbee, Dmax, Focus and Yellow), Cairo Communication (publisher of the channels La7 and La7d) and 21st Century Fox/Sky Italia (owner of the free TV channels TV 8, Cielo and Sky TG24). The remaining operators have market shares below 1% and are mainly represented by local publishers.

With regard to pay TV, the sector revenues increased by 3%, amounting to 3.4 billion Euros in 2016. Figure 2.2.17 shows that almost 90% of revenues of Pay TV comes from the sale of television services (pay TV, pay per view), whose amount has been steady since 2011, despite an increasingly rising price index, higher than the general consumer price index (see Figure 2.2.15). Pay TV offers include, in addition to services available on satellite and terrestrial digital platforms, online services

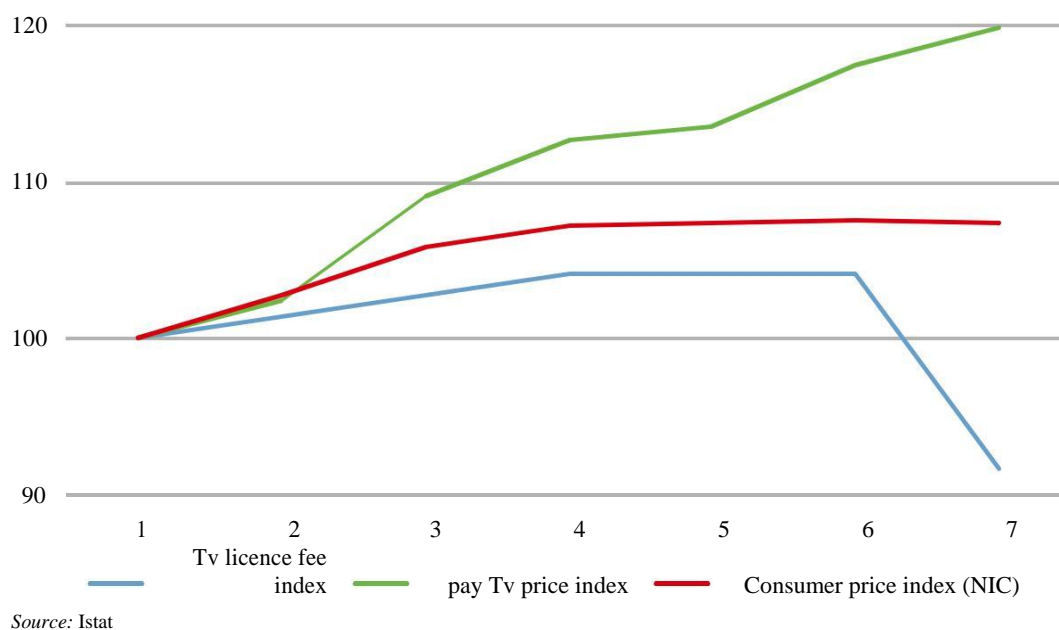


Figure 2.2.15 - Price index of the television sector

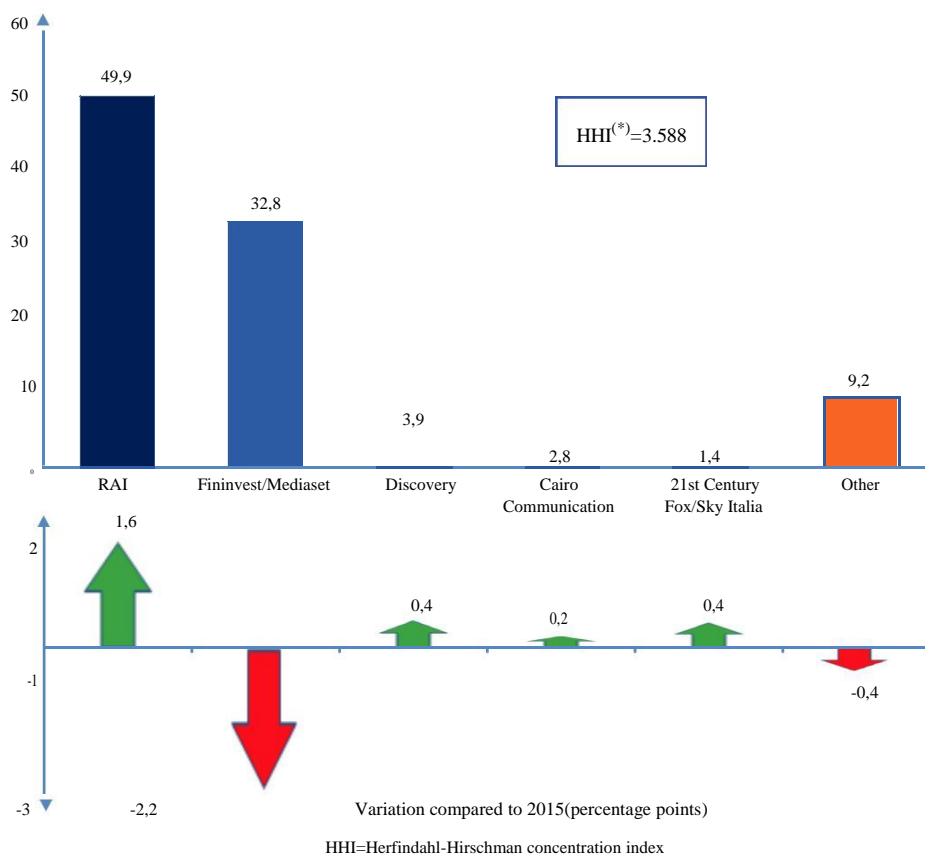


Figure 2.2.16 - Market shares of the main free-TV operators (2016, %)

(including online audio-visual, such as Sky TV, Infinity by Mediaset, Chili, Netflix). On the contrary, revenues from advertising sales remain below 400 million Euros, although growing by 6%.

The degree of concentration related to the pay TV market is usually very high; this is also due to its structure,

which, as already mentioned above, involves a significant amount of fixed and sunk costs (of an endogenous nature), deriving from the production and acquisition of premium content. The concentration index, although falling, remains above 6,000 points. The 21st Century Fox/Sky Italia group, which provides paid TV services accessible through the satellite and online platforms, is by far the first operator

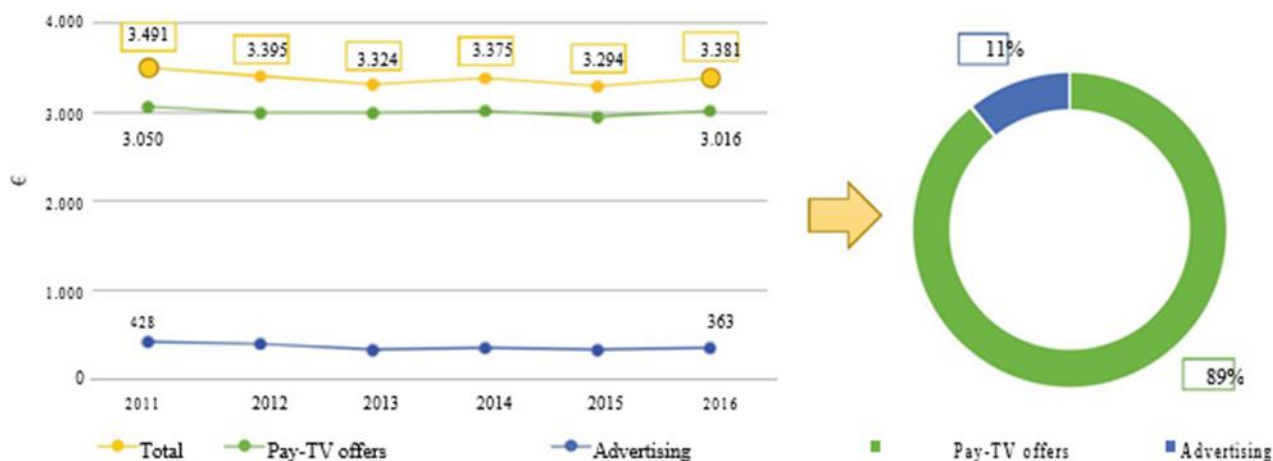


Figure 2.2.17 - Revenues from Pay-TV

with a market share equal to 77%, while the Fininvest/Mediaset group, which provides paid content on the digital terrestrial platform and on the web, occupies the second position, with a much lower share, representing 21%. A number of further broadcasters providing online content also operate in the market.

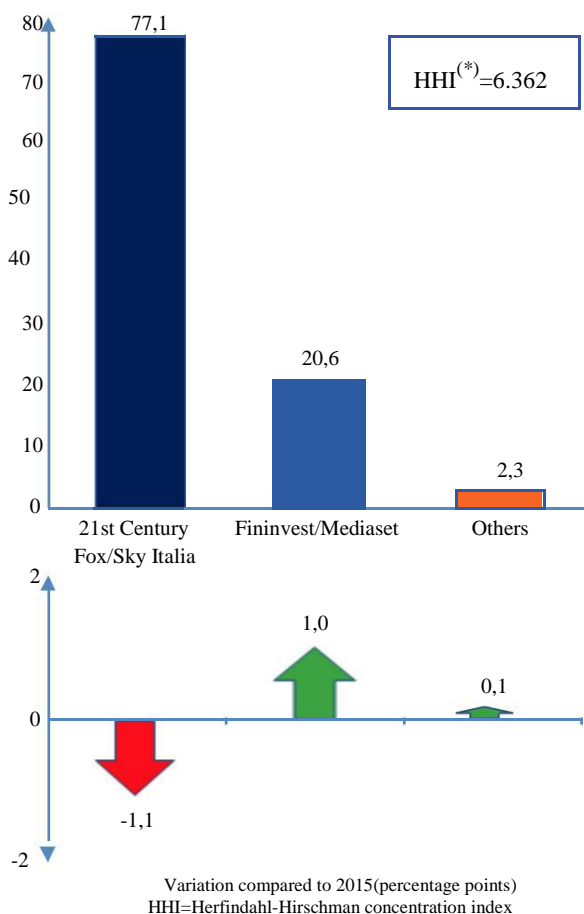
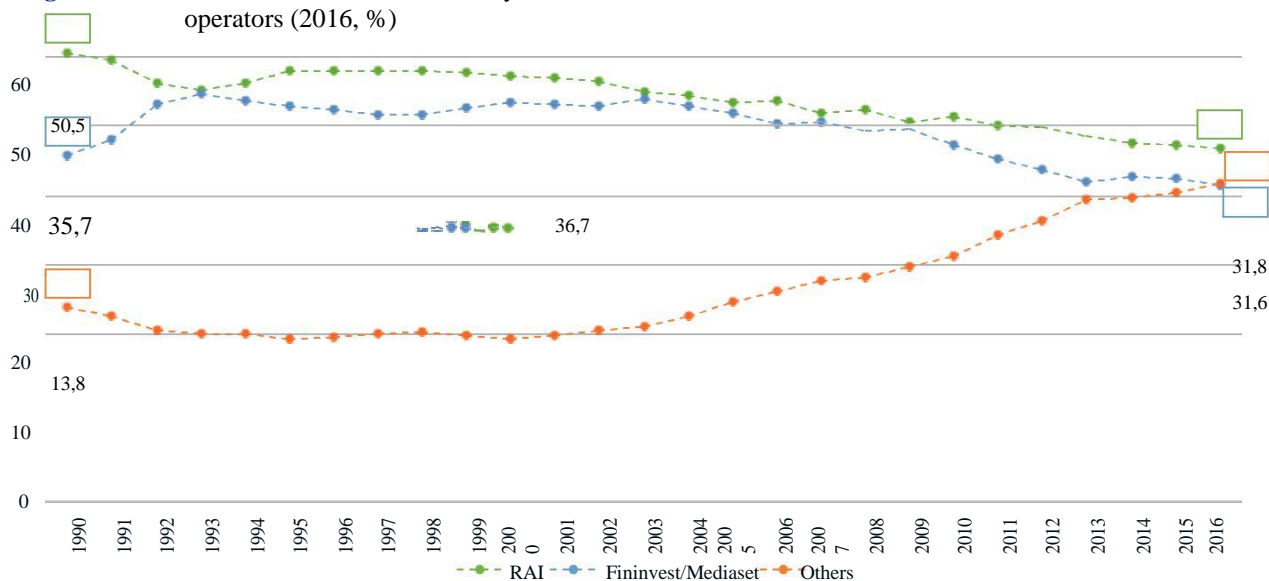


Figure 2.2.18 - Market shares of the main Pay-TV operators (2016, %)



Source: Auditel

Figure 2.2.19 - Television audience shares (1990-2016, %)

In terms of audience, considering both the free and pay TV, the trend concerning the years from 1990 to 2016 shows that RAI's and Mediaset's market shares have always been considerable higher than those of any other operator in the sector (the two groups still have, jointly, a market share representing more than two thirds of the total). However, Figure 2.2.19 shows that, over time, generalist TV audience has been decreasing, while other operators are gaining a larger public, thanks to the offer of thematic or semi-generalist contents, reaching a market share equal to 32% in 2016.

As per other operators, 21st Century Fox7/Sky Italia and Discovery registered good average audience performance, with shares increasing since 2011 and equal, respectively, to 8% and 7% in 2016, while Cairo Communication's audience share, remains almost unchanged, reaching approximately 4% (see Figure 2.2.20).

With respect to information content, by analysing the audience of the main news programs, RAI and Mediaset occupy, once again, the top positions. Again in 2016, TG1 and TG5 continue to be the most followed newscasts, considering both the morning and evening edition, with the TG1 evening programme reaching 5 million viewers in the average day (24% share).



Source: Auditel

Figure 2.2.20 - Annual audience share on average day (%)

One of the most appreciated newscasts is the TGR, the local newscast programme aired on the national channel RaiTre, whose morning edition reaches an average daily audience of approximately 2.4 million listeners.

Finally, the growing importance of the television news report aired by the channel La7 should be underlined, whose evening edition has a greater audience than the newscasts aired by the channels Rete 4 and Italia 1.

Table 2.2.1 - Main newscasts' audience

Channel	Newscast	Edition	2014		2015		2016	
			Share (%)	Average audience (.000)	Share (%)	Average audience (.000)	Share (%)	Average audience (.000)
RAIUNO	TG1	Day	23,0	3.972	22,8	3.847	22,2	3.570
RAIDUE	TG2	Day	16,6	2.641	16,7	2.619	16,0	2.360
RAITRE	TG3	Day	10,1	988	10,0	997	9,7	889
RAITRE	TGR	Day	16,8	2.857	15,8	2.620	14,7	2.373
RETE 4	TG4	Day	6,9	494	6,4	471	5,4	369
CANALE 5	TG5	Day	19,2	3.098	19,0	3.018	19,4	2.892
ITALIA 1	STUDIO APERTO	Day	16,0	2.061	14,5	1.841	13,3	1.558
LA7	TG LA7	Day	3,8	655	3,3	556	3,3	532
RAIUNO	TG1	Evening	23,8	5.302	24,7	5.424	24,0	5.061
RAIDUE	TG2	Evening	8,5	2.025	8,4	1.959	8,1	1.852
RAITRE	TG3	Evening	10,6	1.781	10,4	1.741	10,0	1.566
RAITRE	TGR	Evening	12,5	2.487	12,3	2.414	11,4	2.135
RETE 4	TG4	Evening	4,5	762	4,4	726	3,6	556
CANALE 5	TG5	Evening	19,4	4.351	18,2	4.054	18,5	3.953
ITALIA 1	STUDIO APERTO	Evening	7,0	962	6,0	843	5,0	692
LA7	TG LA7	Evening	5,7	1.291	5,1	1.119	5,4	1.150

Source: Auditel - Nielsen

Table 2.2.2 - All news channels' audience

Channel	Edition	2014		2015		2016	
		Share (%)	Average audience (.000)	Share (%)	Average audience (.000)	Share (%)	Average audience (.000)
SKY TG24	21st Century Fox (Sky Italia)	0,34	35,66	0,40	40,98	0,56	55,86
RAI NEWS 24	RAI	0,57	58,99	0,52	53,87	0,51	51,22
TGCOM 24	Fininvest/Mediaset (R.T.I.)	0,27	28,42	0,31	32,40	0,28	28,40

The data referring to Sky TG24, for the years 2014 and 2015, relates only to the satellite platform, as the audience measurement for this channel, which has been aired on the digital terrestrial platform since 2015, started to be registered for both platform only in 2016.

Source: Auditel

RAI, Fininvest/Mediaset (via R.T.I.) and 21st Century Fox/Sky Italia also broadcast TV channels entirely dedicated to information (the so-called all news channels), which in 2016 registered audience shares ranging from 0.28% for TGCOM 24 to 0.51% for RAI News 24, up to 0.56% for Sky TG24. The latter, therefore, appears to have registered the highest average daily audience (55,860) in 2016, when, for the first time, , in addition to the satellite platform, the survey also took into account the audience of the channel aired on the digital terrestrial platform (on which it has been broadcast since 2015).

Radio

Radio represents, after television, the second most accessed means of communications, with an average daily penetration rate equal to 52% of the population and an average weekly penetration rate up to 88% (source: Eurisko 2016). Radio content continues to be available to listeners for free and, as a consequence, advertising sales are the main form of financing, representing approximately 80% of total revenues, more than four times higher than the second source of financing, i.e. the licence fee of the public broadcasting service.

One of the most distinctive features of radio is mobile reception; innovative technologies and new tools now accompany this feature, which already characterizes analogue broadcasts. The transition to digital technology (still ongoing as regards the transmission through digital DAB + and DMB techniques, but already consolidated as regards web retransmission) did not lead to radical changes in content, even though the emergence of new platforms has developed

greater thematic coverage (video content linked to radio broadcasts as well as specific and on demand services offered on the Internet).

A further specific feature of radio involves its use, which is different but complementary to that of other means, since it can be used together with other means of communications and because the listening may occur in moments and places (such as, car trips) during which the use of other means, including television, is not possible. In this regard, it should be noted that radio's audience share is often higher than television. With respect to this, the complementary nature of radio determines the existence of an integrated offer, provided by national broadcasters operating both in the radio and television market (RAI and Fininvest, above all).

On the supply side, the Italian radio market has always been characterized by a high fragmentation, with operators having a different geographical coverage, which ranges from provincial and local areas up to the entire national territory. In particular, the local radio offer is characterized by a large number of broadcasters but only few of them are able to reach significant audience shares. Local broadcasters' audience ranges from municipal to inter-regional coverage while national broadcasters include large multimedia publishing groups, active in several media markets, and vertically integrated also in terms of advertising sales (including, besides RAI and Fininvest, Gruppo Editoriale

L'Espresso and Gruppo 24 Ore). Further independents broadcasters may be identified, such as RTL 102,500, Radio Dimensione Suono, Radio Italia and Radio Kiss Kiss. However, only RTL and Radio Dimensione Suono are concession-holders, while Radio Italia and Radio Kiss Kiss entrust their advertising sales activities to external companies.

In this context, the concentration processes which have profoundly changed the structure of the national market assume particular importance as they led the Authority to initiate a procedure aimed at identifying relevant markets and verifying the presence of dominant positions that may jeopardise pluralism in the radio sector, pursuant to Article 43, paragraph 2 of the Consolidated Act⁶⁹.

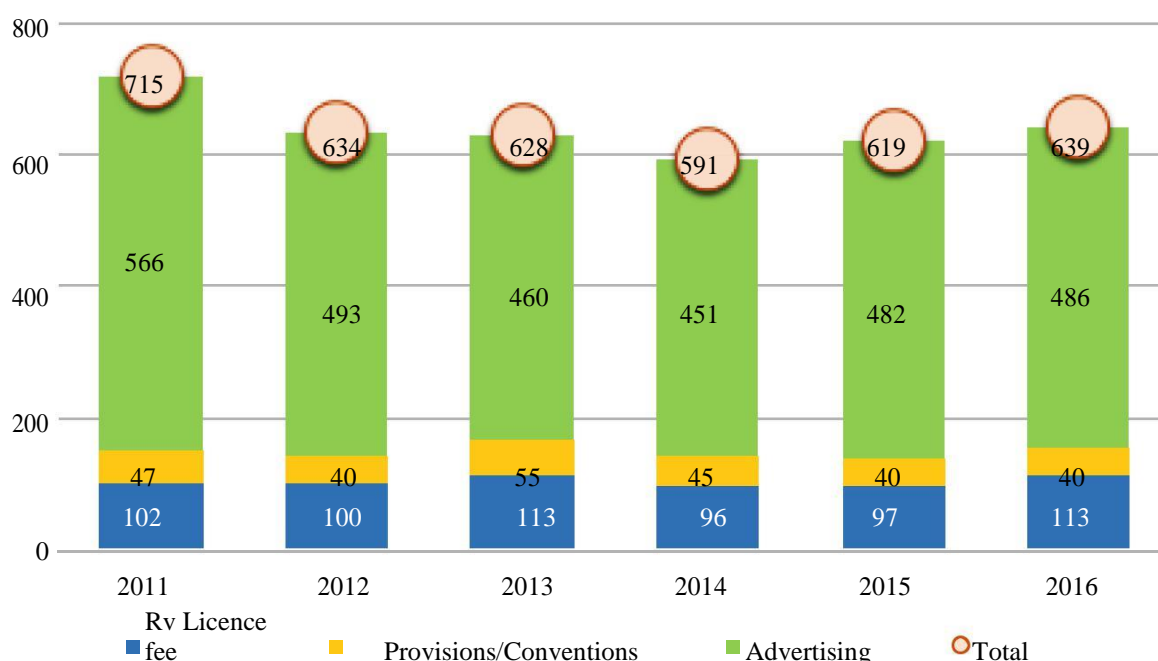
In particular, it should be noted that the Fininvest group acquired sole control of the Finelco group (except for RMC) in 2016 via R.T.I. - Italian Television Networks,

following the authorization approved by the Italian Competition Authority (Autorità garante della concorrenza e del mercato)⁷⁰.

As regards market structure, the consolidation operation carried out by the Fininvest group led to an increase in the degree of concentration in the sector, as indicated by the increase in the HHI index, which rose from 989 to 1,083 points, but remaining below 2,500 points.

In terms of economic resources, it can be observed that, in 2016, radio financing sources have grown. More specifically, revenues from advertising slightly increased (about 1%), accounting for a total of

486 million Euros. Public resources deriving from the collection of the licence fee also show a significant increase of more than 16% (see Figure 2.2.21).



Radio revenues from collection of the licence fee were calculated by applying to the total amount of the radio and television license fee a percentage equal to the share of the direct costs attributed to this activity on the total direct costs of the public service (the so-called aggregate A of RAI's separate accountings). In particular, with regard to the value of the fee related to the years 2015 and 2016, calculations were made by referring to the separate RAI 2015 accounting.

Figure 2.2.21 - Total radio revenues according to type (mln €)

⁶⁹ See resolution no. 687/15/CONS, on the "Initiation of the procedure for the identification and definition of relevant market and the verification of dominance otherwise harmful positions to pluralism in the radio sector, pursuant to Article 43 paragraph 2 of Law Decree no. 177 of 31 July 2005".

⁷⁰ AGCM, C12017 – Reti Televisive Italiane / Gruppo Finelco.

RAI, concessionary of the public broadcasting service, remains the main operator for the year 2016, reaching a market share of approximately a quarter of the sector (see Figure 2.2.22), followed by the Fininvest group, with a market share of 13%, rising to the second place thanks to the abovementioned merger operation⁷¹. Gruppo Editoriale L'Espresso maintains its position unchanged, holding a stake close to 10%. RTL 102,500 and Radio Dimensione Suono, the first national radio stations that are not part of multimedia groups, show a fairly stable or slightly increasing trend, presenting shares equal to about 9% and 7% respectively. The remaining part of the market is represented by some national operators (in particular Radio Italia and Il Sole 24 ore) and a large number of local broadcasters

active throughout the national territory that collect, overall, about a quarter of the resources.

Finally, with regard to audience shares, the analysis of the audience related to the main national radio stations (Table 2.2.23) shows that most users listen to commercial broadcasters. Radio stations that focus on information material, such as Radio 1 and Radio 24, remain stable at the sixth and ninth places of the national ranking.

Following the acquisition of Finelco, the Fininvest group can count on the audience share of several broadcasters with a wide and varied list of listeners. In particular, both Radio 105 and Radio 101 go up two positions, reaching respectively the third and the eleventh place of the ranking.

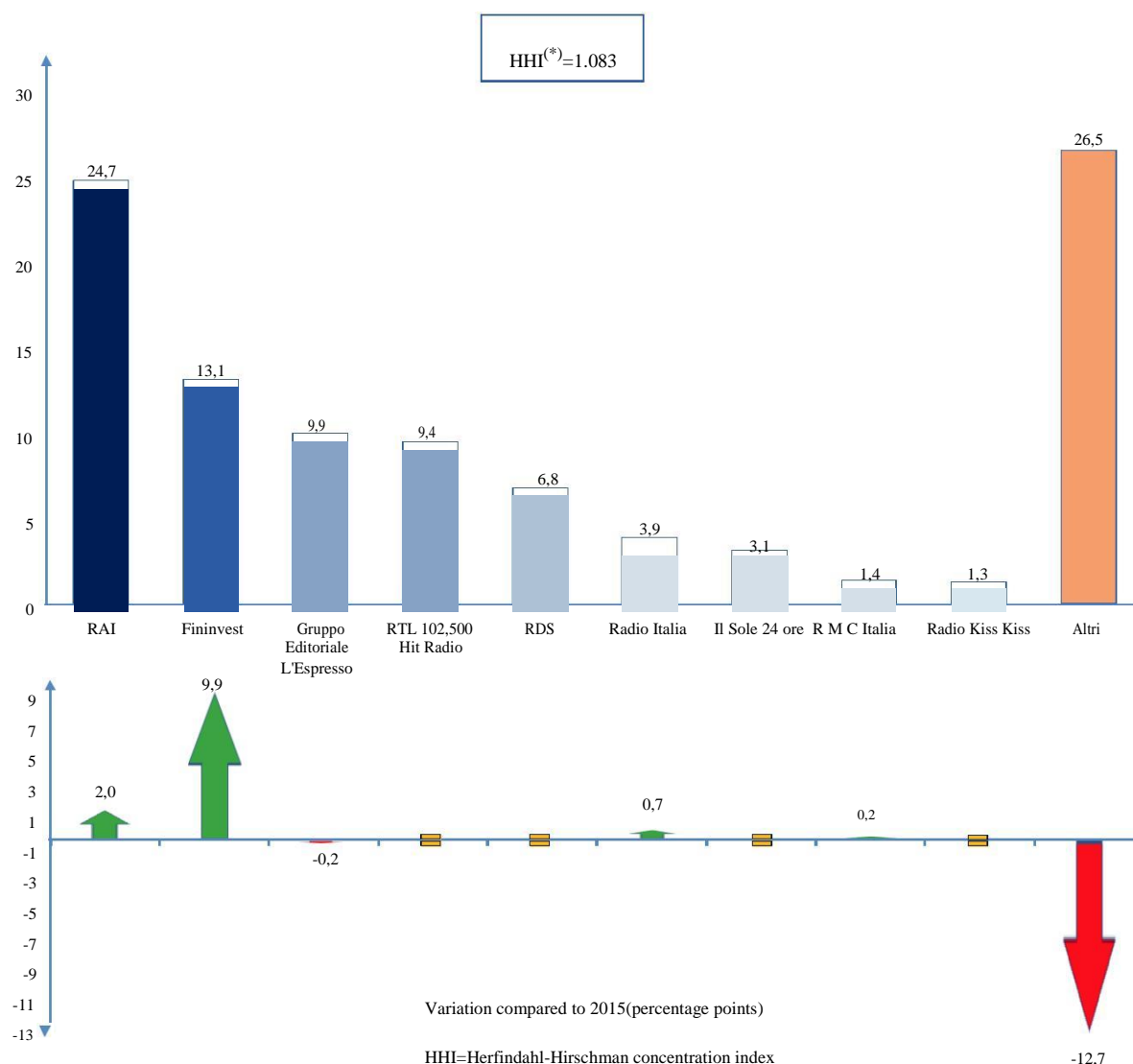

















Figure 2.2.22 - Market shares of the main radio broadcasters (%)

⁷¹ Fininvest's market share is calculated on the basis of an estimate which attributes to the group the revenues of the companies acquired following the merger with the Finelco Group for all the year 2016, although the transaction took effect from 1 July 2016.

Table 2.2.3 - Audience shares of the main national radio stations (2016)

Rank 2016	Difference vs. rank 2015	Group	Broadcaster	% Audience Average day
1		RTL 102,500 HIT RADIO	RTL 102.5	19,6
2		Gruppo Editoriale L'Espresso	RADIO DEEJAY	13,4
3		Fininvest/Mediaset	Radio 105	13,3
4		Radio Dimensione Suono	RDS Radio Dimensione Suono	13,3
5		Radio Italia	RADIO ITALIA Solomusicaitaliana	12,4
6		RAI	Rai Radio 1	11,6
7		RAI	Rai Radio 2	8,4
8		Fininvest/Mediaset	Virgin Radio	6,7
9		Gruppo 24 Ore	Radio 24 - Il Sole 24 Ore	5,7
10		Radio Kiss Kiss	Radio Kiss Kiss	5,5
11		Fininvest/Mediaset	Radio R101	4,9
12		Gruppo Editoriale L'Espresso	Radio Capital	4,6
13		Gruppo Editoriale L'Espresso	M2O	4,4
14		RAI	Rai Radio 3	4,0
15		R M C Italia	RMC - Radio Montecarlo	3,3

Source: dati Gfk Eurisko, Radiomonitor 2016

Radio DeeJay's audience share also appear to grow while Radio Italia, RDS and M2O show a decline. The other national radios remain fairly stable.

Finally, it should be considered that in some geographical areas, local broadcasters get equal to or even greater audience shares than those of national radio stations. Moreover, the coverage of the national territory is guaranteed by a very high number of local broadcasters, so much so that in some provinces there may be up to 70 radio stations.

Daily newspapers

Newspapers continue to show the structural decline that has been observed in the last few years, and the press is the sector that shows the greatest signs of suffering (see Figure 2.2.23). From an economic

point of view, total revenues contracted by 6.6%, with a greater reduction in advertising revenues (-7.7%) compared to those deriving from the sale of printed copies, including add-on sales (-6%), assuming that contributions and provisions remain unchanged⁷².

Given the strong reduction in advertising revenues, a decline in the incidence of revenues from advertising sales in the press can be observed; as a result, revenues deriving from consumers became the main source of financing. However, the Italian population tend to use this information tool less and less, as shown by the exposure rate to newspapers, which registers a daily average of approximately 28% while the weekly average remains below 50% (49.2%) (source: Eurisko 2016).

⁷² It should be specified that, in order to correctly attribute revenues to the relevant reference markets, advertising sales only refer to paper products; the advertising revenues from websites and online advertising will be described in the next paragraph (infra). Revenues deriving from the users refer, instead, to revenues resulting from the sale of printed copies and those deriving from add-on sales of all types.

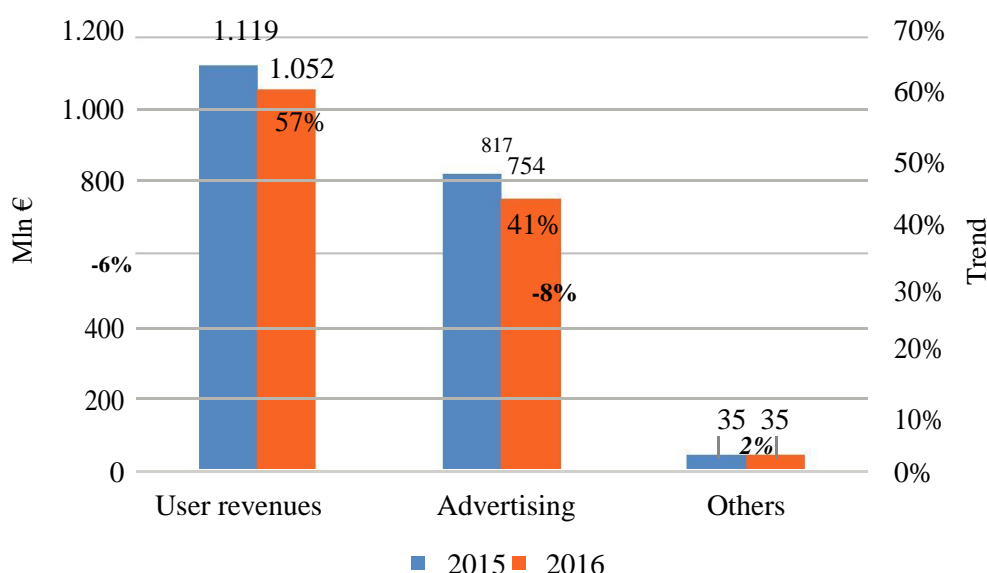


Figure 2.2.23 - Revenues: rate, trend and changes 2016 compared to 2015

It is important to underline the sharp decrease in the sales of paper copies, which have been experiencing a continuous decline over the last years, falling by 43% in the five-year period 2011-2016 (see Figure 2.2.24). Moreover, it should be also noted that publishers find it difficult to succeed in the digital transition: in fact, digital copies, which make up about 12% of total copies sold, represent only 6% of total revenues, since the ratio between the average unit profit of digital and hard copies is still very low and accounts for 0.42 percentage points.

Furthermore, there is not an exact market definition of what a digital copy should be, especially in relation to the sale of multiple digital copies.

This has led to problems of detection and certification of the market, an aspect on which the Authority focused in the cognitive survey conducted on audience (see section 1.3).

In order to limit the loss in revenues deriving from the sale of newspaper copies (paper and digital), publishers increased the price of hard copies (see Figure 2.2.25), a strategy that led, however, to a general declining trend in revenues, resulting from the sharp fall in volumes as described above.

The publishing sector is undergoing a significant consolidation process, like never before. More specifically,

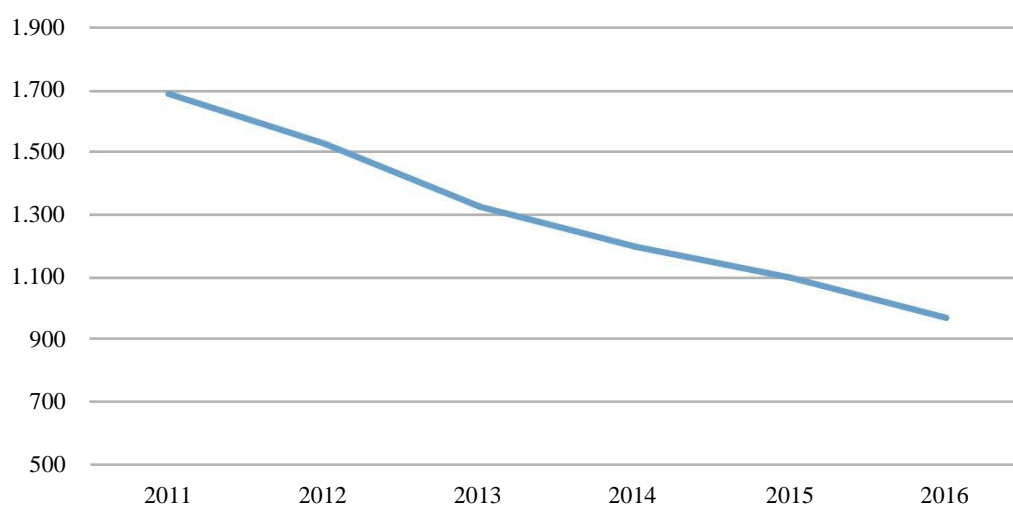


Figure 2.2.24 - Changes in sales of printed newspapers (millions of copies)

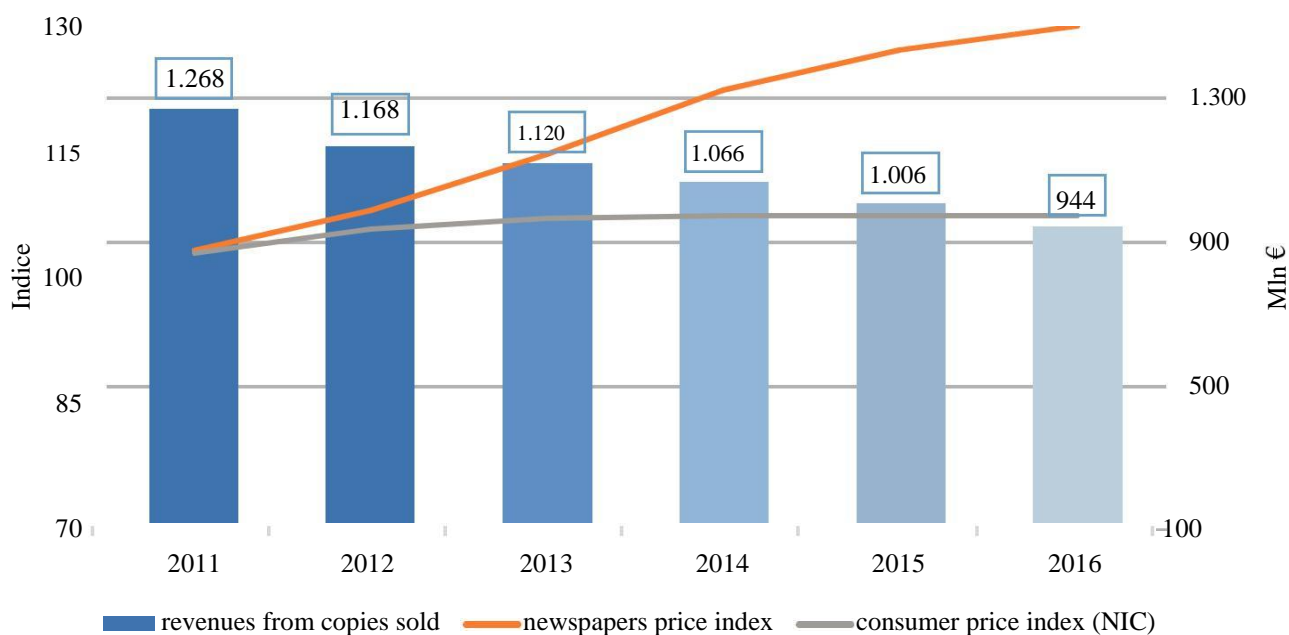


Figure 2.2.25 - Average sales trends of printed and digital daily newspapers and price index of printed daily newspapers

over the last year, the daily and periodical press sector has been affected by two important merger operations.

The first one concerned the acquisition, by Cairo Communication (hereinafter also Cairo), of the control of RCS Mediagroup (hereinafter also RCS), a publishing company belonging to Corriere della Sera and Gazzetta dello Sport. Thanks to the second merger operation, whose closing was announced for the end of June 2017, Itedi, a publishing company held by the newspaper La Stampa, entered into L'Espresso Publishing Group (hereinafter also GELE), together with the newspapers Secolo XIX and Avvisatore Marittimo, which were added to the group last year.

With regard to the first transaction, Cairo Communication launched a voluntary public offer for the purchase or exchange of all RCS Mediagroup ordinary shares. At the end of the subscription period, on 15 July 2016, RCS shares representing 48.82% of the share capital of RCS, were tendered in response to the offer. As provided for by current legislation, further RCS shares, representing 10.87% of the share capital of RCS, were tendered to the offer. According to the update received by CONSOB as of 20 April 2017, the Cairo group holds a total of 59.83% of the share capital of RCS Mediagroup.

Thanks to the acquisition of control of RCS, Cairo Communication became a multimedia publishing group, with a high diversification of products, including newspapers, magazines, television and web services. In 2016, all publications directly or indirectly related to RCS Mediagroup sold 187 million paper copies and 33 million digital copies. With respect to magazines, the 69 periodicals published directly by RCS Mediagroup now join the 21 publications distributed by Cairo Editore S.p.A, amounting to 202 million paper copies sold in 2015.

As for the second transaction, on 30 July 2016 Gruppo Editoriale L'Espresso and Itedi, in compliance with the memorandum of understanding subscribed by the parties, entered into the framework agreement on the merger between the two companies aimed at creating a new Publishing Group. Such operation requires FCA and Ital Press to transfer 100% of their Itedi shares to GELE, in the light of the relative capital increase, approved on 27 April 2017 by the extraordinary shareholders' meeting of L'Espresso Group. Upon completion of the transaction, CIR Spa will hold 43.40% of the share capital of the new Group, while FCA and Ital press will hold 14.63% and 4.37%, respectively. The parent company whose name was changed to

GEDI Gruppo Editoriale S.p.A." will control 16 daily newspapers whose sales volumes in 2016 amounted to 228 million paper copies and 31 million digital copies.

An analysis of the sector, considering the data in terms of volume declared by the companies for 2016 when the GEDI transaction just described was not yet completed, shows the leadership of the Cairo Group, followed by L'Espresso publishing group, which reduced its market share compared to the previous year also due, among other things, to the divestments made to avoid exceeding the 20% limit applying to the number of print-runs⁷³ of newspapers with respect to the total number of copies of Italian newspapers.

In fact, as part of the deconsolidation plan aimed at guaranteeing compliance with the thresholds of print-runs provided for in art. 3, paragraph 1, letter a) of Law no. 416/1981, as amended by Law no. 67/1987, L'Espresso Publishing Group informed the Authority of the sale, in 2016, of five publications.

Finegil Editoriale SpA, GELE's subsidiary, entered into various delivery and transfer agreements in relation to several publications, including "La Città" and "Il Centro", while, as for the publications "Trentino" and "Alto Adige", Finegil sold the entire shareholding held by the SETA SpA publishing company. Finally, with respect to the newspaper "La Nuova Sardegna", Finegil signed a lease agreement whose effective date shall be 1 December 2016.

As shown in Table 2.2.4, which indicates the total number of print-runs circulation of L'Espresso Publishing Group over the past year, the Group represents 15.33% of the total, according to the data provided. Due to the aforementioned divestments, which took place in 2016 and amounting to approximately 1.81%, the Group represents 13.52% of the national print-runs, according to the information provided.

Table 2.2.4 - Newspapers belonging to Gruppo Editoriale L'Espresso (2016)

Newspaper	Area	Circulation	% national circulation
La Repubblica	Centre	121.269.757	7,48%
Il Tirreno	Centre	20.419.857	1,26%
Messaggero Veneto	North-east	17.898.080	1,10%
La Nuova Sardegna	South	14.552.972	0,90%
Il Piccolo	North-east	10.499.164	0,65%
Il Mattino di Padova	North-east	9.258.018	0,57%
Gazzetta di Mantova	North-west	8.846.691	0,55%
Alto Adige/Trentino	North-east	6.735.466	0,42%
La Provincia Pavese	North-west	6.020.769	0,37%
Il Centro	Centre	5.907.086	0,36%
La Nuova di Venezia e Mestre	North-east	5.682.436	0,35%
La Tribuna di Treviso	North-east	5.645.183	0,35%
Gazzetta di Reggio	North-east	4.251.850	0,26%
Nuova Gazzetta di Modena	North-east	3.808.174	0,23%
La Nuova Ferrara	North-east	3.269.300	0,20%
Il Corriere delle Alpi	North-east	2.382.038	0,15%
La Città	South	2.129.550	0,13%
Total pre-divestments			15,33%
Total publications disposed			-1,81%
Total net divestments			13,52%

⁷³ For more information and for the complete data relating to the circulation of all daily newspapers, please refer to the data published on the website www.agcom.it

As a result of this, L'Espresso Group now occupies the second place of the national ranking, leaving the first place to Cairo-RCS, which represents over 16%, followed by the Caltagirone group, with volumes (almost 9%) higher than its turnover (see Figure 2.2.26), while the remaining operators stand decidedly below 10%.

In relation to the effects of the merger by incorporation of Itedi with GELE, which

is expected to be finalized by the end of June, the portion of the printing runs attributable to the company to be merged is shown in 2016 (see Table 2.2.5).

Therefore, by considering the number of net print runs, calculated from the reports sent to the Authority pursuant to Resolution no. 163/16/CONS, following the merger by acquisition of Itedi, the GEDI group would have a market share equal to 19,88%⁷⁴ in 2016.

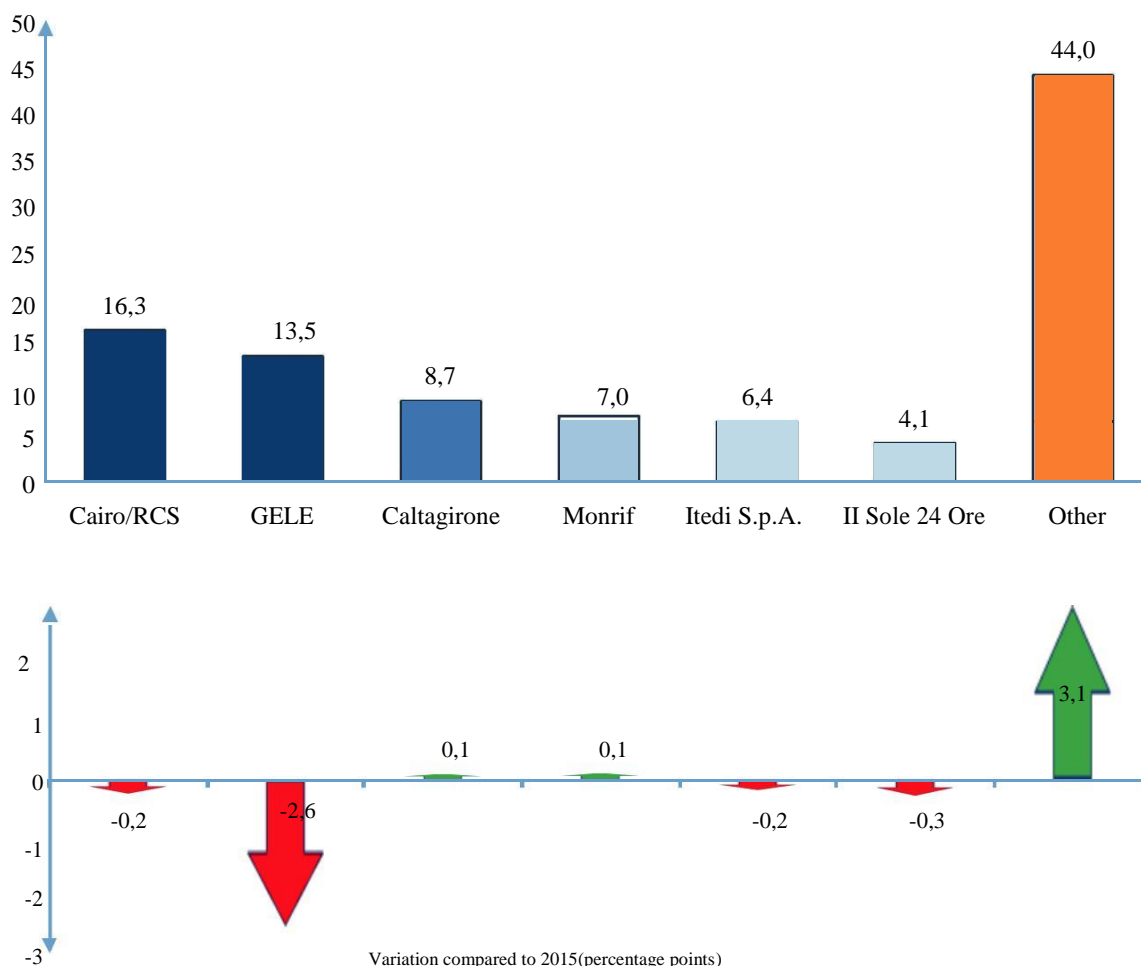


Figure 2.2.26 - Market shares by volume (2016, %)

Tabella 2.2.5 - Testate di Itedi

Newspaper	Area	Circulation	% national circulation
La Stampa	Nord-ovest	83.428.680	5,14%
Il Secolo XIX	Nord-ovest	19.646.015	1,21%
Avvisatore Marittimo	Nord-ovest	143.235	0,01%
Total			6,36%

⁷⁴ It should be noted that these market shares, as already pointed out by the Authority, are assuming less and less value due to the digital evolution and may even provide incorrect signals, since they can no longer be considered as a meaningful indicator.

In terms of revenues, an analysis of such value will be carried out next year, as the merger operation is expected to be completed in 2017.

The ranking of the major operators by turnover – before the merger operation related to the GEDI group – highlights some differences compared to the ranking by volumes, but there are no significant changes compared to the previous year, not even in terms of concentration index. The first place, in terms of revenues, is occupied by Gruppo Editoriale L'Espresso, followed by Cairo-RCS, with a few percentage points' difference; they both represent approximately 20% of the market, while the remaining operators have market shares lower than 8% .

The concentration process underway will probably produce an increase in the HHI index which, indeed, is not expected to exceed the threshold related to a moderately concentrated sector; this is also due to the very

nature of the publishing sector, which comprises, alongside large media groups, medium-sized publishers, including Monrif and Corriere dello Sport, which registered an increase in terms of revenues in 2016, as well as medium and small-sized publishers that play an important role in the local information system (Figure 2.2.27).

Even though the publishing sector is the most hard-hit by the crisis, daily newspapers remain the most important market segment in terms of information production, especially at local level.

As previously mentioned, according to data of the Observatory on journalism 2016 (see also Figure 2.2.8), most Italian journalists work for a periodical or for a newspaper (in the paper and/or online version) (42.8% and 41.7% respectively).

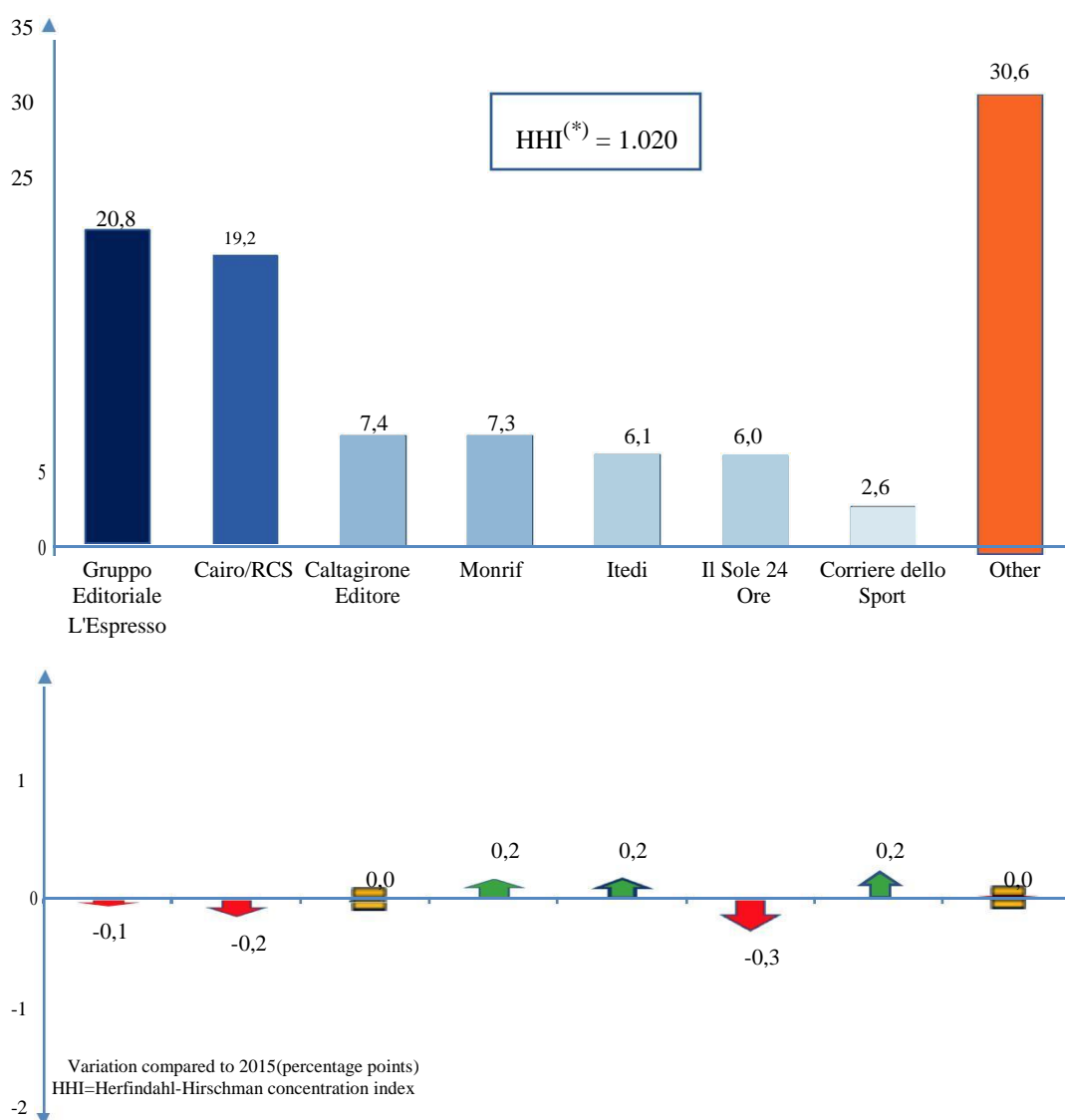


Figure 2.2.27 - Market shares by value (2016, %)

Moreover, the majority of journalists working for a newspaper is hired as an employee, while journalists working for new information media, such as online newspapers, often have one-off contracts (70%).

In this context, Law no. 198/2016 on information, aimed at providing financial support to online newspapers, sets out new requirements for their identification such as, among others, the production of information, the publication of informative content mainly on the Internet, the presence of different elements compared to the printed version, frequent updates and activities different from the provision of mere news aggregation services.

The Authority, in light of the new legislation, will carry out, in collaboration with the Association of online newspapers (ANSO), a specific monitoring of online newspapers, aimed at verifying the evolution of this segment of the information sector.

Internet (online advertising)

The online advertising sector has been characterized by a rapid evolution and, starting from 1993 – when the first online advertising message was published⁷⁵ – it has been affected by profound changes, closely linked to technological developments and to the new possibilities offered by the Internet. Such changes, together with the introduction of new targeted advertising formats, led to a new balance between demand and supply, with the consequent transformation of dominant business models and the proliferation of online advertising intermediation operators.

As already pointed out by the Authority, access to and use by consumers of mobile devices and related applications, aimed at improving the functionality of their devices, saw an increase in recent years. This trend in consumption has led to inevitable consequences in terms of advertising and, in particular, in the technologies and features used to sell advertisements through mobile apps. By analysing the worldwide distribution of investments in online advertising by type of device in the last five years, it is possible to observe that investment in mobile devices increased, when compared to advertising delivered through desktops, rising from 25% in 2014 to an estimated 42% in 2016⁷⁶.

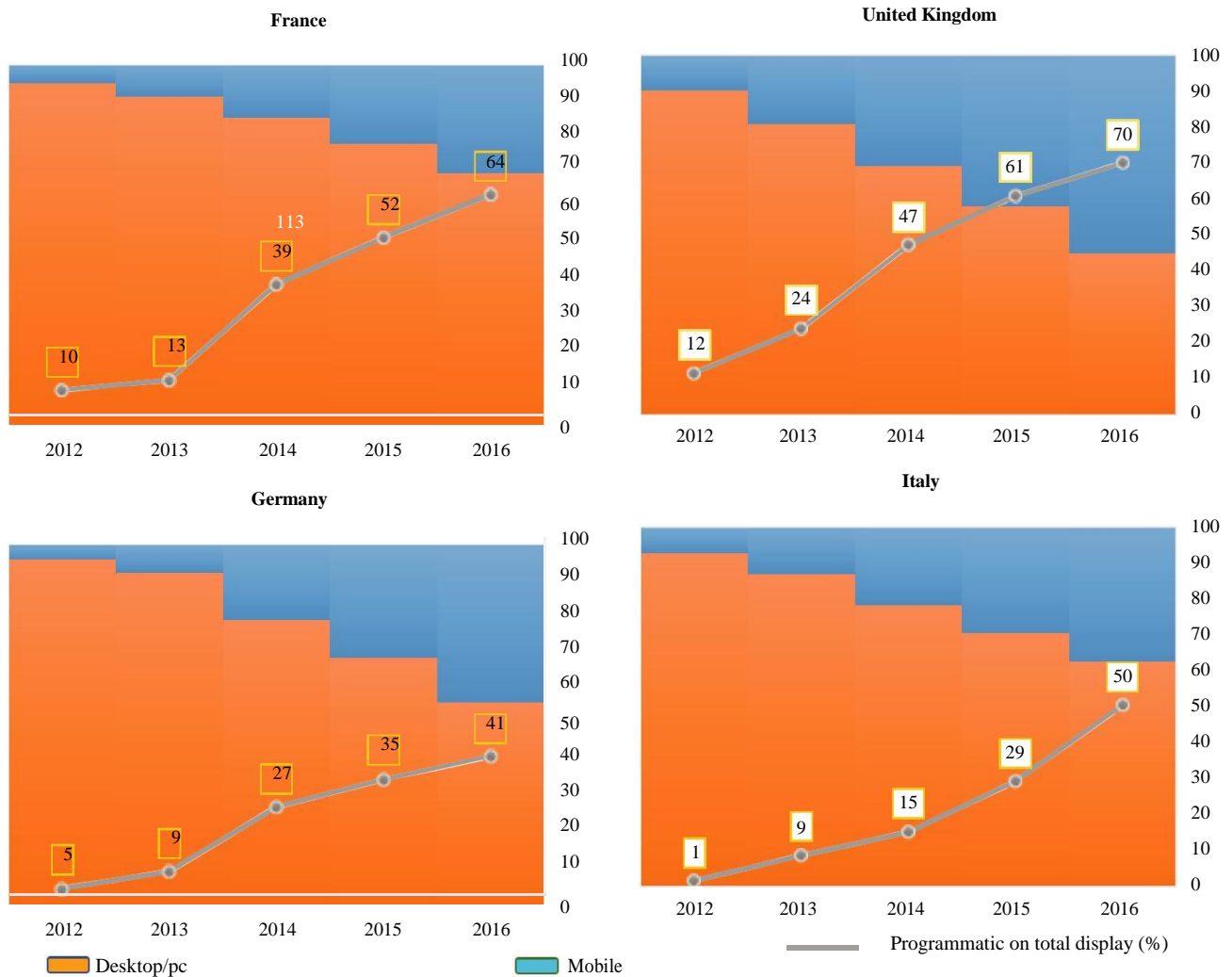
In the US, revenues from advertising on mobile devices in 2016 were, for the first time, higher than revenues from desktop advertising, representing 51% of total resources⁷⁷. Analogous developments have been observed in the main European countries with similar socio-demographic characteristics, where online advertising on mobile devices has grown in the period 2012-2016, although unevenly distributed, accounting for more than 30% (see Figure 2.2.28).

In this regard, it should be noted that display advertising delivered through mobile applications is different from traditional display advertising (delivered through an Internet browser) because of the use of tracking and user profiling techniques that are not always based on cookie technologies (which, on the other hand, characterize the tracking methods used by Internet browsers and PCs) and because mobile applications tend to quickly lose their popularity among users (while the ranking of the websites most frequently visited from fixed devices or via browsing is more stable).

⁷⁵ In 1993, the platform Global Network Navigator sells the first online advertising message to a Silicon Valley-based law firm. See J. C. González, F. Mochón, “Operating an advertising programmatic buying platform: a case study” in *International Journal of Interactive Multimedia and Artificial Intelligence*, 2016, vol. 3, no. 6.

⁷⁶ Emarketer, “Digital ad spending share worldwide, by device, 2014-2020 (% of total)”, December 2016.

⁷⁷ PwC/IAB, “IAB Internet advertising revenue report, 2016 full year results”, April 2017, pp. 11-12.



Source: eMarketer, aprile 2017

Figure 2.2.28 - Online advertising sales model

These are the distinguished features of mobile advertisement compared to other forms of online advertising⁷⁸.

Over the last few years, automated sale mechanisms of display advertising have rapidly taken root and have become increasingly similar to search advertising (such as, real time bidding); however, the main sale procedure implied the establishment of a direct relationship (and negotiation) between investors/media centres and publishing companies of websites (based on cookies and on the identification of the most popular websites). The development of mobile

app advertising has promoted the spread of a display advertising sales models that is progressively taking root in video advertising, too. Such sales model is programmatic advertising where the direct connection between supply and demand, which implies that the advertiser buys the inventory directly or from the publisher, through the media-centre, is now replaced by the use of software and automatic platforms for the trade of online advertising, which, by using ad exchanges, match supply and demand, ensuring a customization of the advertising message conveyed to the user, in a particular moment and in a specific context.

⁷⁸ See A. Mukherjee, R. P. Sundarraj, K. Dutta, "An online algorithm for programmatic advertisement placement in supply side platform of mobile advertisement", 2015, PACIS 2015 Proceedings, paper 38.

This appears to be the evolution of real time bidding (RTB)⁷⁹ that combines auction mechanisms and pre-negotiation agreements (programmatic deals) on specific aspects, which are later processed and optimized through the platforms⁸⁰.

The European countries' benchmark shows this clearly (see Figure 2.2.28): the growth of mobile online advertising spending (blue area) is accompanied by a rise in the use of the programmatic advertising model applied to display advertising. In Germany, for the year 2016, 41% of total display advertising was sold by using the programmatic sales model while the remaining Countries registered higher values (70% in Great Britain) thus confirming that such sales method mainly involves advertisements delivered on mobile devices.

The increasing development of new ways of selling online advertising does not entail, however, the disappearance of the sales models that originally characterized the web. Investors (advertising

concessionaires and/or media centres) may directly buy and negotiate the price of advertisements or, at the same time, they may decide to use ad networks to purchase the advertising inventory made available by publishers, as well as choose to purchase targeted advertising messages through ad exchanges, which identify, through real time auctions, the most appropriate websites for placing advertisement (see Figure 2.2.29). In this case, it can be observed how, in terms of demand, some advertisers or agencies have developed proprietary trading platforms while others have joined demand side platforms (DSP); on the supply side, some publishers are able to access directly ad exchange platforms, while others use the supply side platform (SSP) services. In addition to this, the online advertising sector is also characterized by the presence of ad server platforms (which place advertisement on publishers' websites according to specific targets and investment levels established by the investor) and data management platforms or DMP (data warehouse platforms that store and process information on users, by gender, age, place, preferences, etc., useful to provide targeted advertising campaigns).

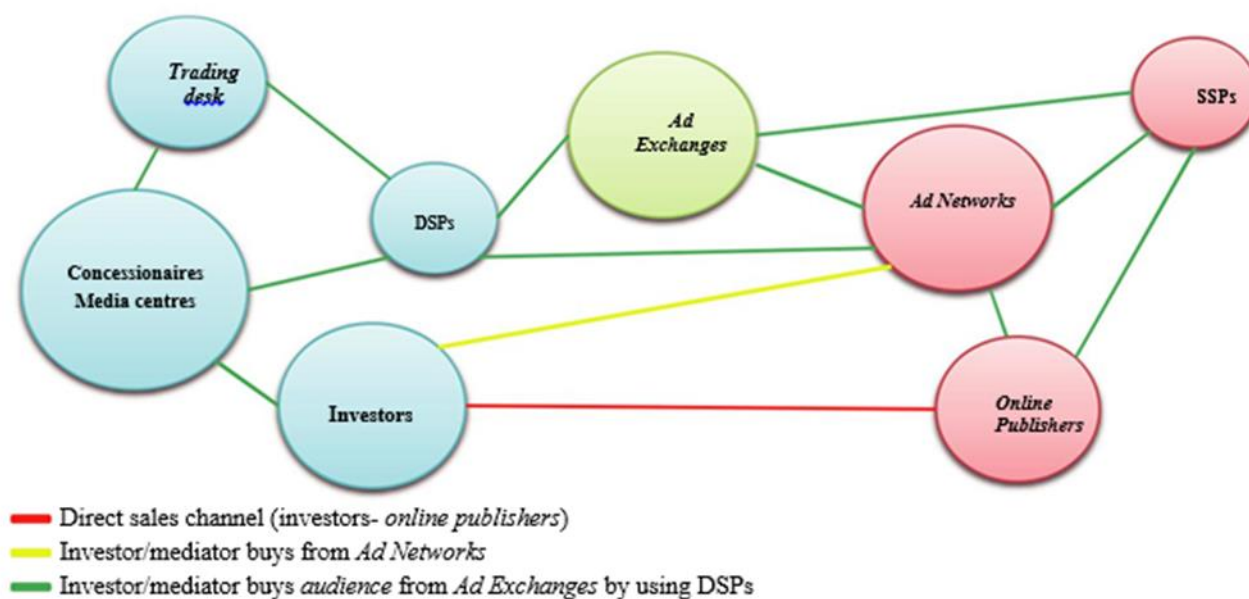


Figure 2.2.29 - Online advertising sales model

⁷⁹ See resolution no. 19/14/CONS, on "Closure of the survey on the Internet services and online advertising sector, launched with resolution no. 39/13 / CONS".

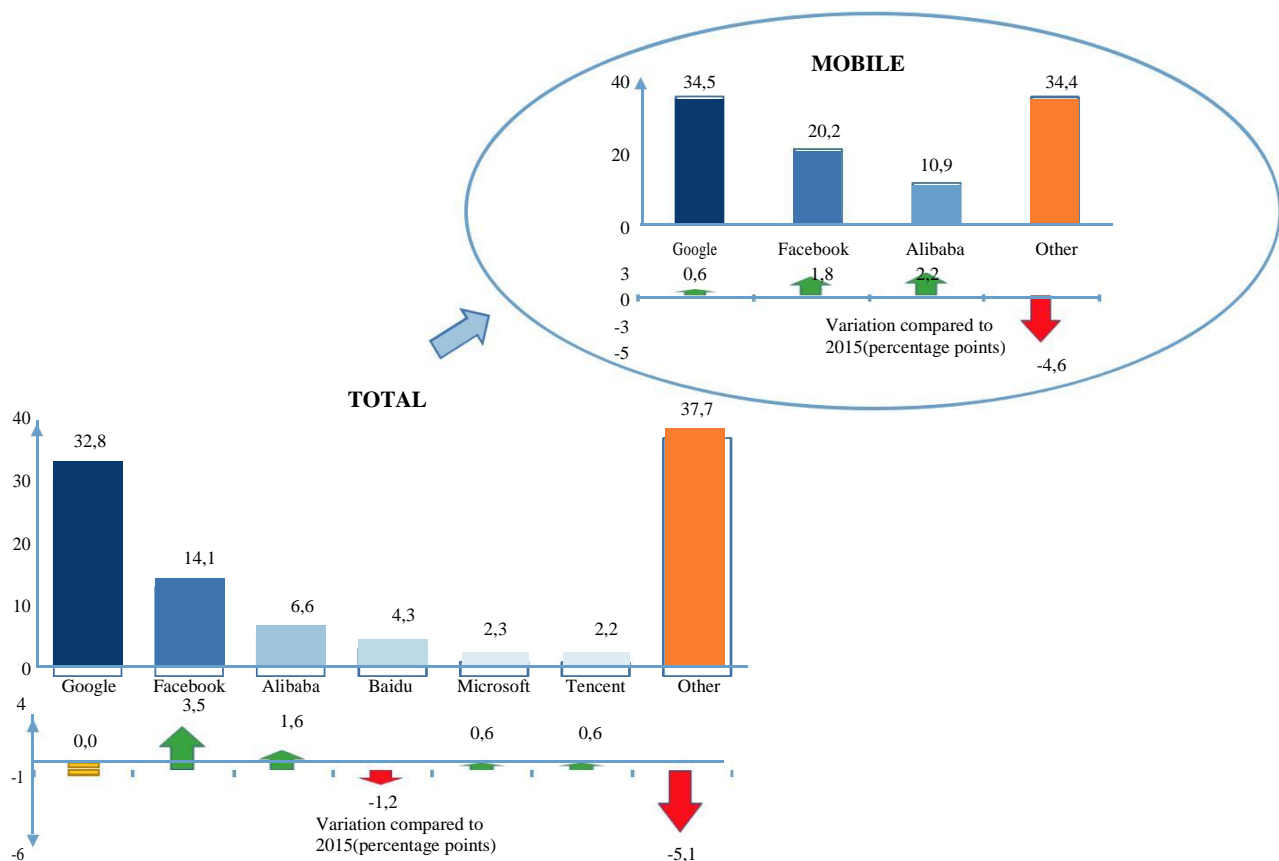
⁸⁰ See J. C. González, F. Mochón, cit..

In short, the use of different sales channels for the selling of online advertising depends on the type of advertising campaign⁸¹. However, due to the increasing use of mobile navigation services, there seems to be a new trend in the negotiation of online advertising, consisting in the growing use of automatic advertising trading platforms. This sales model, leading to an increase in the number of subjects who, in encouraging the meeting of the demand and supply of advertising, receive a remuneration for the service rendered may cause a loss of profits to online publishers due to the reduction in the purchase of advertising space on their web sites (and/or greater costs for investors).

The contraction in revenues from online advertising publishers

(and in particular those operating on traditional media), which is offset by the growth of the weight of digital platforms, emerges clearly from the analysis of national structures below (see Table 2.2.6). This, however, appears to be a global phenomenon, as proved by the breakdown of the total economic resources worldwide per operator.

By analysing net revenues deriving from Internet advertising collected by single operators worldwide - which, in 2016, reached an amount equal to 172.2 billion Euros, increasing by 18% compared to the previous year (see Figure 2.2.30) – it should be pointed out that the first positions are steadily occupied by online advertising platforms related to market players vertically integrated in all (or almost all) the levels of the Internet production chain and delivering horizontal web services



Source: eMarketer, September 2016 and March 2017

Figure 2.2.30 - Leading operators in online advertising worldwide (2016, %)

⁸¹ For example, for the realization of performance advertising campaigns, in addition to the correct selection of websites that allow the achievement of the predefined objectives (taking out a policy, subscribing to a newsletter, etc.), it is crucial for investors (and media centres) to rely on automated sales systems or directly contact the publishers to buy and negotiate the desired target.

(search engines, social networks, portals) which, by providing services to access the Internet, may influence users' browsing experience.

In terms of revenues raised by individual operators, Google occupies the first position, with a market share, in 2016, equal to that of the previous year, and higher than 32% (corresponding to 56.5 billion Euros). With the sole exception of Facebook (which occupies the second place, reaching 14%), whose growth in advertising revenues was above 57% (reaching 24.3 billion Euros), the remaining operators (which have significantly lower market shares) have registered a steady flow in revenue, both in terms of growth and reduction. The above ranking is slightly different if we consider the net advertising revenue generated by mobile devices, with Google continuing to be the leading operator, although with a share less distant than that achieved by Facebook and Alibaba (respectively in second and third place).

In Italy (see Figure 2.2.31), online advertising revenues in 2016 were also on the rise (the analysis also considers advertisements placed on the websites of traditional media publishing companies: daily newspapers

and magazines, television and radio) which generated an estimated value of 1.9 billion Euros. This trend is mainly due to the growth in display and video advertising, which, in 2016, reached over 58%. With regard to other types of revenues (including search advertising, classified/directory, newsletters/e-mails), despite an increase has been recorded since 2013, the percentage on total revenues has progressively decreased. When considering, in fact, a broader period of time (2011-2016), revenues from display advertising have more than doubled, while revenues otherwise collected are still affected by the losses suffered in the two-year period 2012-2013, reaching, in 2016, an estimated amount of 802 million Euros (marking a decrease of 7% compared to the volumes generated in 2011). The analysis of the national online advertising sector shows, on a similar basis to what has been observed at an international level, the stable presence of important international players that manage several advertising intermediation platforms and are vertically integrated on the whole or in some segments of the Internet supply chain, such as Google and Facebook (see Table 2.2.6). More specifically, Facebook, which ranks second,

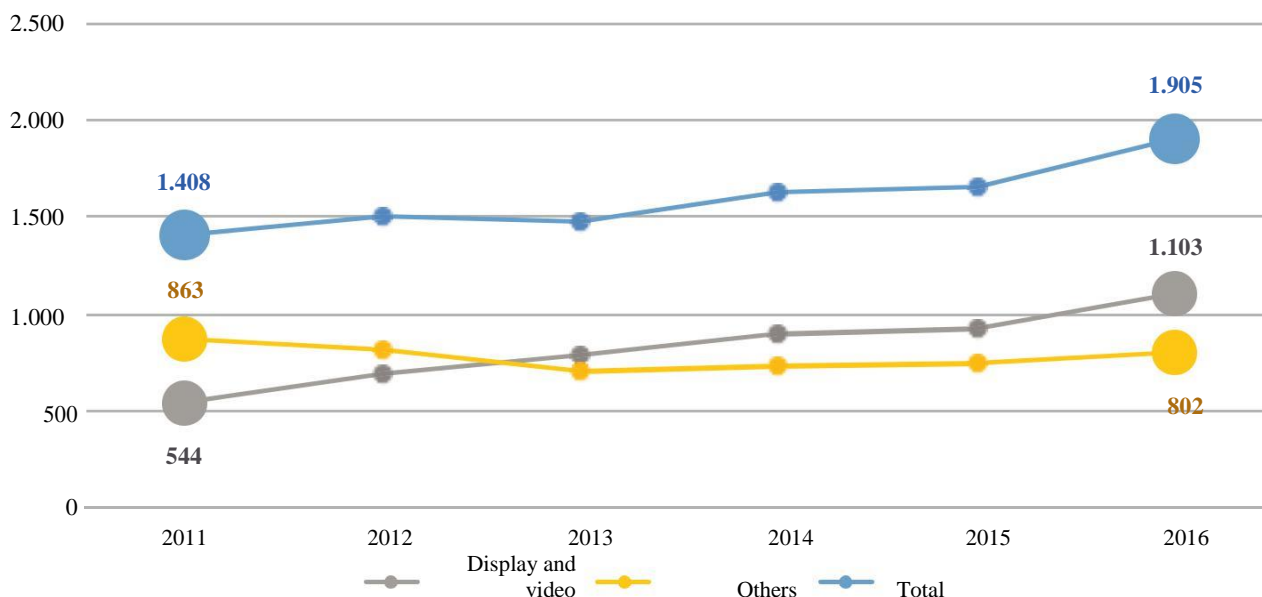












Figure 2.2.31 - Revenues from online advertising in Italy (mln €)

Table 2.2.6 - Main online advertising sales players in Italy

<i>Rank</i> 2016	Operator	Var compared to 2015	Market share change
1	Google	0	
2	Facebook	0	
3	Italiaonline	0	
4	Fininvest	0	
5	RCS Mediagroup	0	
6	Gruppo Editoriale L'Espresso	0	
7	Autoscout24 Italia	0	
8	Gruppo 24 Ore	0	
9	Edizioni Condé Nast	0	
10	Leonardo Adv	0	

Italiaonline is third in the ranking after registering, in 2016, a contraction of its advertising share, which may be due to the effects of the recent merger by incorporation into Seat Pagine Gialle S.p.A.⁸² It should be also underlined the presence of further national players, operating in the traditional media sector or otherwise, which, in 2016, have been affected by a contraction in advertising revenues. In general, it can be stated that all operators working in the advertising sales sector in Italy have maintained the same position in the ranking, compared to 2015.

As a result, a growing concentration in the advertising sector at national level can be observed, with Google

and Facebook jointly representing over 50% of the estimated net revenues raised from online advertising, i.e. the value calculated net of the share held by owners of websites/applications. When considering gross advertising revenues, i.e. the total of revenues, it should be noticed that Facebook and Google have reached about 2/3 of the estimated total value of the market.
















Given the concentration of revenues held by the market players occupying the top positions in the ranking, the reduction in advertising resources collected by the remaining operators is equally significant and, above all, the reduction in revenues raised by publishing companies also working in traditional media sectors. In the period 2012-2016, in fact, a sharp fall had been observed.

It can be stated that two aspects contribute to determine the market structure described above: the sector's specific economic features (economies of scale, fixed and sunk costs, switching costs, network externalities) which may lead to an increase in the degree of concentration, and the market position held by the first and second operator in other stages of the value chain, which allow them to exercise a strong economic influence on users that can also be used in the related online advertising market.

As regards users, the ranking of the main operators by users worldwide in February 2017 (see Table 2.2.7) highlights the presence in the first four positions of vertically integrated operators in all (or almost all) the levels of the Internet production chain and, in particular, in the online advertising market. Google ranks first, followed by Microsoft, Facebook and Yahoo!, holding the same positions than February 2016. The remaining positions are occupied by operators managing e-commerce platforms that offer vertical web services, such as

⁸² Following the merger by incorporation of Italiaonline S.p.A. into Seat Pagine Gialle S.p.A., as from June 2016, in addition to taking over all the legal relationships, assets and liabilities of Italiaonline, Seat has been renamed "Italiaonline S.p.A."

Table 2.2.7 - Audience of the world's leading desktop navigation operators (February 2016-February 2017)

<i>Rank</i> feb. 2017	<i>Var. vs. ranking</i> feb. 2016	<i>Operator</i>	<i>Individual</i> Users (000)	<i>Reach</i> (%)	<i>Average minutes</i> per person
1		Google	1.165.120	62%	11,37
2		Microsoft	896.408	46%	3,97
3		Facebook	748.468	40%	14,86
4		Yahoo	508.326	27%	10,67
5		Alibaba	435.034	23%	23,76
6		Baidu	408.776	22%	4,48
7		Sohu	397.862	21%	2,81
8		Qihoo	386.665	21%	4,54
9		Tencent	369.668	20%	7,17
10		Amazon	326.905	17%	7,84
11		Wikimedia	304.000	16%	2,72
12		Apple	223.323	12%	2,44
13		Iqiyi	216.490	11%	1,93
14		CBS Interactive	214.898	11%	3,58
15		SINA	209.378	11%	5,74
Total Internet			1.885.573	100%	24,79

Source:
Comscore

Alibaba and Amazon; as well as companies operating mainly in the Chinese market, which, besides providing online advertising services, also manage horizontal and vertical digital platforms and provide services in the upstream markets (Baidu, Sohu, Tencent, Qihoo).
















With reference to the national context, by carrying out a consistent comparison of the monthly data (February 2016 - 2017), it can be observed an increase in the number of Italians (aged 2 and above) who have connected to the Internet at least once (equal to 30.7 millions of unique users in 2017, with an increase of 8% in one year), using both fixed devices (PCs), and mobile devices (smartphones and tablets), as well as in the average minutes of consumption of the Internet for the month (with an overall monthly average of over 53 minutes in February 2017, increasing by 13%).

In Italy, the top four positions are occupied by the main operators of the global web economy: specifically,

Google keeps raking first, with 96% of users using its Internet services, followed by Facebook, Microsoft and Amazon, which represent, respectively, 86%, 71% and 62% of the total. With regard to national operators, the position in the ranking of the publishing company Arnoldo Mondadori (Fininvest group) increased, rising to sixth position, following the acquisition of Banzai, while Italiaonline moved down one position, due to a decrease in the number of users. The remaining market players maintain their ranking position or show a slight increase in the number of users.

By analysing the socio-demographic data in the two periods examined, it can be observed that, in February 2017, the number of female Internet users is practically equal to male users (with a daily average of 44% and 43%, respectively) and that the younger population is more likely to use web services: 70% of people aged

Table 2.2.8 - Audience of the main operators by individual users and average monthly navigation time per person in Italy (February 2016-February 2017)

<i>Rank</i> feb. 2017	<i>Var. vs. ranking</i> feb. 2016	<i>Operator</i>	<i>Individual</i> Users (000)	<i>Reach</i> (%)	<i>Average minutes</i> per person
1		Google	29.635	96%	06:44:35
2		Facebook	26.474	86%	24:22:39
3		Microsoft	21.860	71%	01:21:30
4		Amazon	19.025	62%	00:58:04
5		Italiaonline	17.403	57%	01:25:51
6		A. Mondadori (Fininvest)	16.630	54%	00:15:02
7		eBay	15.442	50%	00:48:52
8		Wikimedia Foundation	15.128	49%	00:12:09
9		Gruppo Editoriale L'Espresso	13.565	44%	00:24:45
10		Yahoo	13.035	42%	00:36:59
11		RCS Mediagroup	11.531	38%	00:25:46
12		Triboo	10.605	35%	00:09:49
13		Mediaset (Fininvest)	10.127	33%	00:38:19
14		Telecom Italia	9.864	32%	00:31:56
15		Linkedin	9.079	30%	00:11:47
Total Internet			30.743	100%	53:20:13

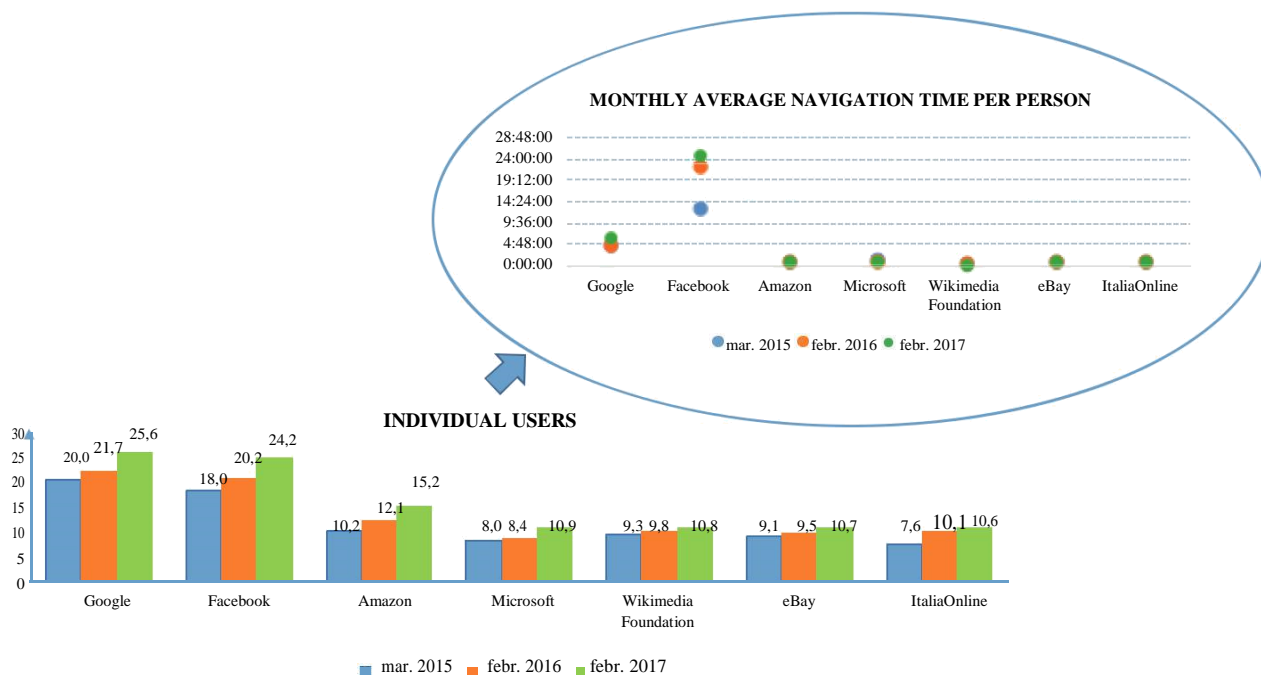
Source: Audiweb

18-24 access the Internet every day, using mainly mobile devices, and spend a lot of time surfing the web (2 hours and 44 minutes in total on the average monthly day)⁸³. Finally, a general increase in Internet consumption from mobile devices can be noticed.

With regard to the dynamics of users who access the Internet through mobile devices, alongside the increasing number of unique users for all operators, Figure 2.2.32 shows that the monthly average time spent

by users on both horizontal (search engines, social network, portals), and vertical platforms (e-commerce) is constantly increasing. More specifically, the importance of Facebook over other operators stands out, in terms of both unique users and especially considering the average monthly navigation time dedicated to the use of the services offered by the same.

⁸³ See Audiweb, "The total digital audience in February 2016" and "The total digital audience in February 2017".



Source: Audiweb

Figure 2.2.32 - Audience of the main operators by unique users and average monthly navigation time from mobile devices in Italy (March 2015 (*), February 2016, February 2017)

* The comparison was made in March 2015 and not in February 2015 to ensure a consistent reference period.

2.3 The situation of the postal services market

Main trends of 2016*

Revenues in the postal services sector amount to approximately 7 billion Euros, showing an increase of 2.4% with respect to the previous year.

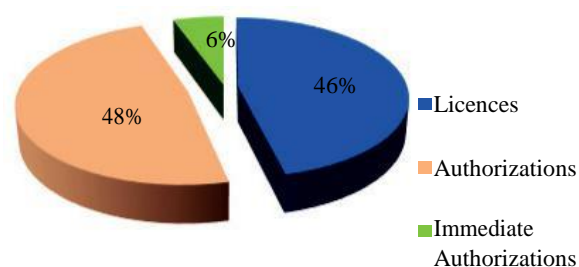
The volumes amount to 4.1 billion deliveries, falling by approximately 10.7% compared to the previous year.

The competitiveness of the services that fall outside the scope of the universal service (net of express courier services) remains largely unchanged, with the Poste Italiane group holding a market share of 72.5%. Investments in tangible and intangible assets of the sector have decreased by approximately 4.5% with respect to the previous year.

* Please note that the market data reported in this paragraph are different from that shown in the previous Annual Report as the number of operators surveyed has changed (see methodological note).

The postal sector in Italy is characterized by a large number of players, a situation that is unique in Europe. There are 2,776 businesses operating in the sector and the authorisations issued by the Ministry of Economic Development amount to 4,273 (as of 1 February 2017), distributed as shown in Figure 2.3.1.

The number of companies operating in this sector is lower than the total number of authorisations issued which means that 1,497 companies out of 2,776 - accounting for 54% of the total - have either an individual license (to operate within the universal postal service) and a general licence (to offer Postal services outside the universal service area).



Source: MISE data

Figure 2.3.1 - Breakdown of licensing titles as of 1 February 2017

Given the high degree of fragmentation of the sector, which does not allow for a comprehensive survey of the subjects authorized to operate in the postal sector, the analysis was carried out on a sample, as in previous years, but the number of operators on which the survey has been conducted increased (see methodological note). The fragmentation of the sector is also reflected in the type of business: one-man businesses represent 44.4% of the total while limited companies and joint-stock companies represent 28.1% and 2.3%, respectively.

With the exception of the main operators in the sector, most of the remaining authorised subjects operate mainly at local level, sometimes joining other operators to ensure greater territorial coverage. Very often, these subjects act as intermediaries or operate only in one or more phases of the value chain related to postal

services (collection, delivery, transport, etc.). As a result, the overall traffic is still managed by a few large operators who are responsible to the sender and the receiver for the entire production chain (end-to-end). With the exception of express courier services (where SDA, a company owned by Poste Italiane, has a market share of 9.4%), an analysis of the market shares of the various products not included in the scope of the universal service, and therefore more open to competition, shows that most operators still have only a marginal impact on competition (see below).

Total economic resources

In 2016, the postal services sector in Italy had a total turnover of 7.048 billion Euros, showing an increase of 2.4% compared to the previous year⁸⁴. The percentage weight of postal services

Methodological note on the collection of data related to postal operators

In April 2017, the Authority carried out a survey of the main economic data of the companies operating in the postal market in Italy for the years 2013 and 2016. As in previous years, the operators were identified through the ATECO business codes (Chamber of Commerce Register of Enterprises), relating to the provision of postal service or express courier services. In the light of the high number of companies and high degree of concentration of revenues and volumes, it was deemed sufficient to carry out the survey on the largest operators by turnover. In order to detect the main economic variables of the sector and assess the most competitive dynamics in progress, this year's survey was extended to 27 operators, including the universal service provider (Poste Italiane). It is therefore important to point out that the number of the companies surveyed has increased with respect to previous years (last year the companies surveyed amounted to 21). A further innovation concerns the request of data to groups that operate in the market also through associated companies: in order to have an accurate and faithful overview of the market in the field of competence, this year operators were asked to provide the data referring to all the various production units that for any reason perform individual phases of the service offered.. For this reason, market data concerning revenues and volumes may vary with respect to the data set provided in the previous Annual Report.

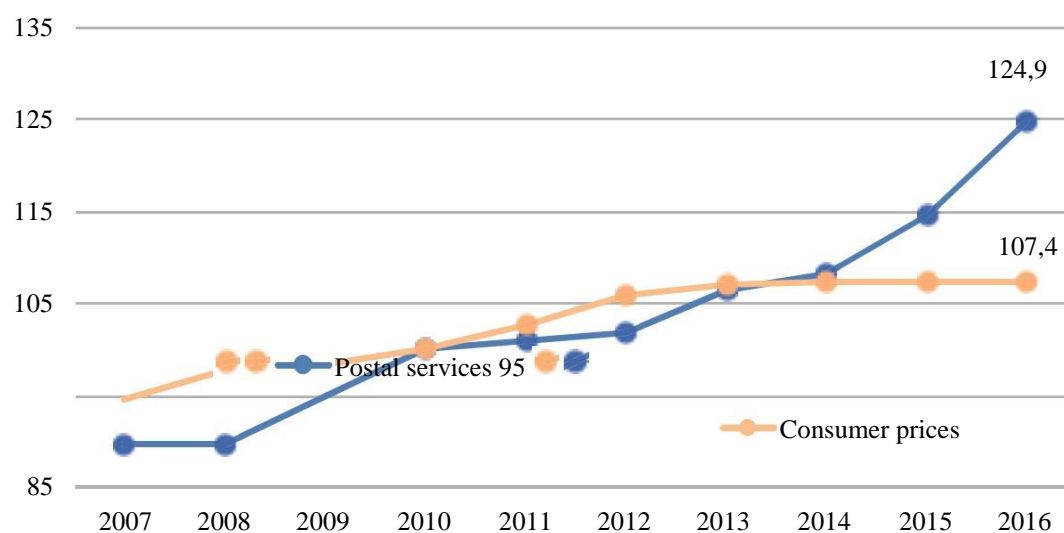
⁸⁴ It should be noted that the figure also includes revenues from other services (e.g. philately, the sale of post office boxes, intermediation services, etc., which in 2016 amount to approximately 76 million euros and which do not have a correspondent in the volumes of mail sent), while the postal services used to measure the total revenues and volumes of the sector in the following lines of the paragraph are: universal service, exclusive services, postal services outside the scope of the universal service (other postal services) and express courier services.

on the Italian economy, measured by the ratio of the sector revenues to GDP, is 0.42%, unchanged compared to the previous year; with regard to employment, the figure remained substantially stable and is equal to 0.65% ⁸⁵.

Figure 2.3.2 shows the price trend of the postal sector in the period 2007-2016, using the year 2010 as a base year (= 100): on an aggregated basis, postal services' prices have increased according to a trend that, until 2012, was almost in line with consumer prices; instead, starting from 2013, as a result of the repricing of the products within the scope of the universal service (see Resolution No. 728/13/CONS), of the subsequent

establishment of the new "ordinary mail" service and the constant change of the "priority mail" product (see Resolution No. 396/15/CONS), the prices of postal services have continued to increase significantly, given the stabilization of the consumer price index, although it has shown, over the last few years, a smaller increase compared to the European average⁸⁶.

The following charts show the contribution in percentage terms, of the different types of services to the total revenues and volumes of the sector (Table 2.3.1) and the relative percentage variations (Figure 2.3.3) in the reference period. In the period 2013-2016, the sector underwent an overall reduction in volumes (common



Source: Istat data

Figure 2.3.2 - Price and inflation trends (2010=100)

Table 2.3.1 - Revenues and volumes in the postal sector

	Revenues (millions €)				Volumes (millions deliveries)			
	2013	2014	2015	2016	2013	2014	2015	2016
Universal service	2.249	1.845	1.729	1.512	2.510	2.030	1.908	1.595
Exclusive service	341	327	329	359	47	45	49	52
Other postal services	821	925	976	1.039	2.504	2.703	2.352	2.128
Express Courier	3.290	3.505	3.760	4.061	270	292	326	366
Total	6.701	6.602	6.793	6.972	5.330	5.070	4.635	4.140

⁸⁵ Source: Istat and market operators

⁸⁶ See Communications Observatory No 1/2017.

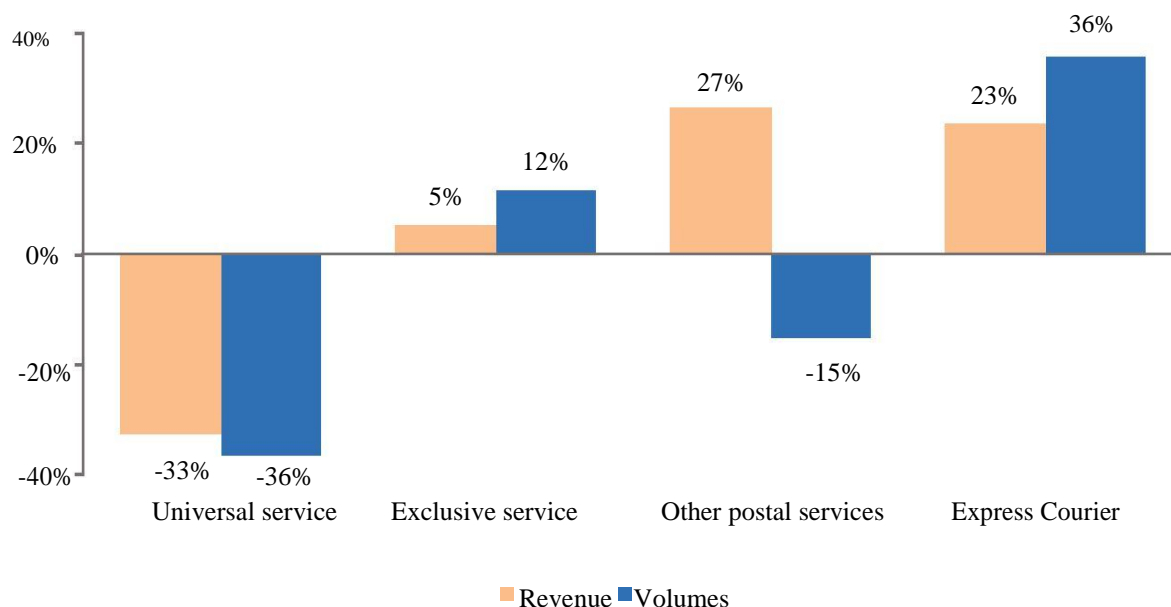


Figure 2.3.3 - Percentage change in revenues and volumes of postal services

to all European countries) of about 22%, although a slight increase in revenues (equal to + 4%) was recorded. Specifically, while revenues and volumes related to the express delivery industry are growing thanks to the contribution of value-added services and the growing diffusion of electronic commerce, revenues and volumes of the products included in the universal service – whose prices increased due to the recent tariff changes – are falling down.

Figure 2.3.4 shows the contribution, in percentage terms, to total revenues and volumes of each of the aggregates previously identified. The figure shows, first of all, how express delivery services, although representing only 8.8% of the volumes, generate 58.3% of the total turnover, with an increasing trend compared to the last few years. By contrast, universal service, exclusive services and other postal services, while accounting for 91.2% of traffic volumes, generate only 41.7% of total revenues.

As a consequence, both volumes and revenues related to the products included in the universal service are contracting: more specifically, revenues represent 21.7% of total postal services in 2016. The volumes of postal services outside the universal service scope (other postal services) amount to 51.4% of total services in 2016. This value has been characterized by a fluctuating trend during the entire reference period, while revenues have been steadily increasing.

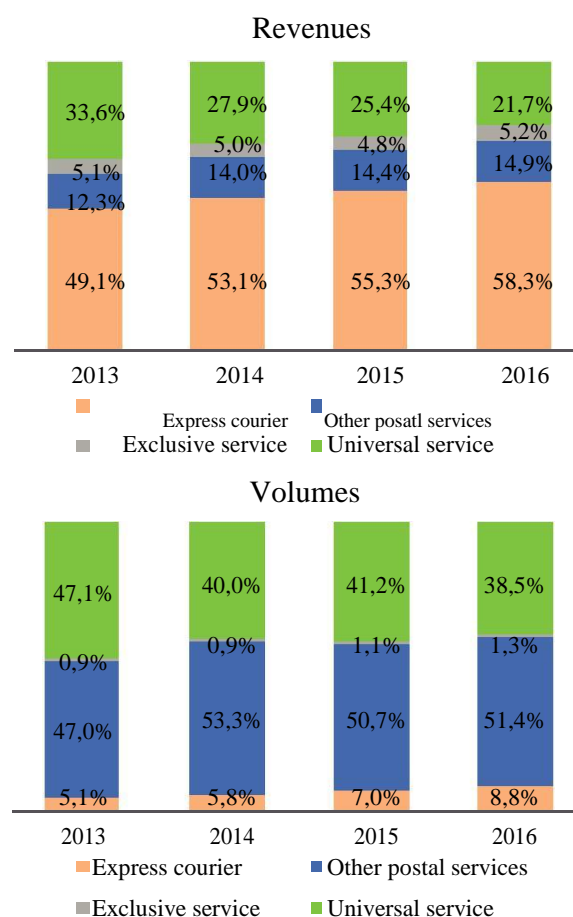


Figure 2.3.4 - Percentage distribution of postal service revenues and volumes

Express courier services, which are constantly growing as a result of the increasingly widespread use of electronic commerce, account for a growing share of total

services compared with the previous year in terms of both volumes and, albeit at a lower rate, revenues. The lower increase in revenues compared to volumes appears to be due to the high level of competitiveness of this sector.

Investments and access network to postal services

The postal sector recorded a significant decrease in investments in tangible and intangible assets: in 2016, these amounted to about 432 million Euros, with a reduction of 4.5% compared to the previous year. In this regard, it should be noted that the investments of Poste Italiane remained almost unchanged compared to 2015, while the amount of investments made by the majority of the remaining operators decreased.

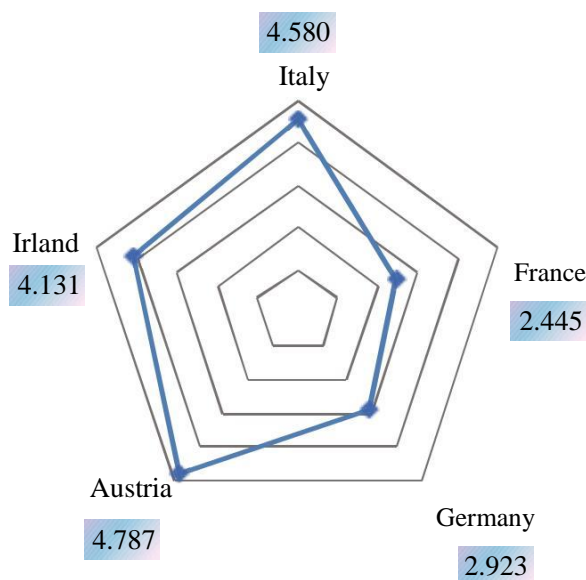
The decrease in traffic, as well as the efficiency boosting process put in place by the universal service provider, have affected the number of people working in the sector. In fact, in 2016, the number of employees (147,194) decreased compared to the previous year (-3.4%). Among these, the number of postmen (35,603) fell by 0.6%.

The Italian postal services access network has 15,719 collection points, slightly up (around 3%) compared to 2015. Most of the collection points (81.7%) correspond to the post offices of Poste Italiane, the only operator providing an extensive national network. The overall increase in collection points is therefore due to the attempt of competing operators to increase their presence in the territory

In order to analyse the extent of distribution of the postal network, the average number of inhabitants that have access to a permanent post office in Italy and the average size of the related area covered by postal services have been compared to correspondent values recorded in Austria, France, Germany and Ireland. The analysis of these two indicators shows that: i) as per the number of people that have access to postal services, the distribution of the postal network is similar in all the countries analysed (Figure 2.3.5); ii) with regard to

the area covered by postal services, the Italian postal network is more widespread than in Austria and Ireland and smaller only than the French and German network (Figure 2.3.6).

Among the different data related to the distribution of the Italian postal network, it is worth mentioning that,



Source: Universal Postal Union data 2015

Figure 2.3.5 - Average number of inhabitants with access to a permanent post office

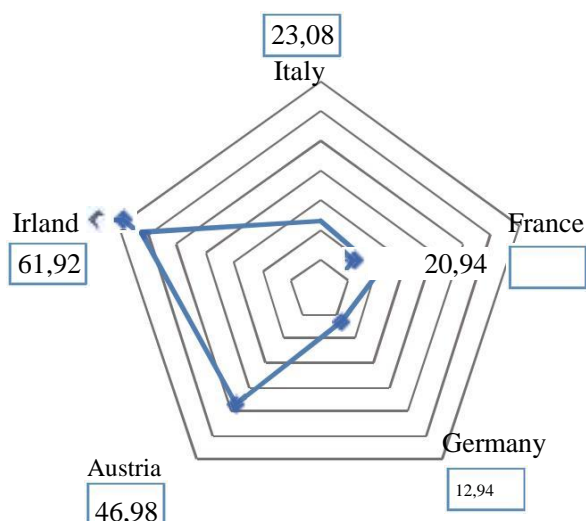


Figure 2.3.6 - Average size (km2) of the area covered by a permanent post office

in Italy, there are 48.020 mailboxes (as of 31 December 2016) belonging to the universal service provider.

Postal services included within the scope of the universal service

The postal products which are included within the universal service⁸⁷ - ordinary deliveries and priority shipping (as defined by Resolution no. 396/15/CONS) up to 2 kg and parcels up to 20 kg, registered mail, insured mail and bulk deliveries falling within the obligations pursuant to the legislation in force - generated revenues amounting to more than 1.5 billion Euros in 2016, showing a decrease of almost 12.5% compared to the previous year (see Table 2.3.2). Total volumes have also fallen by 16.4% compared to 2015.

With regard to the services falling within the scope of the universal service, domestic correspondence, i.e. mail sent and delivered within the country, represents 90.7% of the total.

With respect to the serving of legal documents pursuant to Italian law no. 890/1982 and subsequent amendments and notifications of highway code infringements pursuant to art. 201 of Italian Law Decree no. 285/1992, entrusted exclusively to Poste Italiane, these services, which generated revenues amounting to 359 million Euros (with a total of almost 52 million items sent), showed an increase, compared to 2015, in both

total revenues and volumes reaching 4.1% and 2.8%, respectively.

Other postal services

The market of postal products that fall outside the scope of the universal service is characterized by greater competition. Moreover, the companies of this market segment are more likely to develop innovative services, which better meet the needs of users (such as, for example, services including guaranteed delivery dates and times), especially in the case of non-residential mail (such as bulk mailings).

For this type of service, over the last four years, volumes have been decreasing (-15%) while revenues have been on the rise (+26,6%). In 2016, the number of deliveries decreased by 9.5%, accompanied by an increase in revenues of approximately 6.5% (see Table 2.3.3). The contribution of domestic mail to the segment of postal services not included in the scope of the universal service last year was equal to 90.5% of total revenues: of these, the share represented by bulk deliveries decreased,

Table 2.3.2 - Revenues and volumes of the universal service

	Revenues (millions €)				Volumes (millions deliveries)			
	2013	2014	2015	2016	2013	2014	2015	2016
National mail	2.024	1.627	1.506	1.303	2.339	1.874	1.763	1.447
International mail	225	218	223	209	171	156	145	148
Total	2.249	1.845	1.729	1.512	2.510	2.030	1.908	1.595

Table 2.3.3 - Revenues and volumes of postal services falling outside the scope on the universal service

	Revenues (millions €)				Volumes (millions deliveries)			
	2013	2014	2015	2016	2013	2014	2015	2016
National mail	750	845	890	941	2.441	2.643	2.286	2.058
Individual mailing	173	182	188	217	252	305	193	84
Bulk mailing	577	663	701	723	2.189	2.338	2.093	1.974
International mail	71	79	87	99	63	60	66	70
Total	821	925	976	1.039	2.504	2.703	2.352	2.128

87. In 2016, the only operator on the universal service market is Poste Italiane, which holds a monopoly position.

reaching 77%. Lastly, it should be noted, that individual deliveries, although representing only 4.1% in volume, account for 23.1% of the revenues generated from domestic deliveries relating to postal products not included in the universal service.

Turning to market competition, an analysis of market share in terms of revenues shows that Poste Italiane, with a market share of around 72.5%, up 4.4 percentage points on the previous year, continues to hold a leading position that is undisputed by other operators, whose market shares are, in most cases, marginal (Figure 2.3.7). The high market share held by Poste Italiane reflects the degree of market concentration, as measured by the HHI, which in 2016 showed an increasing trend compared to the previous year, reaching more than 5,500 points, which represent a significant high level.

Express courier services

The express couriers are authorized subjects that provide an express mail and parcel delivery service characterized by additional features and services, such as fast delivery, reliability of dispatch, tracking of all the stages of delivery, delivery within a scheduled time and documented confirmation of delivery. Table 2.3.4 shows the revenues and volumes of express delivery services related to the last four years. With regard to volumes, in 2016, four fifth of the express courier market is represented by domestic deliveries, amounting to 60% of total revenues; abroad shipments, although representing only 10% of total volumes, generated one third of total revenues.

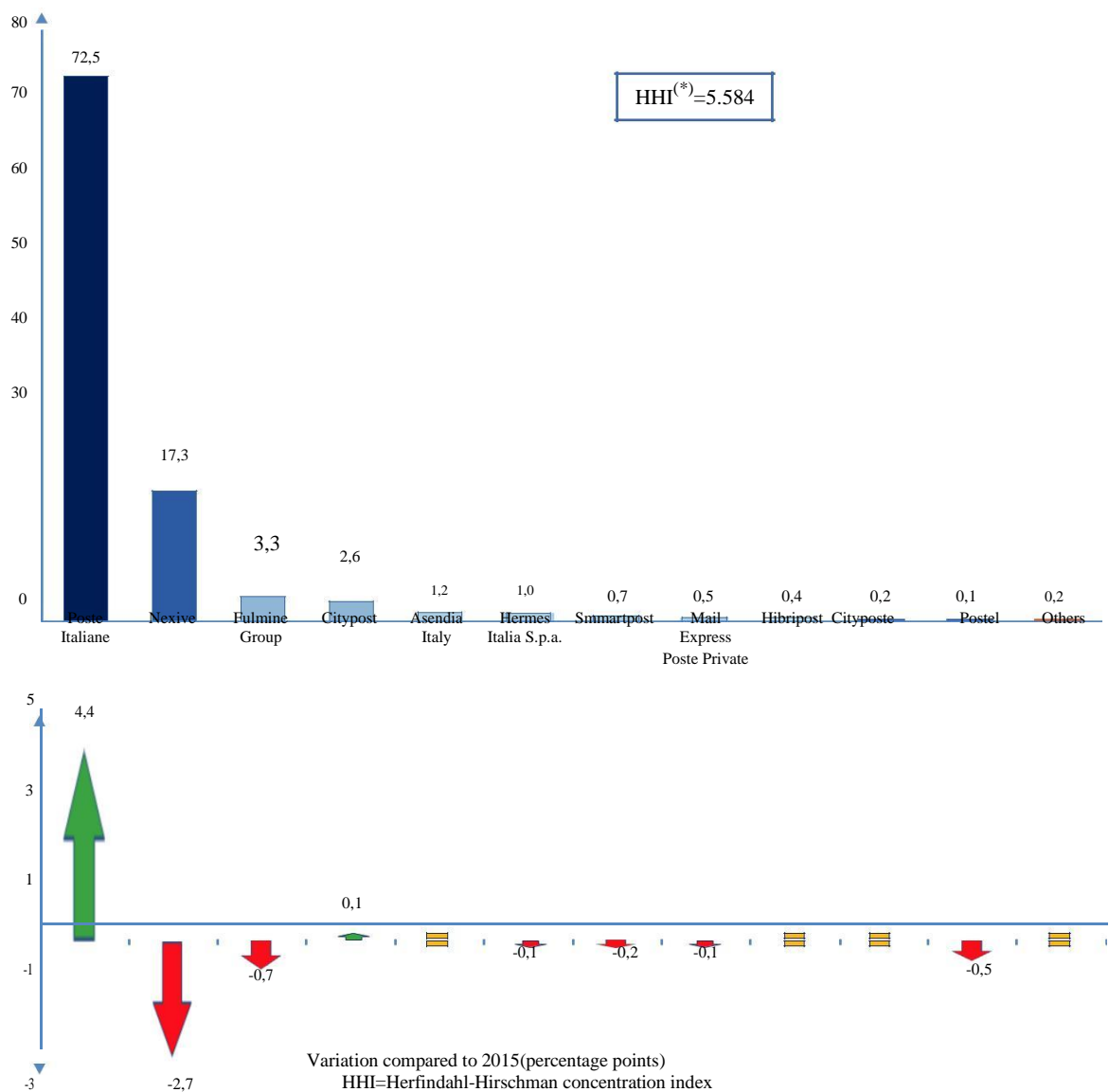


Figure 2.3.7 - Market shares for postal services not included in the scope of the universal service (2016, %)

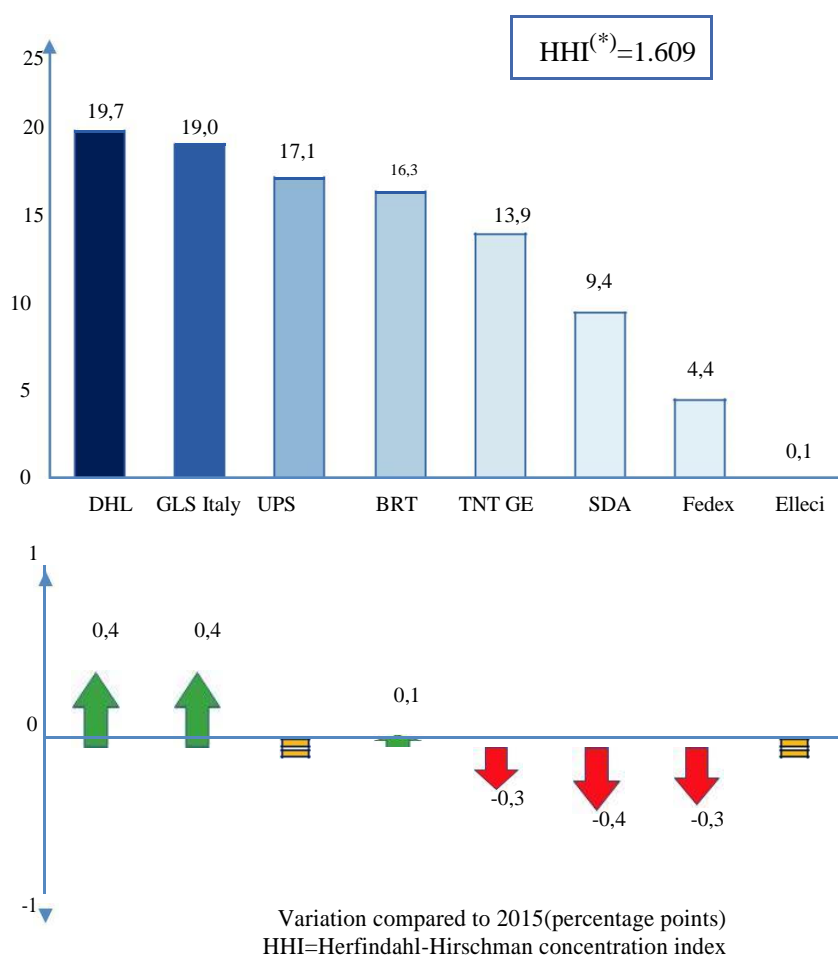
Table 2.3.4 - Revenues and volumes of express delivery services

	Revenues (millions €)				Volumes (millions deliveries)			
	2013	2014	2015	2016	2013	2014	2015	2016
National express service	1.902	2.020	2.163	2.361	215	232	261	294
Incoming express courier service	261	293	325	346	26	29	31	35
Outgoing express courier service	1.126	1.192	1.272	1.354	28	31	34	37
Total	3.290	3.505	3.760	4.061	270	292	326	366

Overall, in the two-year period 2015-2016, there was an increase in both revenues and volumes of 5.2% and 5%, respectively; which is largely due also to the widespread development of e-commerce. The upward trend is confirmed by the examination of the entire four-year period 2013-2016, during which revenues and volumes experienced an increase of 23.5% and 35.5%, respectively.

As regards competition in the courier and express parcels market, in terms of market shares, no dominant

operator can be identified; there are, however, a number of companies holding equally large market shares (see Figure 2.3.8). The company controlled by Poste Italiane, SDA, is the sixth largest operator of the sector in terms of market share. As for the degree of market concentration, in 2016, the HHI index related to express delivery services was 1,609 points, reflecting the current competitive dynamics of the sector.

**Figure 2.3.8** - Market shares for express courier services⁸⁸ (2016, %)

⁸⁸ The data (revenues and volumes) provided by GLS Italy include the values of subsidiaries and affiliates; therefore, they differ from those provided for the previous Annual Report.

CHAPTER III

Results achieved, programming activities and strategic priorities

Introduction

As it was the case last year, this Annual Report includes a section dedicated to the regulatory impact assessment (RIA), carried out according to the European Regulatory Fitness and Performance programme (REFIT)⁸⁹ and in line with the strategic planning activity. The European guidelines set by this programme aim at guiding the assessment procedures related to better regulation policies towards greater integration with primary and secondary norms, supporting the decision-making process through quantitative analysis and monitoring activities carried out during the phase of definition of strategic priorities. This approach is "cyclical", that is to say, it focuses on a general assessment of the regulatory activity rather than on specific examinations of the results achieved by the single provisions. This method is based on the idea that, in order to achieve the effectiveness and transparency goals set by the better regulation strategy, a comprehensive assessment of the policies implemented in a given regulatory period is needed, to analyse results and critical issues and make corrections and improvements during the stage of reorganization and review of current rules. The European Better Regulation strategy defines such comprehensive ex-post evaluation as "fitness check", which is aimed at detecting "the charges, inconsistencies and ineffective measures" found in a specific regulatory cycle in order to identify the corrective measures that are actually necessary in the regulatory review and reform process⁹⁰.

As a result of this, last year, the 2016 Annual Report included an ex-post evaluation (RIA) of the qualitative and quantitative results of the regulatory activity relating to key areas of the Authority's action. The RIA carried out in the 2016 Annual Report was made possible by the

implementation, in the previous two years, of a number of preliminary activities, designed to analyse and evaluate the results achieved by implemented regulations, set out by an action plan launched in 2015. The plan aims at ensuring the coordinated implementation of the Better Regulation provisions through a series of initiatives designed to develop regulatory impact indicators and create a database for quantitative analyses. These measures are expected to improve the performance-evaluation process carried out by the relevant body on implemented regulations as well as the assessment of the results achieved, in order to improve the implementation of better assessment procedures in the "regulatory cycle" relating to the Authority's different areas of competence.

Therefore, over the last two years, the regulatory activity concerning the Authority's areas of action has been monitored on the basis of predefined qualitative and quantitative indicators and periodically supervised by the competent bodies. This system is designed to allow periodic reviews with the purpose of gradually improving the quality of regulation, since it provides updated and relevant data sets useful for the ex-ante analysis and ex-post evaluation of the decision-making process. At the same time, the better regulation action plan includes assessments on the effectiveness of the better regulation provisions, based on specific performance indicators, and on the adoption, where necessary, of the appropriate corrective measures to improve evaluation procedures and internal control processes.

The RIA activities conducted by the Authority in recent years saw the gradual enhancement of the fitness check methods applied to the regulatory activity in its areas of competence, due to the constant updating and improvement of the data sets available and to the effective exchange of information inside the relevant bodies. More specifically, with respect to the previous year, the 2016 RIA presented a broader quantitative analysis and a greater degree of coordination between the evaluation of the results and the identification of

⁸⁹ European Commission, EU Regulatory Fitness, COM(2012) 746.

⁹⁰ This concept was introduced in 2010 by the European Commission Communication Smart Regulation in the European Union and was at last confirmed in the Better Regulation Guidelines of 2015, European Commission, Better Regulation Guidelines, COM (2015) 215 final.

the main priorities for intervention for the 2017 strategic planning, as illustrated at the end of this chapter.

This year report, in line with the attempt to improve the methods and quality of evaluation, introduced new elements in the RIA, as shown in the following pages.

Firstly, the approach initially followed by the 2015 and 2016 Annual Reports, which linked the ex-post evaluation process to strategic planning, whose fundamental aspects were illustrated in the final part of the Chapter III, has been reviewed⁹¹.

Although the application of the regulatory fitness procedure remains a crucial element to define strategic planning, in accordance with the “regulation-evaluation-definition of objectives cycle”, the 2017 Annual Report will only define work programmes, as required by the law⁹², while the detailed definition of the annual and multi-year strategic priorities and objectives will be included in the relevant documents drawn up as part of the annual and multi-year planning of the Offices. This approach is the result of the new role played by these activities within the Authority's organizational structure. In fact, due to the increasing importance given to strategic planning since 2013, last year, planning activities focused on internal control processes and budget objectives, as demonstrated by the new organizational structure adopted by the Authority (for further information on this aspect, please refer to paragraph 4.1).

Alongside the need to strengthen coordination between the definition of annual and multi-annual strategic priorities, between the accurate scheduling of the activities of the different departments and the general objective of achieving sound financial and administrative management, a more precise strategic planning has been adopted; therefore, it is now more difficult to include it in the Annual Report, since the latter is an accountability tool that has mainly informative purposes. Consequently, a detailed description of the contents of the annual and multi-year strategic planning will be illustrated in different documents; this chapter, instead, will illustrate those “work programmes” that have already been drawn up, combining the analysis of the performances with the suggestions made by the Offices on the goals and planning of the activities for which they are responsible (see Chapter II).

This approach also appears to be consistent with the recent trend that has been developing throughout Europe, according to which the contents of the REFIT are “incorporated” in the annual “work programmes”⁹³; the latter represent a synthesis between the strategic priorities established at European level, and the action plans defined by the structures responsible for implementing such policies⁹⁴. The programmatic guidelines will be illustrated on the final part of this RIA, in accordance with the cyclical assessment approach followed by the Authority, with the objective of continuously improve the quality of the rules, and in compliance with the “evaluate first” principle.

In fact, the work program

91 Strategic planning was in fact the first step in implementing the better regulation strategy adopted by the Authority, as well as the necessary precondition for verifying the results achieved by regulation. By outlining the hierarchy of strategic and operational objectives, indicated in the planning and programming documents referring to a specific period of time, the Authority has laid the foundations to ensure the measurability of the effects of regulation and, ultimately, a more precise and analytical reporting of the activities carried out. Since, pursuant to Art. 1, paragraph 6, letter c), no. 1 of Law no. 249 of 31 July 1997, the Authority is required to submit to the Government and Parliament its annual report on the activities carried out and its work programmes, the Authority was obviously identified as the body responsible for defining strategic planning and, consequently, for performing ex-post verifications of the objectives set.

92 Law no. 249 of 31 July 1997 on the “Establishment of the Communications and Media Guarantee and Regulation Authority”, Article 1, paragraph 6, letter c) no. 12), which illustrates the main contents of the Annual Report: “[...] on the activities carried out by the Authority and on work programmes; the report shall contain, among other things, data and statements relating to the areas of responsibility, in particular on technological development, resources, income and capital, on potential and actual dissemination, on audience ratings, on pluralism in the information system, on cross-shareholdings between radio, television, the daily press, the periodical press and other media at national and Community level”.

93 See, for example, the last work programme published by the Commission, Commission Work Programme 2017. Delivering a Europe that protects, empowers and defends, COM(2016) 710 final.

94 https://ec.europa.eu/info/law/law-making-process/overview-law-making-process/evaluating-and-improving-existing-laws/reducing-burdens-and-simplifying-law/refit-making-eu-law-simpler-and-less-costly_en.

provides useful elements that may contribute to the planning through a synthetic and comprehensive evaluation of the results of the activities carried out, referring to macro areas of regulatory activity and not to individual procedures.

In this chapter, the 2017 RIA was divided into two parts. In the first, the results achieved by the Authority are presented in relation to the strategic objectives defined in the 2016 planning, broken down by sectors and macro-areas of intervention and accompanied by specific monitoring indicators for the following year. Having outlined the activities to be carried out to implement the strategic priorities in the reference calendar year, the second part of the RIA will further conduct a detailed evaluation based on the quantitative indicators provided for under the monitoring plan.

More specifically, the qualitative analysis makes it possible to verify which initiatives have actually been implemented in relation to those initially planned, in order to obtain an assessment of the degree of consistency and adequacy of the activity carried out with regard to the goals of the regulation. This type of ex-post evaluation represents a preliminary activity both for a quantitative analysis of the regulatory performance and, above all, for the identification of any corrective measures and for the definition of next year work programmes.

Like last years' Annual Reports, the evaluation activity is accompanied by a monitoring plan, which identifies the indicators that will be used in RIA 2018. The monitoring of the indicators is part, as already mentioned above, of the measures adopted by the 2015 action plan, aimed at rationalizing and improving existing databases in order to support assessment activities.

This includes the specific monitoring activity carried out in June 2016 aimed at measuring the progress of the activities specified in the report on measuring and reducing administrative burdens (MOA) adopted with Resolution no. 657/15/CONS, and the planning of specific implementation actions. This internal monitoring, carried out in coordination with the different organizational units involved, made it possible to identify the priority areas of intervention, which the action of the regulatory bodies shall focus on.

The data collected showed that, in 2016, the Authority

has implemented measures to expand and develop its databases, including tools aimed at improving access to and re-use of data, in order to rationalize the requests made to companies. In addition to this, a systematic process for the collection and processing of the information gathered from all sectors has been introduced, which is based on the new edition of the Observatory on Communications and on the publication of a series of reports providing studies, analyses and updated data to stakeholders and citizens.

Alongside this, the Authority started testing new methodological guidelines for the application of the ex-ante impact assessment (AIR), implementing Resolution no. 125/16/CONS. The resolution, in fact, provided for a transitional period of implementation of the new procedural and methodological provisions with respect to the AIR, aimed at verifying its effectiveness through a phase in which the AIR will be applied only to specific procedures.

In this context, on 20 July 2016, the Authority has applied an AIR procedure to the preliminary investigation concerning the definition of the switch off procedures of local power stations of the Telecom Italia access network. Furthermore, on the basis of a review of the strategic planning activities and annual planning of the Authority's proceedings, a regulatory procedure regarding the protection of consumers will be evaluated by the ordinary AIR procedure, described in the internal guidelines, to test its performance. The procedure in question concerns the adoption of the proposed update of Resolution no. 314/00/CONS "Implementation of favourable economic conditions for voice telephony services to specific categories of customers".

3.1 Activities carried out to implement the planned strategic objectives

Like the previous year, this section shows the results of a qualitative evaluation activity conducted on the progress and results of the measures put in place by the Authority to achieve the

objectives set by the 2016 strategic planning. The analysis of the results is therefore based on the comparison with the priorities defined in the 2016 strategic planning, divided into two types of goals: strategic actions and specific objectives/guidelines.

Therefore, for the sake of consistency and ease of presentation, the assessment's results are ordered by strategic lines of action, given in the headings below, to which correspond different measures, referring to the specific objectives reported in the individual items of the list.

In the subsequent quantitative analysis, (see paragraph 3.2) the performance indicators defined in the monitoring plan, which has been progressively updated over the year, will be analysed on the basis of the strategic guidelines and specific objectives set out in this paragraph.

**PROMOTION OF PRO-COMPETITIVE AND
HARMONIZED REGULATIONS FOR THE
DEVELOPMENT OF NETWORKS AND SERVICES**

***Setting guidelines, simplifying and reviewing
national and EU regulatory systems in all areas of
competence***

Again this year, in order to address and review existing regulations, the Authority took part in several hearings called by the different Committees of the Chamber of Deputies and the Senate on topics of major interest for the communications sector and development of the country.

In particular, the Authority was heard by the competent parliamentary committees on numerous important issues, such as: the so-called telephone scams; the "Jo Cox" study on intolerance; xenophobia, racism and the phenomena of intolerance and hatred. The Authority was also heard by the Parliamentary Committee for the general direction and supervision of radio and television services in order to renew the public service broadcasting concession and approve the new Convention attached to the Decree granting the concession; as well as in relation to fiscal measures concerning competition in the digital economy (see Chapter IV, paragraph 4).

As part of the exercise of its reporting duty, the Authority has: i) underlined the need for legislative actions to implement art. 18

of the 2012/531/EU Regulation, relating to roaming, and art. 6 of Regulation 2015/2120 /EU, which introduces, among others, net neutrality measures; ii) transmitted to the Ministry of Economic Development its own opinion containing observations and proposals for the purpose of preparing the definitive text of the Rai Convention.

***Pro-competitive regulation objectives relating to
electronic communications networks and services***

The strategic goal identified last year concerning the definition of a pro-competitive regulation in the electronic communications sector has been achieved: the Authority has in fact completed the regulatory framework for fixed and mobile networks, also defining the conditions to implement the regulatory obligations imposed in the previous reference period.

More specifically, the Authority completed the third Market Analysis cycle for fixed network interconnection services, which covers the regulatory period 2016-2019 (Resolution No. 425/16 / CONS), and defined the conditions for the implementation of regulatory obligations imposed by Resolution no. 623/15/CONS to Telecom Italia relating to the markets of the wholesale access services to the fixed network (see Chapter I, paragraph 1). The conclusion of such procedures allowed national regulatory authorities to achieve the institutional objectives set by the European bodies, through the deregulation of the local transit service markets and the removal of the relative obligations for Telecom Italia, starting from the month of October 2017. On the other hand, the implementation of ex-ante regulation in call origination and call termination markets was approved, identifying Telecom Italia as the operator with significant market power in the call origination market and Telecom Italia together with 18 further companies as the operators with significant market power in the call termination markets.

With regard to the definition of the conditions for the implementation of the obligations related to the markets for wholesale access services to the fixed network, the provision adopted by the Authority (Resolution No. 652/16 /CONS) approves the proposals formulated by Telecom Italia pursuant to article 64 of Resolution no. 623/15 /CONS, containing the measures aimed at strengthening the guarantees

of non-discrimination, including the implementation of the New Equivalence Model (NME), with subsequent amendments and additions, incorporating the results of the public consultation referred to in Resolution no. 122/16/CONS. With this resolution, the Authority aims at providing a comprehensive regulatory framework concerning wholesale access services to the fixed network, by submitting to public consultation Telecom Italia's proposal concerning the methods of disaggregation and outsourcing of provisioning and assurance activities related to local loop unbundling and sub-loop unbundling services.

Moreover, in order to pursue the objectives established last year, the Authority launched: i) a preliminary investigation to define the switch-off procedures relating to Telecom Italia local power stations to access the network; ii) a proceeding concerning the revision of the SLA system (Service Level Agreement) and penalties relating to wholesale access services to the Telecom Italia network; iii) a proceeding concerning the overall review of the Key Performance Indicator system for fighting discrimination.

Further initiatives of the Authority aimed at updating the rules implementing the principles established by the Electronic Communications Code, including the promotion of competition and the protection of end customers, concern the continuation of the activities of the technical panel, with the participation of operators, aimed at facilitating the use of emerging technologies for access to ultra-wideband (VDSL2, VDSL plus and GFAST) and the coordinated use of vectoring through the MOV (so-called multi-operator vectoring) techniques.

The goal of promoting competition was also pursued with the launch of the fourth market analysis cycle concerning wholesale access services to the fixed network, in order to verify whether, on the basis of existing national conditions, it is appropriate to update the definitions of the relevant markets and modify, where necessary, the current regulatory provisions (see Chapter I, paragraph 1). A further initiative to achieve this goal was the approval of the new Regulation on the functioning of Telecom Italia Supervisory Authority (Organo di Vigilanza - OdV), focusing, above all, on strengthening the autonomy and effectiveness of the Supervisory Authority's governance model,

thus making it consistent with the new regulatory framework (see also Chapter IV, paragraph 4). With Resolution no. 45/17 / CONS, the fifth cycle of analysis related to the call termination markets on a single mobile network was also launched.

Furthermore, the supervisory activity, in all its aspects (see Chapter I, paragraph 1), has completed the overall and synergistic context of regulatory actions.

Strengthening the role played by the Authority in the development of the Digital Agenda, enhancing collaboration with the Ministry of Economic Development, Infratel and COBUL and establishing a permanent committee on M2M services

In order to consolidate the Authority's role in the development of the Digital Agenda, Resolution no. 646/16 / CONS was adopted, through which a monitoring activity on the development of ultra-broadband connectivity services, both retail and wholesale, in the areas included in the financing framework set by the SA.34199 aid scheme (2012 / N) was launched. Furthermore, the Authority provided technical/regulatory support to the Ministry of Economic Development and Infratel, in compliance with Resolution no. 120/16/CONS on the "Guidelines for the definition of the conditions for wholesale access to ultra-wideband networks for which government grants are awarded". These in turn translate the principles and guidelines defined in the 2013 Community Guidelines, providing support to the contracting authorities and to the subjects (whether public or private) which have awarded a public contract (see Chapter I, paragraph 1).

The Authority also concluded, and made available online, the mapping of all Internet access networks throughout the country, providing users, operators and policy-makers with an important tool, useful to gather information on the effective development of networks and Internet access services.

In terms of Machine-to-Machine services, the Authority, as it was established last year, took part in the public consultation on the definition of the functional specifications of second generation smart meters of low-voltage electricity (second generation smart metering), which then led to the definition of the functional specifications enabling low-voltage smart meters and the performance of their related second generation smart metering systems (2G or 2.0)

in the electricity sector, in view of the replacement of first generation meters. The Authority has set up a specific internal work group that has carried out a specific analysis on the characteristics of data connection technologies related to smart meters and the provider/user site, highlighting, in a future-proof perspective, the strengths and weaknesses of each of them.

Pro-competitive regulation goals for the postal services sector

In the postal services sector, the regulatory objective included the calculation of the costs related to the universal postal service using the “Profitability cost approach” calculation method, which, in order to promote greater economic efficiency, determines, among other things, the application of corrective measures to the costs incurred for the service. Among the most significant actions that the Authority has put into practice in order to regulate and monitor the postal services market, the following should be underlined: the adoption of measures which, in line with the provisions provided for under the Stability Law, are aimed at containing public expenditure; the monitoring of the quality of the universal service; the review, started by the Authority in 2016, of the provisions regarding access to the Poste Italiane network and postal infrastructures (see Chapter I, paragraph 4).

EFFICIENT ALLOCATION OF SCARCE RESOURCES; RADIO SPECTRUM, NUMBERING

In order to promote a more efficient use of frequency resources, the Authority took part in the decision-making process concerning the radio spectrum, at a national and international level. In this sector, policy-making activities are continuous, therefore, the achievement of the goals set for the year 2016 does not mean that the legislators completed their task; in fact, they continue to elaborate and review programmes for the allocation of frequency resources, to set out international and European guidelines and technical rules and to improve the use of radio spectrum.

Specifically, at a national level, in accordance with the strategic goal of promoting radio spectrum sharing, the Authority conducted a public consultation, initiated with Resolution no. 121/16/CONS, concerning shared access to radio spectrum in “Licensed Shared Access” (LSA) mode for terrestrial electronic communications systems; it is worth noticing that the Authority was the first regulatory body in Europe to conduct an evaluation on LSA sharing.

Furthermore, with Resolution no. 557/16/CONS, the Authority launched a survey on the possible evolution of wireless and mobiles systems towards the fifth generation (5G) and the use of new spectrum portions above 6 Ghz.

Finally, Resolution no. 380/16/CONS was approved, providing rules for the allocation of some satellite band channels available on transponders carried by Eutelsat. The Regulation is the first of its kind as it sets up a public tender to access this type of resources for broadcasting services or television contribution markets.

As for the management of radio spectrum at European level, the Authority contributed, together with the Ministry of Economic Development, to the activity carried out by the two main European bodies, that is to say, the Radio Spectrum Committee (RSC) and the Radio Spectrum Policy Group (RSPG), both by supporting Community decisions in a number of areas of interest and by transposing the proposed guidelines (see Chapter I, paragraph 6).

With regard to the planning of television broadcasting frequencies, given the new regulatory context, the Authority has adopted a measure that, pending the overall rescheduling of the resources destined to the radio and television broadcasting service, following the 700 MHz band refarming, suspends the process of implementation of the changes in frequency resources - in order to ensure an efficient and rational use of such resources – provided for under the current national frequency allocation plans for the terrestrial television service in digital technology (see Resolution No. 40/17/CONS, on *"Suspension of the implementation process of the planned frequency*

changes provided for under the current planning resolutions").

As for the radio sector, in 2016 the Authority added analogue sound broadcasting systems operating over the 87.5-108 MHz band to the national frequency register (for details see Chapter I, 2).

PROTECTION OF PLURALISM AND EQUAL ACCESS TO THE MEDIA

Completing and adapting the regulatory framework

A number of activities to adapt the regulatory system have been launched and are still in progress. With regard to the concessionaire of the public radio and television service, the Authority submitted comments and proposals to the Minister of Economic Development for the purpose of drawing up the definitive text of the Convention related to the concession, focusing on fundamental aspects such as: mission, role and scope of the public service; methods of financing the service and corporate structure; evaluation and transparency systems; network, platforms and multimedia; compliance of public service obligations.

Resolution no. 424/16/CONS on "Guidelines on respect of human dignity and of the principle of non-discrimination in the news, in-depth news programmes and entertainment shows" is also part of the regulatory framework. Such resolution is aimed at ensuring strict compliance with the fundamental principles established to protect users and, above all, those categories of users that may be subject to discrimination.

The Integrated System of Communications and the analysis of the relevant markets for the protection of pluralism

The objective concerning the monitoring of the Integrated Communications System (SIC) was achieved by performing the usual annual evaluation and monitoring activities

as well as by completing, in January 2017, the assessment of the economic conditions of the SIC in 2015 (Resolution No. 10/17/CONS), which are described more in detail in Chapter I.

As part of its activities to protect information pluralism, in order to avoid the creation of dominant positions in the SIC as well as in the markets that compose it and to ensure that market players comply with the so-called "Anti-concentration limits", the Authority concluded the first stage of the procedure aimed at identifying the relevant markets in the audio-visual media services sector (started with Resolution No. 286/15/CONS). A comprehensive analysis – through which data, information and suggestions proposed by the sector's main operators and trade associations were collected and whose results were discussed in a public consultation – was conducted as provided for under Resolution no. 41/17/CONS of 26 January 2017, thus allowing the Authority to identify the relevant markets in terms of protection of pluralism, also in light of the development of innovative methods of production, distribution and use of audio-visual contents on the Internet.

To preserve media pluralism, the Authority also verified that all merger operations and agreements signed between parties operating in the SIC (see also the Mediaset/Vivendi case and the GELE/Itedi merger operation relating to the daily press sector, paragraph 1.2) were compliant with the anti-concentration limits set by regulations; moreover, the authorizations issued for the broadcasting of television programs on terrestrial digital frequencies in Italy and in local areas were also subject to such verifications.

Improving audience rating methods

To achieve this goal, the Authority conducted a study on the systems that measure audience ratings (see Chapter I, paragraph 3), as provided for in Resolution no. 253/16 / CONS of 16 June 2016, in order to better examine and understand such issue, given the latest changes in the use of the media and the continuous technological development affecting the survey sector. The Authority also met with

the main stakeholders of the sector (survey companies, publishing companies, research institutes, trade associations, media centres, advertisers), besides conducting international benchmarking activities. Particular attention was paid to the analysis of survey companies' governance, to the methods adopted (sampling procedures, measuring tools and techniques) and to the innovative development of survey models.

Supervisory and evaluation activities

The Authority has carried out its supervisory activities by monitoring, with strict methodological criteria, the shows aired by the main national broadcasters. Furthermore, through the actions of the Regional Communications Committees, it was possible to monitor local radio and television broadcasting.

During 2016, the Authority continued to monitor audience ratings and media diffusion by constantly verifying the correct fulfilment of the obligations of all subjects conducting the surveys.

PROTECTION OF USERS AND VULNERABLE GROUPS

With regard to the protection of users and vulnerable groups, the guidelines set out by the previous report have been fulfilled, thus contributing to the achievement of the long and medium-term strategic goals (see Chapter I for a broader description of the activities that have been implemented). In addition to this, further provisions have been adopted in order to introduce new protection tools aimed at making users more aware of their consumption habits, which included the implementation of tariff transparency measures. Moreover, to guarantee access to the social security network and provision of basic universal services, a number of effective and appropriate measures have been identified, which will ensure open, convenient and accessible

services to citizens-users, to further promote social inclusion (see Chapter I, paragraph 5).

As regards quality, by adopting Resolution no. 650/16/CONS, the Authority determined the goals for the year 2017, confirming the demand for a high quality service, given that the global quality index (IQG), which shows good performance values, remains unchanged compared to 2016.

The objective of guaranteeing basic services to vulnerable categories was achieved with the implementation of Resolution no. 46/17 / CONS, which radically reviewed the benefit system, to ensure deaf and blind users easier access to electronic communication services. In addition, particular attention has been paid to the populations affected by the earthquake events of 24 August and of 26 and 30 October 2016 that affected large areas of central Italy. With Resolution no. 66/17/CONS, in fact, the Authority approved the automatic suspension of payments of fixed telephony bills for users residing in the Municipalities affected by such events, for a period of six months starting from the dates in which the earthquakes occurred.

This consumer empowerment approach also includes the new electronic complaint procedure and a more analytical complaint classification and management system that represents an efficient law enforcement tool.

In order to protect users, the Authority carries out supervisory activities which, through a continuous improvement in claim management and regular verifications, allow the Authority to prevent possible harmful effects on users. More specifically, the Authority's supervisory activity focused on verifying compliance with the "Regulations containing provisions for the protection of users with regard to the issue of contracts" pursuant to Resolution no. 519/15/CONS.

The objective of improving the assessment of the services provided by communication service providers was successfully achieved thanks to the continuation of the "Misura Internet" and "Misura Internet Mobile" projects, aimed at providing users with transparent data on the quality of the Internet access network.

In July 2016, a measurement system compatible with the new ETSI ES 202 765-4 standard was implemented, for the certification of the quality of Internet access on networks with speeds higher than 30 Mbps; in addition, the new version of the Ne.Me.Sys software, which includes a more user-friendly interface, was introduced. As for the mobile sector, the Authority, as part of the "Misura Internet Mobile" project that is aimed at guaranteeing transparency on the quality of the broadband and ultra-broadband data transmission service (mobile broadband), coordinated the implementation of two out of four new measurements campaigns (drive test), pursuant to Resolution no. 580/15 / CONS, which extended verifications on second and third generation networks (2G and 3G) to fourth generation networks (4G), using the LTE (Long Term Evolution) technique. The first campaign was performed from December 2015 to May 2016, the second from October 2016 to March 2017.

Finally, it is important to underline the review of the "White Paper on Media and Minors" (Libro Bianco Media e Minori). The profound changes taking place in the media system increased communication opportunities but, at the same time, posed new challenges in terms of protecting users and, above all, minors. In this context, in 2016, the Authority decided to update the White Paper on Media and Minors, in order to address the new regulatory issues and challenges related to the use of digital media (see Chapter I, paragraph 3). The new edition of the White Paper, yet to be finalized, represents an important starting point to analyse the national media sector, focusing on new digital technologies and their use of content; at the same time, it analyses current law on the protection of minors as well as identifies future actions of the Authority in this field.

PROMOTING A "CULTURE OF LEGALITY" IN THE USE OF DIGITAL WORKS

To achieve this strategic goal, the Authority carried out, at national level, a number of measures for the promotion of media literacy as well as a comprehensive study of the issue, in cooperation with other institutions. In this regard, it is worth

mentioning the coordination activities carried out by the Co.re.com (Regional Communications Committees), active at the local level, as well as the Authority's participation in working groups organized by the Ombudsman for Children and Adolescents. The Authority is also a member of the Advisory Board of the Safer Internet Center – "Connected Generations" (Generazioni Connesse), the Italian institute for the promotion of a safe and confident use of the Internet and digital technologies, co-funded by the European Commission under the Connecting Europe Facility programme. As part of the activities promoted by the MIUR ((Ministry of University and Research) in the framework of the Safer Internet Day, the Authority organized the workshop "Safe on the web, for an aware Internet navigation" (Sicuri sul web per una navigazione consapevole) held at the Chamber of Deputies, which was attended by academics and experts in this fields, with the aim of raising awareness among the public and the institutions on cyber-bullying, hate speech and fake news, which are all issues on which the works of the Observatory for the protection of minors and the fundamental rights of the person on the Internet established by the Authority focus.

Alongside such comprehensive analysis and institutional activities, the pursue of this strategic goal extends to verification activities aimed at identifying and stopping infringements of copyright and related rights. The increasing number of subjects that spontaneously adjust to new rules shows that the work conducted by the Authority was effective as well as greater awareness on the part of users (see Chapter I, paragraph 3).

EFFECTIVENESS, EFFICIENCY AND TRANSPARENCY OF THE ADMINISTRATION

A number of coordinated actions have been implemented by the Authority to adopt more efficient and transparent administrative procedures.

Transparency and Anti-corruption measures

In the light of the new legislation, last year the Authority's activity focused again on the promotion of transparency and prevention of corruption.

Such activities were pursuant to Law Decree no. 33 of 2013 (the so-called Transparency Decree), which aims at fully implementing the new system of publication, transparency and disclosure of information held by public administration offices. In this context, the Authority took actions to adjust internal rules to the new transparency obligations introduced by Legislative Decree no. 97 of 2016. For this purpose, the section “Transparent Authority” (Autorità Trasparente) available on the Authority’s website, has been reviewed and adjusted to the new provisions. At the same time, the Authority started to review the Transparency Rules, included in Resolution no. 148/17/CONS, and launched the new Transparency and Integrity Programme for the three-year period 2017-2019. Finally, a working group was set up to draw up a draft regulation governing the right of citizens to access administrative documents, together with the right to access documents related to ongoing proceedings.

As regards prevention of corruption (Law no. 190 of November 6, 2012), the Authority will coordinate the activities related to the existing three-year plan for the prevention of corruption with the implementation of the new three-year plan on Transparency and Integrity that represents a specific section thereof, pursuant to new legislation. In this regard, by implementing Resolution no. 87/17/CONS, the Authority adopted the three-year Plan 2017-2019 that introduced new anti-corruption measures as well as transparency and disclosure obligations.

Improving the internal control and performance-evaluation system

With the aim of strengthening the internal control system, the Authority outlined the actions needed to fully implement such system, pursuant to the guidelines provided by the Internal Control Commission.

Moreover, the planning and development criteria of the so-called “Performance management cycle” have been identified; such cycle is divided into different stages, from strategic planning, operational planning,

management control and strategic control to the management of the incentive system. This approach is in line with the forecasts and guidelines of the current regulatory framework on better regulation, according to which the management of work programmes should be based on the prior definition of goals, followed by the evaluation of the results achieved, after the completion of each cycle. This planning activity aims at organizing the administrative action in accordance with the financial and budget planning and with the principles of efficacy, efficiency and cost-effectiveness.

The definition of the first Authority-performance Plan, approved in 2016, was also based on the ideas of administrative efficiency. This Plan represents the starting point of the performance management cycle, followed by the 2017-2019 Performance Plan approved on March 15, 2017.

In order to adopt the new system for the measurement and assessment of the organizational and individual performance of employees (MAP - Activity and Performance Measurement) a special task force was set up that, with the contribution of all the organizational structures competent, allowed the Authority, among other things, to fulfil a specific legal obligation introduced by Legislative Decree n. 150 of 2009.

This measurement and assessment system, currently launched on an experimental basis, is based on a hierarchical classification of the objectives, i.e. general, strategic and operational objectives. By applying specific performance indicators (KPI) and identifying relevant targets, it is possible to measure and assess the performance of both organizational departments (Directions and Services) and individual employees. The performance management cycle will be completed by adopting, on June 30 every year, the document called “Performance Report”, which will give an account of the results achieved (see Chapter IV, paragraph 1).

Document management system and computerization of procedures

In 2016, the Authority continued its work to improve the computerization of management procedures as well

as digitalization and “dematerialization” of document flows. In this regard, the Authority issued, in September 2016, an invitation to tender for the identification of a qualified specialist analysis services provider, to measure the gap between the needs of each department and the services offered by the software currently used by the administration. The final aim is to draw up a plan to replace and integrate the applications currently adopted for the Authority’s documental and administrative management. The tender was awarded to Price Waterhouse Coopers S.p.A. that, during the first quarter of 2017, carried out evaluation activities, by conducting internal surveys and studying the software used by the employees. The results of these analyses confirmed the need to start a tender procedure, in 2017, for the acquisition of an integrated software solution that will allow the complete computerization of internal processes and the establishment of a management control system for the evaluation of performances.

In order to build a better connection between the offices in Rome and in Naples, pursuant to Resolution no. 83/16/CONS, the process of implementation of a new platform was completed, together with the project for the switching of the phone system (VoIP technology) used in the Authority’s offices, which is the same in the two locations, accompanied by the related services provided by the Cisco platform. Again in 2016, in order to guarantee the efficiency and cost-effectiveness of the administrative action by allowing the employees to easily interact regardless of their location, the Authority purchased new videoconferencing equipment and refurbished several meeting rooms with multimedia devices, needed for videoconferences and webinars (online seminars). The new video conferencing system, moreover, has been integrated with the unified communication system of the Authority (Skype for business).

With the aim of improving the traceability of internal acts, as well as ensuring the validity of the same, the Authority has adopted a unified management system of all internal and external administration mail by using a single protocol system. Moreover, from 1 January 2017, in order to

achieve the complete dematerialization of administrative documents, external and internal communications will be in the digital format and signed with digital signature, as well as transmitted and delivered to users through the single protocol system. The document management platform, in fact, through a specific interface, allows for the analysis and full text search of internal and external acts and for the verification of document transmission to offices and officials, regardless of their origin.

In 2016, the Authority also began the process of document conservation in accordance with the protocol register while, in 2017, the conservation of digital documents recorded on the protocol system will begin. These documents are automatically sent for storage in compliance with the relevant regulations, and classified according to their documental category.

As part of the process of dematerialization of document flows, the Authority outsourced the activities related to the systematization of the collection and storage of its paper archives. With regard to such service, the provider company, identified by issuing an invitation for a five-year contract, will also help the Authority in reviewing its own filing plan by conducting surveys in the different departments, as well as in adopting a new record retention period, to simplify the logistics management of archives.

In 2016, the Authority identified the procedures for the internalisation of the COR’s (Communications Operators’ Register) IT infrastructure and of the national register of frequencies, thus completing the process started at the end of 2015. External suppliers currently provide only assistance and remote maintenance services; this contribution will gradually be reduced during 2017, following the training of internal staff.

Similarly, the Authority concluded the integration of its services developed in the front office system *Impresa.gov* and the payment platform of the Agency for Digital Italy (Agenzia per l’Italia Digitale - AGID). Specifically, *PagoPA* is a system established by AGID for the implementation of the Digital Administration

Regulation (Codice dell'Amministrazione Digitale - CAD) and is one of the regulatory provisions that the Authority should promote and implement since the introduction of digital payment systems is part of the objectives set by the Agenda.

The services available on the Authority's website include the Public System for Digital Identity (Sistema Pubblico per l'Identità Digitale - SPID) whose implementation has now been completed, thus allowing the Authority to keep pace with the latest technological innovations and to be compliant with the provisions under the Digital Administration Regulation as well as with the guidelines of the Agency for Digital Italy and to put in place activities aimed at the development of the analogue radio register. These activities contribute to eliminate any technological obstacle between the Authority and the public, allowing all relevant stakeholders to take part in such process.

Moreover, thanks to the addition of a special section of the COR related to analogue sound broadcasting systems operating over the FM band (87.5-108 MHz), the Authority now has a telematics database that collects information on the terrestrial broadcasting infrastructures operating throughout Italy.

Finally, procedures aimed at developing a system of online dispute resolution between users and operators (Online Dispute Resolution), that will be shared with all the Co.re.com, are currently being completed, with the aim to guarantee, on the one hand, the harmonised management of the proceedings and, on the other hand, a centralized management system controlled by the Authority.

Cooperation and collaboration with other independent administrations for the joint management of instrumental services

During 2016, the Authority continued to work with other independent authorities in the framework of the "Convention for the management of instrumental services" executed on 17 December 2014. The different stakeholders had the opportunity to discuss several issues and identify common strategies. Among the most important, it is worth mentioning the introduction of the facility management under the Consip Convention, and the adoption of new civil liability

policies and policies for movable and non-movable assets (all risk), for which a joint tender procedure may be started in 2017.

Efficient personnel management

The objective of rationalization and improvement of the management of human resources has been achieved through initiatives aimed at guaranteeing an appropriate valorisation of the experience and professional skills acquired by operational staff with a permanent contract, as well as reducing, at the same time, the number of fixed-term contracts; therefore, two internal personnel selections were issued, to reduce job insecurity. These selections, based on the personnel recruitment plan and on human resources needs, were also aimed at facing the shortage of operational staff, due to the retirements recorded over the last three years and those that will take place in 2018. During the reference year, in order to implement the provisions provided for in the Memorandum of Understanding signed on 23 December 2015 with the Italian Authority for Electricity, Gas and the Water System (Autorità per l'energia elettrica il gas e il sistema idrico - AEEGSI) and those pursuant to the Memorandum of Understanding signed on 28 November 2016 with the Transport Regulatory Authority (ART), the exchange programme of officials was launched, in compliance with Art. 3 of each Agreement and with the objectives set out therein.

This personnel exchange programme is focused on the valorisation of the respective professional skills and competences, which should be used for the performance of activities of common interest and for the promotion of cooperation and collaboration between the institutions that signed the said Agreements. In the light of the Memorandum signed with the AEEGSI, two officials have been transferred, exchanging their workplace. The efficient management of personnel, as already mentioned above, also extends to the review of the staff performance-evaluation system.

Staff management also involved the full implementation of the 2016 Staff Training Plan, whose actions are described in detail in Chapter IV. Among these, it is worth mentioning the participation of some employees in the advanced training initiatives organized by the Florence School of Regulation Communication and Media Area, in particular the "Business model innovation and regulation of the digital word" course, as well as the "24th Conference" on Postal and Delivery Economics". At the same time, training courses for managers were also established and workers had the chance to take part in the management training course entitled "Decision-making in the public administration" provided by the National Administration School (SNA).

Disclosure of data and information to national and international stakeholders

With the aim of improving the administrative efficiency and transparency of the Authority's action, there is a constant dialogue with the financial community to ensure the correct interpretation of the decisions and measures adopted by the regulators that have a significant impact on profitability, investment incentives and distribution of revenues in the sector. To this end, the Authority provides investors and financial analysts with information concerning the trends of regulated markets, their regulatory decisions and their long-term strategic planning.

Over the last year, a number of meetings on specific topics of interest to investors and financial analysts have been organized, sometimes via conference call, and the Authority's representatives took part in "investor days" and events organized by the said financial community, to which they were invited to participate.

Over the years, the Authority has been providing information and support to stakeholders: the Observatory on Communications, which is published every three months on the Authority's website, is a clear example of this, providing a review of market developments in the areas of competence of the Authority; in addition to this, the Authority recently started to publish economic reports and statistical studies, with the aim of

providing information on specific topics related to the markets falling within the Authority's areas of competence. All the data gathered in these publications are published in the open data format and are available to the public.

STRENGTHENING THE ROLE PLAYED BY AGCOM IN THE INTERNATIONAL FRAMEWORK

The actions put in place to reach the goals set last year were all aimed at strengthening, as planned, the role of the Authority in international and European bodies responsible for regulatory cooperation in the areas of competence, at a moment when an important process of review of the relevant European legislation started (see Chapter IV, paragraph 4).

The constant work carried out by the Authority at supranational level to monitor the review process and coordinate internal resources included a number of initiatives, among which, the most significant are: the European reform of digital market regulation, the May 2016 proposal for the update of Directive 2010/13/EU on audio-visual media services, the publication - again in May 2016 - of the proposal for a European regulation on cross-border delivery services for parcels in the EU, the draft reform of BEREC, which outlines the future structure of the European regulatory cooperation body by adopting the institutional model of the Union's decentralized agency, the legislative package on copyright in the digital single market, published by the Commission in September 2016, which is currently being examined by the co-legislators, the proposal for a European regulation that guarantees cross-border Internet services in the internal market and finally the new European Privacy Regulation.

3.2 The results of the Monitoring Plan

As was the case with the 2016 Annual Report, again this year, the Authority presents the results of the monitoring plan designed to

analyse the progress and implementation of the strategic lines set out in the 2016 planning.

This plan is based on a series of indicators, shown below, which provide a summary of the fundamental technical, economic and structural characteristics of the markets that are regulated or monitored by the Authority, as well as of the main regulatory and supervisory activities carried out during the year.

The results of the verification are illustrated and discussed according to the specific strategic lines and are accompanied by the respective performance indicators organized in tables, which show the figures registered in 2016 together with data relating to the previous two-years. In almost all cases, the reference period corresponds to the calendar year and only a few indicators, clearly indicated, have a different detection period.

Promotion of a harmonized regulation fostering competition for the development of networks and services

The degree of competition in the markets that falls within the areas of competence of the Authority is generally increasing, although it varies depending on the sector. Its trend is also influenced by the current regulatory framework and by the different structural and cyclical conditions of the markets (Table 3.2.1).

In the electronic communication sector, the incumbent operator's market share in the fixed network access segment has been constantly decreasing, representing less than 50% in broadband services (46% in 2016). Alongside this, as regards access lines, the degree of concentration expressed by the Herfindahl-Hirschmann index decreased by 6% in one year while it remains almost unchanged for broadband services; this confirms an increase in competition which appears to be particularly significant, since it refers to important services such as access and broadband services.

It is also important to underline the increase in the number of new operators alongside the incumbent. In fact, they are building more and more new infrastructures, as proved by the increasing demand of wholesale services for which more investments are needed,

such as investments in unbundling, virtual unbundled local access (VULA) and sub-loop unbundling, which grew by 5% in 2016. This trend is accompanied by a decrease in the demand for bitstream and WLR wholesale services (-8% in 2016), showing that competing companies continue to develop their own infrastructure, acquiring ever greater autonomy and competitive capacity.

Besides its ordinary activity of assessing the ability to replicate economic and technical offers relating to the fixed network services and, above all, new generation services, in 2016 the Authority's work also focused on completing the update of price testing methods, to allow a more efficient evaluation of the application of the non-discrimination principle, by streamlining and simplifying the system assessing retail offers of the relevant company, thus strengthening supervision of margin squeeze practices.

The growing infrastructure indexes INF1 and INF2, which measure the number of lines that are connected directly to the local power plant (INF1) or to a street cabinet (INF 2) are also a proof of the growth in market shares owned by competing operators. In 2016, the INF1 index represented 86%, almost unchanged, while the percentage weight of the lines connected to a street cabinet, which in 2016 represented 27% of total access to the local power plant, has significantly increased. These figures are a consequence of the increase in the VULA lines, which grew by approximately three times during the year as well as of the increase in the lines in the sub-loop unbundling (+ 85% in the year) showing a general rise in investments in fibre-optic services on the part of the operators.

With regard to investments in ultra-broadband access networks – which represents a strategic priority for the country – a significant development of the coverage of the NGA network was already registered last year: in 2015, in fact, property units connected to the network represented 46% compared to 24% of the previous year. During 2016, the building of the new network has continued, showing a major development, as already pointed out in Chapter II. According to data published by the European Commission in the report Europe's digital progress report 2017, in 2016 coverage in Italy

Table 3.2.1 - Monitoring plan for pro-competitive regulation of markets

Strategic lines	Indicator	Description	Sector	Value 2014	Value 2015	Value 2016
PROMOTION OF A HARMONIZED REGULATORY ENVIRONMENT FOSTERING COMPETITION FOR THE DEVELOPMENT OF NETWORKS AND SERVICES	<i>Incumbent's</i> market share in access markets	Share in relation to total lines	Electronic Communications	61%	58%	56%
		Share in relation to Broadband lines		48%	47%	46%
	Concentration index	HHI Index – access lines	Electronic Communications	4.065	3.807	3.567
		HHI Index - revenues from <i>broadband</i> services		2.626	2.603	2.594
	Investments	Variation in demand of ULL + SLU + VULA lines (% compared to the previous year)	Electronic Communications	1%	5%	5%
		Variation in demand of <i>bitstream</i> + WLR lines (% compared to the previous year)		–4%	–7%	–8%
		INF1 Index 1st level Infrastructures ⁽¹⁾ (%)		85%	85%	86%
		INF1 Index 2nd level Infrastructures ⁽²⁾ (%)		15%	20%	27%
	NGA coverage ⁽³⁾	Propriety estates with access to services	Electronic Communications	24%	46%	72% ⁽⁴⁾
	Dissemination of NGA services	Networks with speeds ≥ 30 Mbps and < 100 Mbps (% BB lines)	Electronic Communications	3%	6%	12,2%
		Networks with speeds ≥ 100 Mbps (%BB lines)		0,4%	1%	2,8%
	Number of postal services operators	License or authorization holders	Postal services	2.469	2.519	2.776
	<i>Retail</i> access points to the postal network	Total number of post offices	Postal Services	15.393	15.256	15.719
		Alternative operators' collection points in relation to total collection points		14%	14,5%	18,3%
	Incumbent's market share in non-universal postal services	Incumbent's market share - revenues	Postal Services	65,7%	68,2%	72,5%
	HHI Index	Concentration Index in the non-universal postal service - revenues	Postal Services	4.778	5.075	5.584

The INF1 index is given by the ratio between the sum of the ULL, WLR, SLU, VULA, fibre and FWA lines and the sum of the bitstream, ULL, WLR, SLU, VULA, fibre and FWA lines.

The INF2 index is the ratio of the sum of the SLU, fibre and FWA lines to the total of the ULL, WLR, SLU, VULA, fibre and FWA lines.

The figures for 2015 and 2016 are calculated on the basis of 24.1 million real estate units (houses occupied by at least one person). The same figure, calculated using as the denominator the number of dwellings measured by ISTAT in the 2011 census (see above, Chapter II), which includes dwellings occupied by residents and non-residents, and those not occupied, for a total of 31.2 million dwellings (to which non-residential buildings were added, equal to about 1.5 million units), was 20% in 2014, 33.1% in 2015, 50% in 2016.

The value for the year 2016 reported in the table is taken from the European Commission's report "Europe's digital progress report 2017"

increased by 31 percentage points, rising from 41% in 2015 to 72% in the last year. Such a huge rise should not be surprising, since infrastructural works, by modifying the existing capital stock, lead to changes in the field (see Chapter II, paragraph 1). The growing investment rate seems to confirm the general positive trend of economy; it also indicates that current regulation, together with the adoption of ad hoc measures, proves capable of fulfilling the tasks of promoting competition and preserving efficiency.

A further encouraging aspect, which appears to be directly linked to infrastructure investments, is the increase in number of ultra-broadband networks: in 2016 networks with speeds between 30 Mbps and 100 Mbps represent about 12% of broadband lines, showing an increase by approximately 6 percentage points during the year; on the other hand, networks with speeds exceeding 100 Mbps still have rates lower than 3%, although growing faster than in the past (+1.8 percentage points between 2015 and 2016 compared to about + 1 percentage point between 2014 and 2015).

Therefore, it may be stated that a general positive trend can be identified; however, when compared to other European countries or when considering the objectives set by the Digital Agenda, it seems clear that Italy still has to face many challenges. In fact, the NGA network coverage is below the European average, which reaches 76% in 2016; moreover, the number of households using fibre services is far from the average European figure, in fact, the data gathered by the Commission in 2016 show that 12% of Italian households have access to ultra-broadband services (> 30 Mbps), compared to the European average of 37% (as of June 2016). With regard to broadband, the gap persists: in 2016, Italian households with access to broadband services represent 55% compared to the European average of 74%, whereas in 2015 the gap stood at 53 % to 72%.

Finally, the positive performance shown in 2016 by the NGA services' coverage and diffusion rate proves that investments started to grow again; however, as already pointed out by the Authority last year, such investments should be continuously supported by the adoption of specific policies aimed at strengthening the said positive results. In this regard, during the reference period, the Authority has been implementing a series of measures that contributed to improve the regulatory framework and develop technical-regulatory support activities pursuant to the Italian Digital Agenda.

To this effect, a series of actions have been adopted, such as: updating the regulatory framework by closing the third market analysis cycle related in the interconnection service sector; definition of Telecom Italia obligations in the markets for the wholesale access services to the fixed network; the approval of a new Regulation for the settlement of disputes between operators, which may reduce the installation time of new infrastructures. In addition, Telecom Italia's reference offers for the years 2015-2016 have been approved (see Chapter I, paragraph 1).

The action of the regulator also focused on monitoring the development of connectivity services in the areas subject to public financing and on the technical-regulatory support activities that form part of the Italian Ultra-Broadband Strategy. Such support activities include the adoption of the guidelines to define the wholesale access conditions to NGA networks financed by public funds, the completion of the mapping system related to Internet access networks throughout Italy and support activities to help the MISE organising the tenders provided for by Infratel (see Chapter I, paragraphs 1 and 6).

However, as pointed out by the Authority in the Report "Consumption of communication services: experiences and perspectives"⁹⁵, the development of the ultra-broadband network must necessarily be supported by public policies promoting demand, which may include the distribution of digital "vouchers" to the neediest families.

⁹⁵ See <https://www.agcom.it/documents/10179/6076453/Pubblicazione+20-10-2016/5328e481-c8da-4c0e-90da-b071fe89009b?version=1.0>.

This measure, given the adverse economic situation, would represent a valuable and immediate support for the diffusion of digital culture in Italy.

The aim of promoting competition in the postal sector presents a stage of development different from the telecommunication sector, due to the different structural and economic conditions of the postal services markets (see Chapter II, paragraph 3).

The postal sector continues to be dynamic, as shown by the progressive increase in the number of companies holding licenses and/or authorizations over the last three years that, in 2016, was equal to 2,776. Such a high number of operators indicates, on the one hand, that access to the market is not hindered by many technical and/or economic entry barriers and that the sector presents growth prospects for investors, especially in the area of express courier services. On the other hand, it is probable that in the near future the sector will undergo a period of adjustment, leading to the exit of inefficient operators from the market; in addition, it should be noted that the high number of operators determines a significant degree of fragmentation: there are, in fact, many small-sized companies operating locally or in specific market segments, which therefore have little competitive pressure on market leaders.

The presence of a greater number of operators is also reflected in the increase in post offices, which went from 15,256 to 15,719 in 2016; this implies a greater diffusion of the postal network to the benefit of

consumers and, above all, indicates a stronger presence of alternative operators that, in 2016, possess 18.3% of total post offices compared to 14.5% the previous year.

The high number of postal companies operating in the market has prompted the Authority to expand the sample to be monitored, thus leading to a review of the economic and quantitative indicators

(see Chapter II, paragraph 3, methodological note).

The large market share of Poste Italiane and the high HHI concentration index concerning postal services not included in the universal service proves that the incumbent operator still leads the sector. In fact, Poste Italiane holds more than 70% of the postal market (not Universal Service) and the concentration index stands above 5,500 points. This result is mainly due to the said fragmentation and to the extensive presence of the Poste Italiane network in the area.

In conclusion, regulatory activity in the postal sector requires greater consolidation, a strong promotion of competition and an adequate level of consumer protection, considering the market's recent opening to competition and the consequent need to ensure universal service's convenience and quality.

The main conclusions regarding the strategic priority "Promotion of a harmonized regulation fostering competition for the development of networks and services" are highlighted below.

State of progress: the development of competition in the markets for electronic communications services continues and is at an advanced stage; as regards the postal services sector, instead, the market was only recently opened to competition and therefore needs further and continuous consolidation.

Strengths: complete regulatory system in the telecommunications sector; close coordination with European authorities and institutions for the definition and updating of regulation; support activities to national institutions, both central and local, for defining guidelines for the development of new generation infrastructures.

Critical aspects: need for frequent regulation adjustment; existence of structural bottlenecks related to the presence of high sunk costs deriving from the creation of infrastructures and networks; need for public policies supporting demand; sustainability and quality of the universal postal service.

Opportunities: general economic recovery; adoption of public policies to support investments; technologic innovations.

Challenges: postal sector affected by structural changes (decreasing postal volumes, increasing importance of online services, etc.); electronic communications sector competing with new services offered by Internet service providers (the so-called "Over The Top")

Efficient allocation of scarce resources: radio-spectrum, numbering

With regard to the objective of efficient allocation of scarce resources (Table 3.2.2), after the allocation of frequencies in the 1.452-1.492 MHz band, which took place with the tender procedure concluded in September 2015, the process of awarding the frequencies to the different services has stabilised, so that in 2016 88% of available bandwidth has been assigned. As for the remaining part, the MISE will soon start the allocation procedures for frequencies in the 3.7 GHz band, pursuant to Resolution no. 659/15/CONS.

In this framework, at the end of the procedures carried out in 2015, the coverage of mobile networks continues to stand at levels higher than 90% as regards 4G services and reaches 99% for 3G services.

With regard to the frequencies assigned to radio services, the process of transition to digital radio (DAB) is currently underway, showing a progressive increase in the rate of population accessing such services in the areas covered, as planned by the Authority, which rose from approximately 14% to about 43% of the population in the last year.

Finally, with reference to the use of broadcasting capacity to air television programs, it should be noted that the average number of broadcast programs for each "multiplex" is equal to 6.7 in 2016, while the diffusion of MPEG-4 and HEVC compression formats, which are used in 20% of total programs, continues to grow, which should result in greater efficiency in the use of frequencies.

To summarize, the main conclusions regarding the strategic priority "Efficient allocation of scarce resources: radio-spectrum, numbering" are illustrated below.

Table 3.2.2 - Radio spectrum monitoring plan

Strategic lines	Indicator	Description	Sector	Value 2014	Value 2015	Value 2016
SCA RSE:	Allocated bandwidth	Allocated frequencies to available frequencies (%)	Electronic communications	83%	88%	88%
	Coverage of mobile networks <i>Multiplex</i> broadcasting capacity	2G network coverage (% population)	Electronic communications	100% 99%	100% 99%	100% 99%
		3G network coverage (% population)				
		4G network coverage (% population)		90%	91%	91%
	DAB Radio coverage	Planned coverage area over total coverage (%)	Media	12,8%	20,5%	38,5%
		Planned covered population rate over total population (%)	Media	8,2%	13,8%	42,9%
	National broadcasting capacity	Number of programs per Mux ⁽¹⁾	Media	6,1	7,4	6,7
		Programmes using MPEG-4 or HEVC technologies over total programmes(%)	Media	6,1%	13,5%	20%

(1) Mux utilization indicators represent an average figure calculated on the most significant national Mux (PDSB, 3lettronica, Europaway are excluded).

State of progress: frequency planning activities completed on the basis of the current National Frequency Allocation Plan (Piano nazionale di ripartizione delle frequenze – PNRF) ; implementation of actions to achieve the goals established by the ITU and CEPT; allocation of available bandwidth (to wireless broadband services) to be completed; process of transition to digital radio currently underway.

Strengths: cooperation with MISE; complete scheduling of assignable bandwidth.

Critical aspects: the regulator is not allowed to verify the frequency allocation process; international coordination of television bandwidth.

Opportunities: development of mobile technologies; great diffusion of mobile communication devices and services among Italian users.

Challenges: shared use of the spectrum.

Protection of pluralism and equal access to the media

To safeguard pluralism and equal access to the media, the Authority's initiatives focused on two main lines of action: supervision of the relevant sector (see Chapter I, paragraphs 2 and 3) and analysis of the media, aimed at identifying trends in information markets and the possible need for updating current regulation (See Chapter I, par. 3 and Chapter II, par. 2).

With respect to these fields of activity, the monitoring results (Table 3.2.3) provide information on the overall status of external and internal pluralism and are therefore indicative of the adequacy of the supervisory and regulatory activity carried out. However, they also provide some information on the changes taking place in the sector, which are examined more extensively by the Authority in the cognitive surveys and in the studies referred to in the previous chapters (see Chapter I, paragraph 2 and Chapter II, paragraph 2).

The figures reveal a good degree of competition in the sector, as underlined by the market share held by market leaders in the areas of television, radio and daily newspapers, which have undergone slight changes, resulting from the performance of the respective markets (See Chapter II, para. 2). Moreover, the three sectors are characterized by different degrees of concentration (more than 6,000 points as regards pay-TV, just under 3,600 for free access TV and about 1,000 points for daily newspapers), in line with the specific structural characteristics of each area, although declining over time. The only exception

is represented, for the current year, by the radio sector in which the R.T.I.-Finelco merger operation has produced an increase in the degree of concentration, which, however, still shows a low or moderate level (1,083 points).

Besides the overall stability of the level of competition, which is also due to the Authority's continuous supervision and monitoring activities, the media are currently affected by profound changes that are constantly monitored by the regulator. Moreover, the same procedural activities mentioned in Chapter I relating to merger operations and the results of the analyses carried out by the Authority (Chapter II, paragraph 2) bear witness to the changes in the competitive conditions of the media markets.

Among these changes, the decreasing structural trend of mainstream TV audience is barely evident, given the slight reduction in the number of listeners recorded by the main operator, which went from 37.5% in 2014 to 36.7% of total audience in 2016. Still, the analysis of the audience over the longer period clearly shows that a structural decline exists and is irreversible, due to both the increase in the offer proposed by thematic TV and the emergence of a greater number of distribution platforms. The daily press, as pointed out on several occasions by the Authority, is undergoing a phase of decline, shown by a reduction in volumes and, above all, in the number of distributed copies; furthermore, in light of the current consolidation process (operation GELE/Itedi, see paragraph 2.2), the Authority's continuous monitoring of the anti-concentration limits set out by the legislation in force appears to guarantee conditions of pluralism and competitiveness. In this regard, it is worth mentioning the action carried out by the Authority for the

Table 3.2.3 - Plan to monitor pluralism

Strategic lines	Indicator	Description	Sector	Value 2014	Value 2015	Value 2016
	Market Share	Market leader share - free TV	Media	48,4%	48,2%	49,9%
		Market leader share - payTV		76,9%	78,2%	77,1%
		Market leader - radio		24,4%	21,9%	22,7%
		Market leader share – daily press		21,9%	20,9%	20,8%
	Concentration Index	HHI Index – Free Tv	Media	3.605	3.573	3.588
		HHI Index – Pay Tv		6.250	6.493	6.362
		HHI Index – Radio		1.009	900	1.083
		HHI Index – daily press		1.027	1.028	1.020
	TV Audience	Annual average daily audience- Market leader	Media	37,5%	37,2%	36,7%
	Daily newspapers' print runs	Market leader print runs	Media	16,4%	16,6%	16,3%
	Information Pluralism	Number of hours focused on the news - Public broadcasting service	Media		5.231	5.444
	Pluralism relating to social issues	Time dedicated to social bodies in newscasts (%) - All broadcasters	Media		Cons.Bod. 28,6% Pol.parties 22,6% Vatican 10,4% Loc.ammi. 7,1% UE 4,8% Others. 26,5%	Cons.Bod. 27,0% Pol.parties 27% Vatican 10,5% Loc.ammi. 9,6% UE 3,1% Others. 22,8%
	Cultural Pluralism	European productions (minimum threshold 50%) - public broadcasting service	Media	67%	68%	
		European productions (minimum threshold 50%) – main television operator		56%	62%	
		Sanctioning proceedings for the protection of minors concluded by order/injunction over the total number of proceedings concluded				
	Protection of minors		Media	63,6%	78,5%	57%

implementation of the limits referred to in Article 43 of the Consolidated Law (see Vivendi/Mediaset, paragraph 1.2). Therefore, the supervision of this area is becoming increasingly difficult and the protection of pluralism requires new tools and approaches,

which should focus more on the quality of contents and information and be suitable to operate on new digital platforms.

Given the ongoing changes (and the issues resulting from then, such as the lack of resources for investments

in information production⁹⁶) the role played by the public service appears to be crucial, since it represents the main source of information for citizens, as emerges from audience shares (the newscasts TG1 represents approximately 22% - 24% of total audience, see also paragraph 2.2) and it provides a broader information offer, which consisted, in 2016, in more than 5,400 hours of information broadcast on mainstream TV channels only. The expiration of Rai's concession for the delivery of the public broadcasting service and the expected renewal of the service contract between the Italian State and Rai represented the starting point for analysing the current situation and putting forward proposals for the future of the public broadcasting service. Alongside these analyses, as discussed in Chapter I, the supervision of the obligations related to the public broadcasting service as well as of internal pluralism is fundamental for the safeguard of information pluralism.

At local level, the information market presents significant issues affecting all the parties involved (publishing companies and journalists); therefore, the role played by the public service in local information represents an element of great interest for the Authority.

Regarding the different social themes discussed by the media, the 2016 data show that the majority of broadcasting time is dedicated to political information (27% destined to political parties); such figure can be partly explained by the referendums, which

took place last year. The analysis of these themes, as already pointed out last year, do not leave enough time to discuss other social issues, especially cultural issues.

With regard to other "types" of pluralism, as referred to in the European regulation for the protection of audio-visual production, monitoring activities' results indicate that both Rai (68%) and the main commercial media broadcaster (62%) complied with the minimum legal thresholds (50%)⁹⁷.

Finally, with regard to monitoring activities on contents, the Authority, during its activity of supervision on national television programs, initiated a series of proceedings for infringement of provisions concerning the protection of minors, 57% of which ended with injunction. Besides this, it is worth mentioning the supervising activity carried out by the Co.re.com. on local radio and television broadcasting as well as prevention and "soft regulation" activities, which, as already mentioned in Chapter I, focus not only on minors, but also ensure an objective, complete, fair and impartial information.

To summarize, the main conclusions related to the strategic priority "Protection of pluralism and equal access to the media" are listed below.

State of progress: development of competition in the media markets, with different levels of progress depending on the structural characteristics of the various economic areas; the protection of pluralism involves the presence of a number of qualified subjects (external pluralism), and the provision of information produced by the public radio and television broadcasting service (internal pluralism), which citizens use as the most important source of information.

Strengths: evolving sector subject to rapid technological change; existence of different regulatory instruments for the protection of the different forms of pluralism

Critical issues: increasing difficulties in financing traditional media due to the emergence of digital platforms; problems affecting specific media (newspapers and magazines) and at local level; limited regulatory instruments for new subjects and online services; need for a strong presence on the public radio and television service.

Opportunities: recovering macro-economic trend, which is particularly significant for the companies financed through advertising (highly pro-cyclical sector); technological innovation in progress.

Challenges: new role played by the public service, especially at local level; regulation of the information system in the new digital framework; analysis of markets and possible dominant positions in traditional and new media.

⁹⁶ See annex A to resolution no. 146/15/CONS, on "Survey on the information sector and the Internet in Italy. Business models, consumption habits, jobs".

⁹⁷ The data are made available the year following the year during which they are collected, therefore they refer to 2015.

Protection of users and vulnerable groups

The 2015 and 2016 planning focused on the protection of users and vulnerable categories, pursued through the increasing supervision on the areas of interest and the improvement of communication with users, with the aim of raising awareness on consumer choices and preventing contractual disputes.

Among the many areas of action (see Chapter I, paragraph 5), in 2016, the Authority focused on the universal service facing issues such as charging conditions applying to end-users, services dedicated to disabled users, and updating of quality goals. In this regard, the global quality index (IQG) shows, again in 2016, a positive trend in the performance of the operator entrusted with the provision of the universal service with reference to the targets set by the Authority (Table 3.2.4).

It should also be noted that the increasingly improving quality of the universal service is an important result; however, the level of quality of such service has probably reached its functional limit. For this reason, the Authority has deemed it appropriate to focus its action on the quality of customer care services; in this context the Authority launched a review of the related regulation based on the assumption that most critical issues concerning quality involve the poor management of the relationship with the customer rather than technical and functional problems.

With regard to the quality of the network, a significant improvement in the quality of mobile Internet access services should be noted, thanks to an increase in both download (11,930 Kbps) and upload (2.892 Kbps) speeds. It is therefore clear that mobile infrastructures continue to develop, as a result of growing investments (see Chapter II, paragraph 1), which, as mentioned above, contributed to the increase in speed of fixed networks.

In conclusion, when considering the quality of electronic communications services, it may be stated that the performance of network infrastructures is definitely increasing. However, by analysing the results of the

monitoring activities carried out by the Authority through the system for transmission of users' claims and complaints (see Chapter I, paragraph 5), it is clear that the Authority's action should continuously focus on some specific areas that show significant problems in terms of quality, such as: failure to comply with the provision of law no. 40/2007 concerning the protection of consumers and promotion of competition, problems related to the change of operator, unilateral modifications to the terms and conditions of contracts, failure to manage users' complaints.

As regards quality of postal services, in addition to the considerations outlined in Chapter I, it should be noted that this year the Authority intends to address some of the critical issues that emerged last year from the analysis of the data on quality. In this regard, the new contract stipulated with the independent specialized body, entrusted with monitoring activities, allows the Authority to access the results of the surveys in real time. Furthermore, in order to monitor more effectively the new every-other-day delivery model, the Authority established a direct reporting mechanism available to the mayors of the municipalities involved in the different stages of the postal system.

A first set of results relating to the supervision of the areas where the every other day delivery model has been implemented has not shown any incompliance with quality targets. As for the reports transmitted directly by the Municipalities, out of the 2,600 Municipalities involved, about 30 reports were received, authorized and documented by the mayors concerned, which were then submitted to audits carried out by the universal service provider.

With regard to the prevention and resolution of disputes between users and operators, the joint action of the Authority and of the Co.re.com, which operate at local level, shows positive results in terms of effectiveness, since the disputes settled by mutual agreement represent 61% and 85% respectively in 2016. The data, both positive, refer to two types of different interventions. More specifically, the Co.re.com. manage large volumes of out-of-court settlements, while the Authority deals with a smaller number of cases – mostly settlement procedures – which are usually more difficult to solve, since they often concern failed mandatory attempt at reconciliation. This year, the settlements procedures received by the Authority rose by 28%, a significant increase considering that in January 2016 the Co.re.com of Sicily also started operating.

Table 3.2.4 - Monitoring plan for consumer protection

Strategic lines	Indicator	Description	Sector	Value 2014	Value 2015	Value 2016
	Global quality index - IQG – universal service ⁽¹⁾	Results deviation TI/regulatory objectives ⁽²⁾	Electronic communications	11	9,34	13,33
	Quality of mobile Internet access services	Download speed (Kbps) ⁽³⁾	Electronic communications	6.738	7.040	11.930
		Upload speed (Kbps) ⁽³⁾		1.707	1.915	2.892
	Resolution of disputes between users and operators	Disputes settled by agreement (% of cases closed) ⁽⁴⁾	Electronic communications	65%	75%	61%
	Resolution of disputes between users and operators	Disputes settled by agreement with the Co.re.com. (% of cases closed) ⁽⁴⁾	Electronic communications	79%	78%	85%
	Direct economic benefit to consumers	Total amount of reimbursement/indemnities from dispute resolution ⁽⁵⁾	All	€ 33.550.000	€ 33.110.000	€ 31.695.630
		Amount of reimbursements/indemnities deriving from litigation resolution activities carried out by AGCOM ⁽⁵⁾	All	€ 1.000.000	€ 1.300.000	€ 1.388.000
		Amount of reimbursement/indemnities deriving from dispute resolution activities carried out by Co.re.com. ⁽⁶⁾	All	€ 32.550.000	€ 31.810.000	€ 30.307.630
	Price index of the communications sector to consumer prices (2010 = 100)	Price Index AGCOM-ISA ⁽⁷⁾ : general price index of communications products and services	All	0,76	0,77	0,87
		Fixed telephony - access and basic services ⁽⁸⁾	Electronic communications	1,13	1,13	1,12
		Fixed telephony - Internet/broadband ⁽⁸⁾		0,89	0,89	0,9
		Mobile phone services ⁽⁸⁾		0,77	0,76	0,74
		Postal services ⁽⁸⁾	Postal services	1,05	1,12	1,16
		Pay-Tv ⁽⁸⁾	Media	1,06	1,12	1,11
		Daily newspapers ⁽⁸⁾		1,16	1,19	1,21

The index represents the overall measure, based on the weighted average of the value of the 15 universal service quality measures (see Resolution No 328/10/CONS). The index is calculated net of customer service indicators. The data shall be made available the year following the year of collection. Therefore, the values refer to the years 2013, 2014 and 2015. The data shall be made available the year following the year of collection. Therefore, the values refer to the measurement campaigns of the second half of 2013, 2014 and 2015. The indicator is calculated by considering the numerator as the number of proceedings concluded by conciliation or settlement. Reimbursements, deductions from bills and other compensation. Data relating to Co.re.com. do not include transfers of invoices. The index includes postal services, fixed and mobile telephony equipment and services, radio and television licence fees, pay-TV and daily and periodical publishing, for a total of 10 separate items. In line with the procedure adopted by ISTAT for consumer price indices, the aggregate communications index is calculated using the chaining method, which involves annual updating of the system of percentage weights assigned to the individual items that make up the basket in question. Relationship between the sectoral index and the consumer price index.

Such resolution system provides a faster solution to disputes, to the benefit of consumers, and reduces transaction costs for all market players. This represents an indirect benefit, which is accompanied by a direct economic benefit for users, that is to say, reimbursements, indemnities, cancellation of invoices. In this regard, it is worth noticing that, in 2016, more than 31 million Euros were received by consumers, as a result of the dispute resolution activity carried out by the Authority and by the Co.re.com.

As part of the analysis conducted on the effects produced by regulation, besides the economic benefits directly linked to regulatory action, the Authority has registered a constant increase in consumer prices in the areas within its competence, which represents a positive welfare consumer indicator that is expected to improve thanks to growing competition.

The raising competitive trend in the media sectors is confirmed by the synthetic retail price index (Indice Sintetico di Affidabilità - ISA), which includes all the services relating to the markets falling within the Authority's competence and has been defined in collaboration with the National Institute of statistics, with which a specific memorandum of understanding has been signed this year (see Chapter IV). The value of this index has been compared to the general consumer

price index (CPI), to analyse the general trend of economy and inflation. These figures are listed in Table 3.2.4 and show that in recent years (starting from 2010) the prices of communication services have remained at a lower level than the general cost of living, resulting in a considerable indirect benefit for consumers, as shown more in detail in the quarterly monitoring report carried out by the Authority's Communications Observatory.

Looking at the different sectors, the prices of fixed telecommunications services – basic services and Internet services – remain stable compared to the cost of living, while a further reduction can be observed in the prices of mobile phone services. The other sectors, on the contrary, show slight increases in consumer prices for the year 2016, resulting from the structural and economic characteristics of the respective markets (see Chapter II). In particular, as already pointed out in the previous Annual Reports, the postal services sector, as well as the daily press sector, is going through a structural and significant reduction in volumes, with a negative impact on average production costs and, therefore, on final prices. The most significant comments on the priority target “Protection of users and vulnerable groups” are described below.

State of Progress: the protection of users and weak categories requires constant action that must be progressively developed, focusing on supervision; the intermediate results tend to be positive, as shown by the trend in final prices and by the use of consumers of the protection tools adopted by the Authority. In particular, the action of the Authority brings direct benefits to consumers.

Strengths: presence at local level through the activities carried out by the Co.re.com; direct relationship with end users through the management of reporting and dispute resolution activities.

Critical issues: need for constant monitoring of retail markets, contrary to the normal market analysis activity mainly addressed to wholesale areas.

Opportunities: providing more information to consumers.

Challenges: consumers faced with increasingly complex offers; strengthening the protection of vulnerable categories; change in the set of services included in the universal service.

Promoting the “culture of legality” in the use of digital works

The Authority has been ruling copyright polices for three years, now. During this period of implementation of the Regulation – adopted with resolution no. 680/13/CONS – the Authority focused on two distinct but complementary aspects: the identification and elimination of copyright infringements in the use of digital works and the prevention of violations, through awareness raising initiatives and promotion of legal behaviour (see Chapter I, paragraph 3).

These two lines of actions were included and further strengthened in the 2015 and 2016 strategic planning; therefore, after three years, it is possible to observe the first results concerning the implemented proceedings (Table 3.2.5).

The most significant data – relating to the most important expected outcome of the Regulation – is the rate of spontaneous adjustments, which reached 34% of total proceedings in 2016, with an increase of 7% compared to 2015. This is a positive result,

because it shows that the Regulation is able to put in place corrective actions, although further monitoring is needed in the future, in order to gather more precise data.

Furthermore, procedures concluded with the order to disable access to services (58% of total proceedings) continue to be higher in number compared to proceedings for accidental infringements (carried out through the ordinary procedure), representing 36% in the reference period. This suggests, as highlighted last year, that serious violations, which are considered urgent and lead to the removal of access services, are not correlated to the accidental error of the individual user, but represent cases in which the violators act for reasons of mere economic speculation, by using companies providing services that guarantee user’s anonymity and systems that hide users data.

Table 3.2.5 - Monitoring plan for the protection of digital rights

Strategic lines	Indicatore	Description	Settore	Value 2014	Value 2015	Value 2016
	Copyright protection	Number of accidental infringement procedures - ordinary proceedings (% over the total number of proceedings) ⁽¹⁾	Media	57%	31%	36%
		Number of proceedings concluded with access disabling orders (% over the total number of proceedings) ⁽¹⁾	Media	34%	61%	58%
		Number of spontaneous adjustments to requests for removal di rimozione (% of all cases opened) ⁽¹⁾	Media	52%	27%	34%

(1) The reference period of the indicator is April 2014 - April 2015 and April 2015 - April 2016.

State of progress: improvement in the reduction of "accidental" violations; focusing on "serious" violations linked to economic interests; constant adoption of preventive actions ensure more effective results in the long term, depending on their nature and technological framework

Strengths: constant control of infringements and timely action.

Critical issues: difficulties with the collection of data related to violations.

Opportunities: change in the business models of digital work suppliers; greater consumer awareness of copyright issues.

Challenges: rapid evolution of the techniques used by transgressors; global dislocation of offenders; digital education of users.

Effectiveness, efficiency and transparency of the administration

In the 2015 and 2016 planning, the improvement of the effectiveness, efficiency and transparency of the administration was added to the regulation's strategic objectives.

These objectives, as already stressed in the introduction to this chapter and in paragraph 3.1, are pursued through several actions: the adoption and implementation of better regulation instruments (Regulatory Impact Assessment, Regulatory Impact Evaluation, Measurement of Administrative Burdens); the improvement in the management of databases (for example, the updating of the Economic Reporting System (IES – Informativa Economica di Sistema), the COR and the Register of frequencies); the creation of a centralized online dispute management system; the identification of solutions for the computerization of documental and administrative management; the adoption of the new Transparency Regulation and the 2017-2019 Transparency and Integrity Program; the adoption of a new system for measuring and evaluating performance, which is currently being tested.

As regards transparency, paragraph 3.1 and Chapter IV include the analysis of the actions taken to achieve the objectives set out in the strategic planning, accompanied by a qualitative report. With regard to effectiveness, in addition to the results of the monitoring activities illustrated herein, Chapters I and IV give a broad account of the activities carried out in each area of competence as well as of the improvement actions undertaken by the Authority on a case-by-case basis.

Therefore, some quantitative efficiency indicators will be analysed below, which provide some initial data, although clearly incomplete, on some of the Authority's activities - to be put in relation with the human resources available (see Chapter IV, paragraph 1) - and on the quality of administrative action (Table 3.2.6).

With regard to all the activities that the Authority carries out annually, including the actions conducted by the regional committees (Co.re.com), a distinction is made between the indicators relating to actions that involve operators in the sector and the indicators that concern the Authority's initiatives in terms of user protection.

With regard to actions that involve all sector operators, volumes remained substantially unchanged in 2016 compared to previous years: in fact, more than 13,000 reports were transmitted to the Communications Operators' Register (COR) and about 4,500 to the Economic Reporting System (IES – Informativa Economica di Sistema). These activities, which are necessary to allow the Authority to comply with its institutional duties (such as editing and publishing the Communications' Operators Register and the Register of frequencies, verifying the contributions allocated to the publishing companies, identifying dominant positions in media markets, improving the ICS, etc.) include a number of specific actions, only partially automated and continuously implemented by the staff, such as checks on the reports received and on missing reports, recall activities, inspection activities.

Alongside these activities, those concerning users should be also taken into account, in relation to which the Authority has

Table 3.2.6 - Monitoring plan for improving the quality of decision-making processes

Strategic Lines	Indicator	Sector	Value 2014	Value 2015	Value 2016
	Number of reports by operators handled by the COR	All	12.683	17.961	13.840
	Number of reports by operators handled by the IES	Media	4.428	4.701	4.457
	Number of reports sent by electronic communications sector operators ⁽¹⁾	Electronic communications	512	447	446
	Number of closed sanctioning proceedings ⁽²⁾	All	103	205	116
	Number of reports/complaints sent by users	All	4.275	5.665	6.600
	Number of operator/user disputes concluded by the Co.re.com ⁽³⁾	Electronic communications	86.872	97.236	91.784
	Average duration of registration, cancellation and authorization proceedings handled by the COR (30 days forseen)	All	14,5 gg.	12 gg.	13,4 gg.
	Number of concluded operator/user disputes on the total reports/claims received - AGCOM	Electronic communications	66%	87%	88%
	Number of favourable rulings or judgments issued by Tar and the Council of State on the total number of rulings and judgements	All	59%	74%	68%

Data referring to May 2014 - April 2015; May 2015 - April 2016; May 2016 - April 2017.

Media sector (advertising and minors), electronic communications sector (users' protection), postal services sector.

Figures referring to completed proceeding concerning conciliation procedures, settlement procedures and temporary measures.

In particular, the increasing number of complaints transmitted by users (+ 25% compared to the previous year) appears to be the result of an improvement in the system's efficiency, obtained thanks to changes in the electronic complaint procedure, which has been improved to make it easier for users to identify the category of complaint.

Furthermore, this year there has been an increase in the number of reports concerning postal services, transmitted through ad hoc electronic forms (P form), and through direct reports sent via e-mail or mail (almost 600). This indicates that users now have greater awareness and knowledge of the tools available to protect themselves against the inappropriate use of postal services.

Looking at the quality of the administrative action, it should be noted that, again in 2016, the average time needed to complete proceedings relating to the COR (about 13 days) is much shorter than expected (30 days);

moreover, the number of user-operators disputes that have been closed during the year slightly increased, reaching a value just under 90%.

Data concerning judgments delivered by administrative judges of first and second instance courts (Tar –Regional Administrative Court and the Council of State) that were favourable to the Authority are even more significant, reaching approximately 68% of total judgments.

The following is a summary of the main observations on the strategic priority "Efficiency, effectiveness and transparency of the administration".

State of progress: completion of the implementation of better regulation instruments; new system of internal controls currently being experimented (management control, strategic control and personnel assessment).

Strengths: high quantity and diversification of actions; management of large databases (through the ROC, IES and further set of information required); presence at local level thanks to the activities of the Co.re.com.

Critical issues: a great number of reports and procedures handled by understaffed departments.

Opportunities: computerization of procedures and document management that can also be useful for the internal control system.

Challenges: further reduction in procedural time and inclusion of new digital services.

Strengthening the role played by the Authority at international level

In 2016, AGCOM continued to cooperate with the international institutions in which it participates. The current period, in fact, is a crucial moment for the definition of regulations relating to the relevant markets: the European Commission has initiated a series of legislative processes concerning electronic communications, the audio-visual media services, and cross-border postal services. At the same time, there are a number of ongoing bilateral initiatives carried out through “twinning” projects with other institutions of this sector; moreover, the Authority’s support to TAIEX projects (Technical Assistance and Information Exchange) organized by the European Commission should also be underlined. Lastly, it is important to mention the constant technical-regulatory contribution provided by

AGCOM, as required by the European sectoral committees for radio spectrum as well as the Authority’s work conducted as part of the activities implemented by international organizations such as ITU, the UN and the OECD.

The high number of ongoing initiatives and the difficult period which the regulatory phase is going through required a particular effort - the details of which are provided in Chapter IV - by the Authority to operate and be constantly updated on all lines of action, which reflected into the participation of its experts in regulatory forums (119 in 2016), the implementation of activities to coordinate working groups and the undertaking of governance tasks (19 in 2016).

In short, the main comments regarding the strategic priority "Strengthening the role of AGCOM in international organizations" are highlighted below.

Table 3.2.7 - Monitoring of activities at international level

Strategic Lines	Indicator	Description	Sector	Value 2014	Value 2015	Value 2016
STRENGTHENING THE ROLE PLAYED BY THE AUTHORITY AT INTERNATIONAL LEVEL	Positions of responsibilities held	Number of <i>governance and technical Coordination assignments of European Sectorial bodies</i> (BEREC, ERGA, ERGP)	All		10	19
	National experts Participating in work groups/twinning projects	Number of workers taking part in BEREC, ERGA, ERG-P, EMERG, REGULATel, OECD, etc work groups.	All		65	119

State of progress: good, although greater continuity of action is required so that the strategic line can be pursued over time.

Strengths: high international reputation; experienced staff.

Critical issues: the increase in international activities in all areas of Authority's competence creates an organizational burden.

Opportunities: ability to influence international decision-making processes, particularly significant in defining new regulations.

Challenges: positive influence in the decision-making process relating to the areas of competence, whose regulation is currently being reviewed (electronic communications, audio-visual media services).

3.3 Strategic priorities and the 2017-2018 work programmes

This section will describe AGCOM's medium-term strategic guidelines and the related work programmes for the following year. Such objectives, as already pointed out above, have been identified by evaluating the effects of the activities implemented, as well as by analysing the results and inconsistencies, if any, detected through fitness checks.

On the basis of the results of such analyses, the Authority will continue to operate according to the medium-term strategic guidelines identified in the past years (Figure 3.3.1), namely: the promotion of a pro-competitive and harmonized regulation for the development of networks and services in the sectors of interest; the guarantee of an efficient allocation of the scarce resources available with respect to radio spectrum and



Figure 3.3.1 - The Authority's strategic lines of action

numbering; the protection of pluralism and equal access to the media; the protection of users and vulnerable categories in all relevant markets; the promotion of the “culture of legality” in the use of digital means. These strategic guidelines will be adapted to the objectives of efficiency, effectiveness and transparency of the administrative action and further strengthening of the Authority's role in the international context.

The planning of the strategic lines of action for the following year will be outlined below, which have been defined in line with the activities carried out by AGCOM last year (see Chapters I and IV), on the basis of the current state of communications markets (see Chapter II), and quantitative indicators identified by the Authority's monitoring plan (see section 3.2).

Promotion of pro-competition and harmonized regulation for the development of networks and services

Referring to the promotion of pro-competitive regulations aimed at the development of networks and services, the Authority will complete the regulatory actions which were initiated during previous years.

In particular, the Authority intends to continue to pursue the promotion of infrastructural competition in electronic communications services through monitoring, supervision and promotion of the creation of broadband and ultra-wide networks on the Italian territory, by implementing the goals set out by the Italian Government's plan "Italian strategy for ultra-broadband" and the EU guidelines concerning the Digital Agenda. In this context, AGCOM will continue to define rules to promote infrastructural sustainable competition through the creation of new generation infrastructures (FTTC, FTTB, FTTH). This activity is also aimed at managing and improving a digital mapping system for fixed and mobile Internet access networks. Regulatory and supervisory activities will also be aimed at ensuring compliance with the principle of

internal/external non-discrimination on the part of the different operators, thanks to the progressive improvement of the related regulatory activity.

Finally, the Authority's action will continue to focus on the outlining of regulatory instruments designed to achieve, according to criteria of economic sustainability and through efficient technologies, the coverage of the territory with new generation networks.

In downstream markets, the Authority will also foster and support the development of new generation digital services carried through new networks. In particular, AGCOM intends to continue to pursue three fundamental guidelines. First, the Authority aims at encouraging the development and distribution of the so-called M2M and IoT services, by making use of the studies, analyses and research activities conducted as part of the works of the Standing Committee for the development of such services. Through the works of the Standing Committee, the Authority and the stakeholders will continue to deepen the topics related to technological innovations such as smart metering and service switch, during specific workshops.

Secondly, the Authority will further investigate the dynamics of the market to highlight the development of new digital platforms, because of the significant effects that they have on competition in electronic communications, which could also have an impact on regulations.

Finally, the Authority aims at implementing supervision activities and sanctions with respect to the issue of equal access to network and roaming services, in line with the guidelines defined by the Telecom Single Market Regulation and the related BEREC Implementation Guidelines, as well as with European best practices.

In the postal services sector, pro-competition regulation will be aimed at ensuring the sustainability of the universal service's costs by carrying out annual verifications of the net cost and by guaranteeing a continuous and correct provision of the services included in the universal service. Furthermore, the Authority will supervise the quality of the services offered by post offices, the proper management of the services of notification of judicial documents, the every-other-day and ordinary delivery of mail, the process of

rationalization of post offices.

The Authority will also continue to promote full competition among operators, in order to ensure a level playing field among all market players in the light of the principles of transparency and non-discrimination; specifically, such activities will be defining the rules to access the postal network and run a test to verify alternative operators' ability to replicate the offers put forward by Poste Italiane, considering that compliance with the rules and a good degree of competition in the market represent necessary conditions to safeguard the quality of postal services. Monitoring activities will also focus on verifying the correct and legitimate exercise of postal activity by authorized operators, as well as on fighting the unauthorized or abusive use of postal license.

Efficient allocation of scarce resources (radio spectrum and numbering)

The strategic objective of ensuring efficient allocation of scarce resources (radio and numbers) will be pursued in the coming years by continuing to operate according to the past strategic planning and by making the necessary changes to make the planning more coherent to the dynamics of the sector and to technological changes, through a regulatory fine-tuning process.

In order to promote an efficient allocation of radio spectrum, AGCOM will update the plans for the allocation and management of radio spectrum for electronic communications systems, as well as strengthen cooperation with national and European institutions involved in spectrum management activities. The Authority intends to determine the amount of spectrum to allocate to electronic communication services according to the timetable established by the law or by European guidelines, also in view of the refarming process involving the 700 MHz band, taking into account technological innovations and in consistency with other countries.

These themes will therefore be addressed within a broader context, which also involves national and international institutions.

In fact, the implementation of European spectrum management policies involves the international activities carried out by the RSPG and ITU and the participation, together with the MISE, in the negotiations with neighbouring countries for the coordination of the activities relating to the refarming of the 700 MHz band to promote efficient management of radio frequency resources. Furthermore, the Authority will conclude the work of the survey on 5G, which will provide useful suggestions regarding strategies for the efficient allocation of frequency resources related to mobile network services.

Protection of pluralism and equal access to the media

As regards the protection of pluralism and equal access to the media, the Authority will be working to implement and change, if needed, qualitative and quantitative monitoring criteria relating to the protection of information pluralism, with the aim of simplifying and updating the current legal framework.

The Authority's activity will continue to conduct verifications on compliance with the anti-concentration limits set forth in art. 43 of the TUSMAR, especially during merger operations or agreements signed between subjects operating in the Integrated Communications System.

In particular, the analysis of the audio-visual media services sector will continue through the verification of the existence of dominant positions in the two markets of interest (free and paid services). Similarly, in the radio sector AGCOM will continue to identify the relevant markets to analyse any dominant positions. More generally, monitoring activities on anti-concentration limits in the ICS and in specific areas such as daily press will be carried out. Finally, the monitoring activity will be compliant with the ruling on the removal of the prohibited position held by Vivendi, pursuant to Article 43, paragraph 11 of the Consolidated Law.

In this context, the Authority also intends to verify the overall stability of the entire system of mass audience ratings, which is currently being analysed by an in-depth study, for the purpose to achieve a systematic

reorganization of audience ratings able to guarantee the accuracy, transparency, fairness and independence of the measurement in relation to governance and to the methodology to be used. Furthermore, the Authority will also assess the impact of the different uses of the media and of the continuous technological evolution on the existing audience detection systems.

The analysis of information pluralism also involves the activities relating to the public radio and television service. The mechanism for nominating representatives and the system of governance of the public-service concession holder have been recently changed, as well as the procedures to identify the obligations falling within its mission. AGCOM is responsible for outlining, together with the MISE, the amendments to the concessionaire's contract, according to European and national legislation.

With specific reference to the activities of protection of pluralism and equal access to the media, the Authority will proceed with the revision of the rules on equal treatment of political representatives on the media when there are no elections and will implement the related supervisory and sanctioning activities.

Protection of users and vulnerable groups

The changes in market structures and models of behaviour produced by technological innovations pose new challenges to the regulators with respect to the protection of users. In line with what was planned last year, the strategic goal of ensuring protection of users will be pursued, on the one hand, through a regulatory and supervisory activity on the practices adopted by service providers operating in the areas falling within the Authority's competence, and on the other hand, by making consumers increasingly aware of their rights by providing functional tools to guarantee the general principle of freedom of negotiation and the conscious exercise of their purchasing power. In particular, the Authority's activity will focus on the implementation of the appropriate measure to protect users and the so-called weak categories.

A category of users that requires particular attention is represented by people facing economic and social hardship. The ongoing analysis, aimed at defining the most effective and appropriate methods to guarantee access to the social security network and to basic universal services, should be coordinated with the activities of the existing relief system that ensures equal conditions of access to communication services to these categories of users as well as with the activities that are aimed at improving the guaranteed minimum quality of the Internet access services included in the universal service. The Authority will also be working for the implementation of the reform of the existing benefit system for the deaf and blind.

The Authority's action will be aimed at ensuring the quality of the service offered to the end user and strengthening the activities aimed at verifying and monitoring the services actually provided by suppliers. These actions will involve the following areas: universal service, fixed telephony, mobile telephony, fixed or mobile Internet access, pay TV. AGCOM will promote the updating of the regulatory supervision and the strengthening of the "Misura Internet" project (fixed and mobile), and of the search engine that compares prices in the electronic communications services sector.

The Authority will also focus its action on managing the "unsuccessful" phase of the relationship between users and service providers. In this regard, the activities will be aimed at managing user-worker disputes in those regions where the Co.re.com have not received second-level delegations, in order to guarantee the rapid conclusion of proceedings and a quick response to users' requests. The Regulation on compensation, therefore, will also undergo a process of review.

Finally, the protection of minors in the new technological and multimedia context is one of the strategic objectives that the Authority intends to pursue in the coming months. The updating of the interdisciplinary study carried out in the "White Paper on Media and Children", aimed at assessing the impact that the convergence process and new media have produced in terms of transforming adolescents' media consumption habits and identifying new legislative and regulatory issues, will be an additional measure to protect users and

vulnerable categories. The Authority will encourage the adoption of communication and awareness campaigns aimed at promoting an appropriate and informed use of media by minors, as well as improving the knowledge and skills of parents in the use of IT tools and parental control systems.

The Authority's moral suasion activity will focus on raising awareness of "Over The Top" service providers on issues regarding the protection of minors on the web; more specifically, it will focus on the adoption of a code of conduct aimed at protecting young people from harmful or unwanted content or from the risk of being involved in crimes. Furthermore, the Authority intends to promote the adoption of a shared solution for the revision of current rules on radio and television advertising and teleshopping, in compliance with the new European legislation and the latest regulatory guidelines, as well as on issues related to access to content by people with sensory disabilities in order to adopt a self-regulation code.

Promotion of the "culture of legality" in the use of digital works

In order to achieve the strategic objective of promoting the culture of legality in the use of digital works, the Authority, like the previous year, intends to encourage people to abide by the law. In this regard, the Authority will further improve cooperation with the stakeholders and other institutions involved to suggest the adoption of system measures that could lead to conscious choices and behaviours in the digital environment.

In this sense, the Authority intends to promote a series of joint targeted actions, such as: encouraging self-regulation initiatives through the establishment of specific technical committees; strengthening cooperation with the stakeholders in order to identify the most critical aspects of the existing regulation; promoting information campaigns on the correct use of the Internet; continuing the work of the Committee for the development and protection of legal online offer.

Promoting efficiency, effectiveness and transparency of administrative action

A significant objective of the Authority's strategic action will be the promotion of efficiency, effectiveness and transparency of administrative action. Such goal refers to all bodies involved in the organization and the functioning of the Authority and to those that perform regulatory and supervisory activities.

The Authority, as repeatedly emphasized, intends to improve the regulatory process by aligning it with European best practices on better regulation, and carry out a systematic analysis and assessment of the impact of regulation. Through the adoption of this system, the Authority also aim at gradually reducing administrative costs as well as implementing a new, increasingly centralized system of acquisition of information, which will allow a more efficient use of data. The processing of information will enable a constant updating of the database, useful to improve the Authority's institutional reporting (Observatory on Communications and Annual Report) in order to monitor with greater effectiveness the trend of the relevant markets, technological developments and the impact of regulatory action.

With respect to the large amount of information acquired and managed by the Authority, it is necessary to implement a structured activity of collecting, organizing, filing and processing data, which makes use of IT tools that are technologically advanced and able to trace information flows. In this sense, during the following year, the Authority intends to pursue the simplification of management processes through the computerization of work processes and the digitalization and dematerialisation of document flows. The adoption of digital documental flows is therefore aimed at reducing the time required to handle and complete the procedures, with a view to simplifying and speeding up administrative action.

In addition to this, the Authority will adopt measures to guarantee the security of information by protecting systems and data, in order to cope with the growing digital risk that includes online violation and damage of content. Finally, in terms of data retention and files, the Authority intends to reduce the costs and improve efficiency in their management through the outsourcing of paper archives and the requalification of the spaces that would be retrieved.

The Authority will promote and ensure the completeness, updating, implementation and disclosure of administrative acts, in order to facilitate control procedures. In addition, in the coming months, the Authority will work to assess spending related to the organizational structure through the introduction of an expenditure management system with the aim of updating analytical accounts and drawing up periodic reports.

To rationalize and improve communications between the offices in Rome and Naples, the telephone system (VoIP technology) currently used will be monitored; in addition, new connectivity services, which are part of the Public Connectivity System (SPC) for public administrations will be also adopted. In order to improve the efficiency of administrative action, particular attention will be given to the functional requirements needed to ensure an efficient organization of the meetings of the governing bodies (including the phases before and after the meeting).

Further activities of cooperation and collaboration with other independent administrations will be carried out, enabling the joint management of services through specific contracts and agreements for the implementation of activities of common interest. These measures will be aimed at implementing the principle of loyal collaboration between the different bodies of the public administration, since their functions and activities are similar and complementary.

The effectiveness, efficiency and transparency of the administrative action will be pursued also by strengthening the internal control system through the definition of specific guidelines (strategic planning, operational planning, management control system, strategic control).

With the aim of constantly improving and renewing the activities inevitably influenced by the technological

and regulatory innovations that involve the communications market, as well as the operational methodology of the institution, and considering that effectiveness and efficiency depend on the presence of highly qualified and specialized personnel, it is necessary to improve constantly the staff management system. Therefore, AGCOM will continue the activities launched in the previous year, which require strong efforts on a multiannual basis and will consolidate the lines of action followed so far. These actions concern, among other things, the identification of training needs and the definition of a three-year training plan, as well as the implementation of all measures aimed at ensuring the optimal environmental, physical and mental conditions of the personnel at the workplace.

Finally, the achievement of the objective of promotion of effectiveness, efficiency and transparency of the administrative action extends to the activities of coordination and collaboration with other institutions. In particular, the completion of the process of conferment of second-level powers to the Co.re.com. and the revision of the framework agreement between AGCOM and Regional Bodies will allow a further strengthening of the decentralized communications system, thanks to the improvement of administrative action and to the allocation of greater power to local authorities.

Therefore, the negotiations for the signing of the framework agreement with the Conference of Regional and Provincial Legislative Assemblies and with the Conference of Regions and Provinces will continue as well as the procedures, on specific request, for the conferment of all proxies to the Co.re.com., in order to improve the safeguard of citizen-users at local level.

Strengthening the role played by AGCOM in the international framework

In conclusion, with regard to strengthening the role of the Authority at international level, AGCOM intends to continue and consolidate the activities of the task groups working within the framework of European and international institutions, operating in the fields of the Authority's competence.

The Authority will ensure its active involvement in the works of the different international groups, also with the purpose of sharing best practices concerning the technological, market and regulatory aspects of the fields of its competence. Such active participation is part of the implementation of regulatory obligations, as the Authority is a subject vertically (cooperation between NRAs and the European Commission) and horizontally (cooperation among NRAs) integrated in the regulatory cooperation activities carried out by the different sector institutions, aimed at pursuing the regulatory harmonization and to achieve the single market objective.

Moreover, this participation takes on a strategic nature, due to the contribution that the Authority is able to provide for the definition of the positions of these bodies and for ensuring their coherence with the regulatory specific aspects of national markets. This activity is carried out through the participation of qualified staff in

technical activities (with coordination and drafting tasks) and in the governance of such bodies, as well as through participation in “twinning” projects and bilateral agreements.

In the following year, the coordinated action implemented by the European regulatory authorities of the audio-visual sector will be intensified through participation in the activities of the European Regulators Group for the Audio-visual Media Services (ERGA), while, with regard to electronic communications markets, the Authority's long-standing support to the BEREC's activities will be confirmed.

The Authority will also strengthen relations with the European institutions and bodies operating in sectors linked to the areas of its competence (such as, privacy, network security, regulation of other network services), and involved in the dynamics of new digital markets.

CHAPTER IV

The Authority's organisation and relations with the institutions

4.1 The organisational structure and human resources policy

The Authority's organizational structure

In order to adapt the Authority's organisational structure to the profound changes of the markets of its competence, to new technology scenarios and to the changing institutional context, a structural re-organisation of the Authority began in March 2017. In particular, with Resolution no. 125/17/CONS of 30 March 2017, on

"Amendments to Regulations concerning the organisation and functioning of the Authority", the Offices were organised according to the principle of better use of resources and rational division of labour and transparency towards businesses and consumers, by adopting a division of activities that guarantees the improvement of functionality and efficiency. To this end, first-level organisational units have been set up, divided into more specific areas of competence.

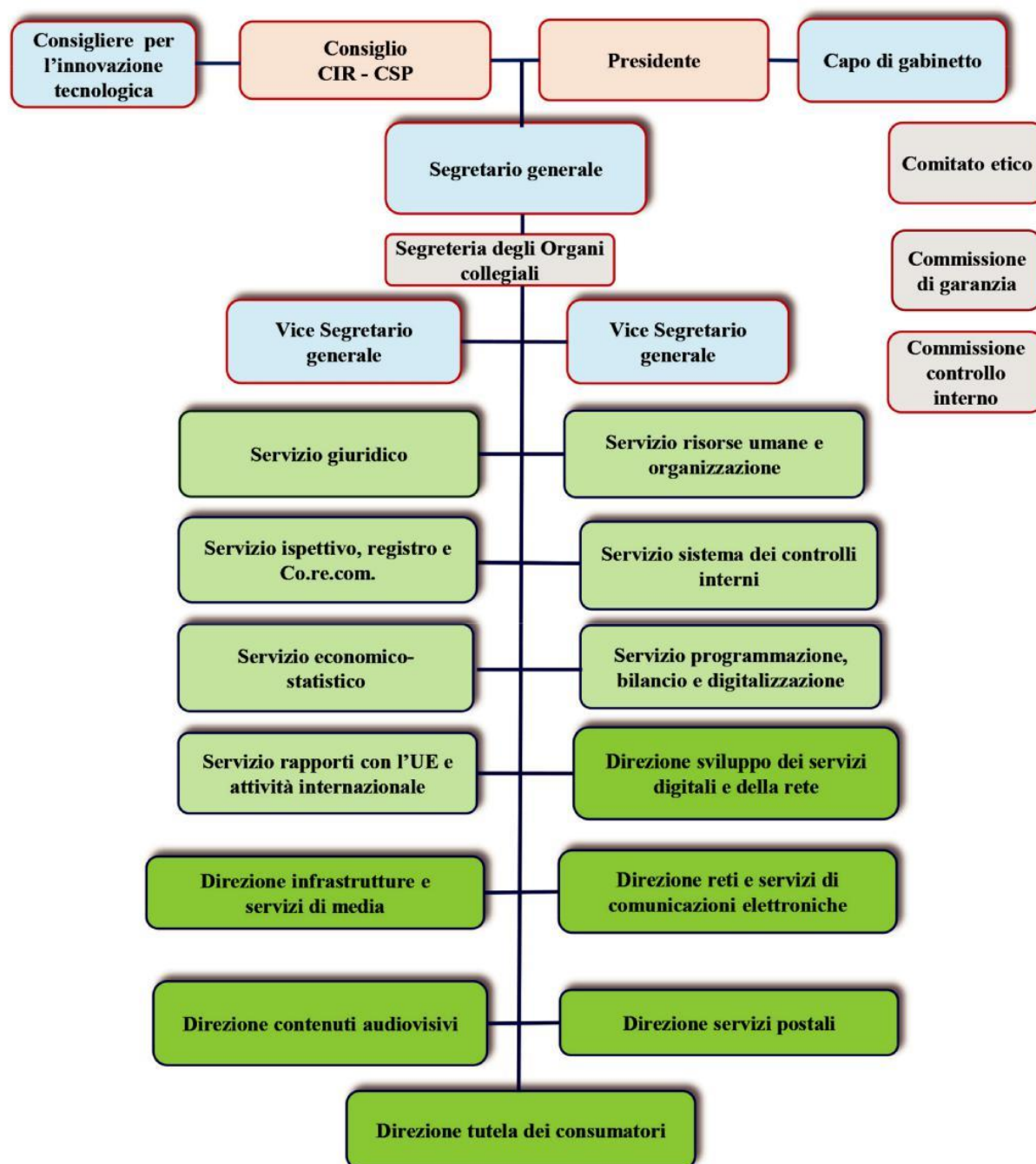


Figure 4.1.1 - The Authority's organisation chart

The process of defining the new structure of the Authority also includes Resolution no. 172/17/CONS of 18 April 2017, concerning "Implementation of the Authority's new organization: identification of second-level offices", which contributes to the creation of specialized and limited organizational units in order to ensure a high level of quality of procedures and an improvement in terms of a more effective and rational division of labour.

Overall, the current Authority's organization charts, shown in Figure 4.1.1, have been drawn up taking into account the transformation process that is affecting the markets subject to the Authority's regulation, with particular regard to technological and market convergence between the electronic communications sector and the audio-visual sector, the objectives set by the European Digital Agenda and their impact on the Authority's activities, future revisions of the European sector regulation, the new responsibilities attributed by law to the Authority, and the changed regulatory framework that include cooperation and economies of scale with other authorities for the unified management of determined services.

Human resources

In the period under review, the management of human resources was characterised by the performance of a number of selective procedures aimed at hiring professionals with skills that could meet the Authority's considerable institutional requirements.

After the completion of the procedures called to implement the Framework Convention on Competition Procedures - signed with the other Independent Authorities on 9 March 2015 pursuant to art. 22 (heading "Streamlining of independent authorities"), paragraph 4 of Law Decree 24 June 2014, no. 90 (converted, with amendments, into Law 11 August 2014, no. – the successful applicants of the recruitment competition held pursuant to Resolution no. 429/15/CONS (aimed at recruiting five IT system analysts to be hired, on a probationary basis, with a classification of operating career at the initial salary scale level) and of the competition called for by Resolution no. 586/15/CONS (concerning the recruitment, with a fixed-term contract for five years, of a manager to be assigned the functions of head of the Communications Office) have been hired.

With regard to the first recruitment competition, in view of the requirements connected with the functional

needs of the information systems sector and in order to reduce the critical aspects of the activities under its control, as indicated by the Prime Ministerial Decree of 13 November 13 2015, after the approval of the final ranking list (see Resolution no. 347/16/CONS), two more people were hired compared to the number initially provided for in the call, given the increased need for staff.

With a view to rationalising and improving the management of human resources, and in order to ensure that the experience and professional skills acquired by personnel hired as operational on fixed-term contracts are properly exploited, as well as to reduce the number of people hired under fixed-term contracts, two internal selections were called pursuant to article 1, paragraphs 9 and 18, of Law no. 249/1997. These selections, arranged in line with the general objective of reducing job insecurity, concerned the operating personnel already in service with fixed-term employment contracts for at least twenty-four months. These procedures, which were defined on the basis of the 2016 staff recruitment plan and in view of the recruitment requirements, were also designed to face lack of operational staff, due to the retirements that occurred in the last three years and those expected in 2018.

Such selections, therefore, concerned: one (see Resolution no. 305/16/CONS) the recruitment of eight staff with operational status, which took place on 1 December 2016; the other (see Resolution no. 306/16/CONS) the recruitment of two staff members with operational status, which took place on 3 October 2016, to carry out activities relating to the preparation of pay slips and tax and social security obligations.

With a view to enhancing the professional skills of the subjects already hired by the Administration through specialisation contracts as a result of a recruitment competition, Resolution no. 304/16/CONS launched a selection process aimed at hiring 19 young graduates on a fixed-term contract (originally hired under a specialisation contract following the selection procedure as provided for under Resolution no. 414/11/CONS).

With regard to subjects hired in compliance with the current legal obligations regarding the inclusion of disabled people into the labour market through support and targeted placement services pursuant to Law no. 68 of 12 March 1999, the Authority, on the basis of the Agreement signed in 2015 with the competent offices of the Metropolitan City of Rome pursuant to art. 11 of the same law, selected a number of disabled people identified by the aforementioned Offices in order to verify their suitability to carry out executive duties. In the event of successful selection, the applicants were hired through fixed-term employment of a maximum duration of three years and subsequent inclusion in the so-called reserve quota as per art. 3 of Law no. 68/99.

In order to allow young graduates with specific experience in legal, economic, sociological and technical subjects concerning the areas of interest to the Authority to gain more experience by serving their apprenticeships, during the year of reference, a public selection was also called (see Resolution no. 198/16/CONS) aimed at allowing the aforesaid young people to have a training experience lasting six months, with the possibility of extending it for a further six months, within the organisational units of the Administration. On completion of the selection process, training courses were defined as of 3 April 2017 for 19 trainees (see Resolution 109/17/CONS) who were assigned, by area of competence, to the different operational units of the Authority.

The Authority's staffing plan, as defined in Resolution no. 350/07/CONS, adopted pursuant to art. 1, paragraph 543, of law no. 296 of 27 December 2006, contemplates a total workforce of 419 persons and the remodelling of staff classification according to qualification pursuant to Resolution no. 374/11/CONS (Figure 4.1.2). Based on the recent recruitments of staff under permanent or fixed-term contracts (in 2016), as a result of the above-mentioned internal competition and selection procedures, the number of staff in service as at 31 March 2017 was 362. The composition of the staff in service, broken down into different qualifications and by the different types of

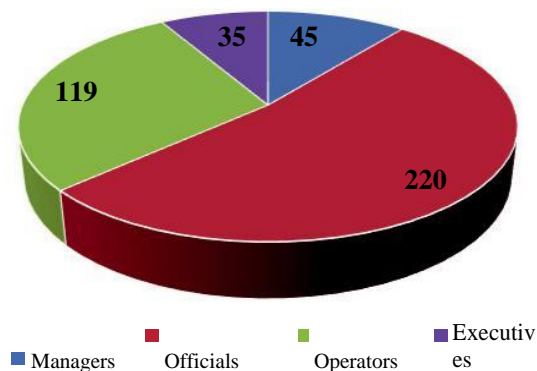


Figure 4.1.2 - The Authority's staffing plan

contracts (permanent, secondment/temporary outplacement, fixed-term and specialisation contracts), as well as the provisions contained in art. 1, paragraphs 18 and 19 of Law no. 249/97, as subsequently amended by art. 3, paragraph 67, of Law no. 350/2003 is set out in the table below (see Table 4.1.1).

Table 4.1.1 - Staff

Role	On transfer	Temporary or trainee	Total
Managers	33	2	38
Officials	170	1	195
Operators	102		102
Executives	27		27
Total	332	3	362

During the year of reference, pursuant to the provisions of the Memorandum of Understanding signed on 23 December 2015 with the Electricity, Gas and Water System Authority (AEEGSI) and those of the Memorandum of Understanding signed on 28 November 2016 with the Transport Regulatory Authority (ART), activities regarding the mutual exchange of officials were initiated pursuant to Article 3 of each Agreement and with a view to the purposes set out therein.

The exchange of personnel, aimed at enhancing the respective professional skills and expertise for the performance of activities of common interest and placed in a context of cooperation and collaboration between the institutions signing the abovementioned Agreements, has been implemented, at present, with regard to the

Memorandum signed with the AEEGSI under which, within the terms provided for therein, two officials were placed in a position of secondment to their respective Authorities of destination (AEEGSI and AGCOM).

In 2016, the project to reform the system for assessing staff performance was launched. In particular, account being taken of the provisions of Law Decree no. 150 of 27 October 2009 relating to the "Implementation of Law no. 15 of 4 March 2009 on optimization of productivity of public institutions and the efficiency and transparency of public administrations" and considering the need to define within the Authority a new system of measurement and assessment that, in accordance with the principles of the above mentioned legislation, could allow to detect both the organizational and the individual performance of employees, taking into account the individual contribution to organizational performance and the achievement of specific objectives, a special task force was established, with determination of the Secretary General no. 28/16/SG of 20 December 2016. This operating unit, made up of staff members assigned to different departments and responsible for managing the cycle for measuring the activities and performance of the Authority's organisational units and employees, has been engaged in providing support to the Organisational Units in compiling the strategic and operational objective sheets, as well as the related KPIs, in order to carry out, for the year 2016, a staff evaluation simulation based on performance.

The task force has also provided its support to the administrative department for the formulation of the strategic planning proposals for the year 2017, which will be followed by the operational planning phase, the execution of which has been addressed according to the Activity and Performance Measurement (MAP) model.

Safety and health protection in the workplace, safety training and organisational wellbeing

As part of the Service for the Prevention and Protection of Workers' Safety, the activities required by current legislation (Legislative Decree 81/2008, as amended) continued in 2016.

Therefore, the risk assessment indicated in the DVRs (Documento di Valutazione dei Rischi - Risk assessment

documents) was updated; the planning of the adjustment measures to guarantee the safety levels envisaged by the standard was monitored; the emergency plans were also updated in cooperation with the fire and first aid teams; fire drills were carried out together with the relative annual training evacuation activities.

In addition, the health surveillance of administrative staff was renewed with regard to specific risks relating to video terminals, as well as of employees with driver duties. At the same time, the plan for compulsory training of workers on the subject of safety and health was updated by holding specific courses involving the staff of the emergency teams.

In the context of activities concerning safety and protection in the workplace, and with specific reference to the subject of organizational well-being, aimed at ensuring the care and maintenance of the best conditions of health and safety of employees in the workplace, during 2016 a survey was carried out among personnel conducted through systems ensuring anonymity. This led to results that provided jumping off points for deeper reflection in order to take more specific action and further improve the wellbeing of employees.

Therefore, with the purpose of implementing the improvements necessary to contribute to the creation of a satisfactory working environment, which also entails greater organisational efficiency, and with a view to guaranteeing, in line with the reference regulatory principles, higher levels of health and safety in the workplace, activities have been undertaken which have enabled, in addition to the acquisition of life-saving tools necessary for first aid interventions, the launch of a programme to complete the ergonomic adaptation of the furnishings with the simultaneous provision of reserved areas for smokers.

Staff training

In 2016, staff training activities continued with the aim of deepening knowledge of the specific issues of interest in the areas of

the Authority's competence. To this end, the Florence School of Regulation Communication & Media Area has undertaken advanced training initiatives involving the participation of certain employees in the following courses: "Business model innovation and regulation of the digital word" and the "24th Conference on Postal and Delivery Economics". At the same time, training courses were defined for members of the management class who took part, in particular, in the management on "The decision-making process in public administration" provided by the National School of Administration (NSA).

In consideration of the peculiar aspects of the different sectors of the Authority and different categories of the staff members receiving the training, it has been decided to establish specific courses in accordance with the several needs of the structure.

Therefore, staff members of the areas at risk of corruption who work in sectors responsible for the organisation and functioning of the Administration, followed the training courses offered by the NSA, without any charge for the Authority, which allowed the participation of most of the said staff members in the following seminars of interest: "The reform of the civil service"; "The reform of the public administration: measures of flexible working and work/ private life balance"; "Public administration contracts: administrative, economic and management aspects"; "Area at risk "Public contracts"". Other employees, on the other hand, depending on the activities which they are responsible for, took part in specific seminars of interest in their areas of competence, such as: "The Digital Records Keeper"; "Independent Evaluation Bodies (OIV - Organismi indipendenti di valutazione) and Internal Control Structures"; "Tools for measuring and evaluating administrative performance"; "Digital Press Office".

Further seminars were also organized on themes such as "Smart Office and digital technologies" and "Control of the use of IT equipment", which have been held by the Administration using the remote webinar function.

The training initiatives also involved the organisation of workshops, internal seminars and public seminars focused on specific topics destined to sector operators and consumer associations in the areas of the Authority's competence:

"Digital questions in search of rules"; "Net-Neutrality"; "The audio-visual system: evolution and economic dimensions"; "Conversations between jurists and engineers on the media"; "What future for the public radio and television service?"; "Gambling, media and minors"; "Television and the third internet revolution"; "Pay TV, on demand services"; "Investments in ultra-broadband, e-commerce and consumer confidence"; "The judicial review for independent authorities"; "Discussions on media"; "Research group constitution in the age of the internet of the international association of constitutional law".

The internal seminars were held with the help of experts who are part of the staff of the Authority, as well as through the involvement of external teachers: in several cases, they were organized in collaboration with universities such as the University Federico II of Naples, the University of Sannio, Bocconi of Milan, La Sapienza and LUISS Guido Carli of Rome.

Finally, in the second half of 2016, a study to identify training requirements for the year 2017 was launched, aimed at outlining the annual training plan, in order to efficiently manage the real needs of the organisational structures, as well as to respond to the different functional requirements and the need for professional growth of employees to the benefit of the Authority.

The Ethics Committee and the Internal Control System

The Code of Ethics, adopted by the Authority pursuant to art. 1, paragraph 9 of Law no. 249 of 31 July 1997, lays down important rules of conduct and ethics that impose on employees, consultants and members of the Authority a behaviour based on loyalty, impartiality, diligence and personal correctness. These rules have a particular impact on behaviour at work and social life and concern professional duties of impartiality, conflict of interest and the related obligation to abstain, the obligation of confidentiality, relations with the media and the prohibition of collateral activities. In particular, given that the Authority's activity involves particularly sensitive issues and significant economic interests in the communications sector, the obligation of confidentiality is of great importance, committing employees to strict observance of professional secrecy.

In the same way, the obligation of impartiality commits to operate without preferential treatment and to take decisions according to criteria of maximum transparency.

In order to ensure the correct application of the Code, an Ethics Committee has been set up, an advisory body of the highest level (including former Presidents of the Constitutional Court and of the highest bodies of administrative justice) which the Authority can turn to on questions of institutional ethics.

The current Ethics Committee is composed of the Chairman Riccardo Chieppa, who was appointed President, and by the Chairmen Angelo Gargani and Mario Egidio Schinaia, who were appointed committee members.

Recently, the Ethics Committee proposed an update of the current Code of Ethics, dating back to 2004, in the light of the most recent regulatory changes. This proposal is part of a broader plan to realign internal regulations - from the Regulations on the legal and economic treatment of personnel to Accounting Regulations - which is being implemented in order to update the entire body of regulations, the approach of which dates back to the early years of the Authority's activity, taking into account the legislative changes that have occurred in the past and administrative best practices.

Other bodies forming part of the Authority are the Guarantee Commission and the Internal Control Commission. The task of the Guarantee Commission is to ensure that the administrative departments' activities comply with the existing law and regulations, provide feedback on financial management activities, with particular regard to contractual procedures, carry out specific cash and budget audits at least once every three months, and express its opinion on the draft annual budget and accounts in a report. The Commission is composed of three members chosen by the Council, on the proposal of the President, from judges belonging to the Council of State and the Court of Auditors, general managers of the State and official auditors of the accounts listed in the relevant register for at least ten years. The Commission works in collaboration, but in a position of complete autonomy, with respect to the Offices of the Authority, with a mandate of five years. The current Guarantee Commission is chaired by the President Francesco Caringella and is composed of Councillor Maria Annunziata Rucireta and Dr. Gianluca Battaglia.

The Internal Control Commission performs, on the basis of an evaluation carried out using cost and performance comparative method, the important task of verifying the achievement of the objectives set out by the Authority's laws, regulations and directives. It also ensures that public resources are managed correctly and according to the principle of cost-effectiveness, and controls the impartiality and good performance of the administrative action of the Authority's Offices, also conducting the monitoring of management actions and suggesting the most suitable solutions to overcome any problems detected. The Authority's Board, upon suggestion of its Chairman, selects the members of the Internal Control Commission from among experts in assessment techniques and management control for a five-year term. It is currently composed of Prof. Giovanni Valotti, Councillor Giuseppe Troccoli and Prof. Gianluca Vagnani.

With the aim of strengthening the internal control system, the Secretary General, after having carried out, through the establishment of an inter-service working group, a wide-ranging survey on the state of implementation of the system for the management of organisational and individual performance, outlined the operational proposals to implement such a system, also on the basis of the guidelines constantly provided by the Internal Control Commission.

The criteria for the definition and development of the so-called "performance management cycle", which is divided into different phases, namely: strategic planning, operational programming, management control and strategic control, up to and including the management of the rewarding system, have therefore been effectively outlined. A significant innovation was the approval in 2016 of the first Performance Plan, which represents the tool to start the above-mentioned performance management cycle, followed by the 2017-2019 Performance Plan approved in March 2017.

In order to adopt the new measurement and assessment system measuring both the organisational and individual performance of employees (MAP - Activity and Performance Measurement), a specific task force was set up, as already mentioned, with the contribution of all the competent Services (Determination no. 28/16/SG), in the awareness that a system structured in this way, in addition to being a fulfilment of the legal obligations introduced by Law Decree no. 150 of 2009, represents an indispensable tool to make

management and financial statement control effective, as recommended by the Internal Control Commission.

The structured measurement and evaluation system, currently launched on an experimental basis, is based, according to a hierarchical classification, on the division of goals into general, strategic and operational objectives, to which performance indicators (KPI) and the related targets are associated, in order to allow the measurement and evaluation of the performance of both organizational units (Departments and Services) and individual employees. The methodology identified is aimed at assessing the level of achievement of the objectives assigned to the individual departments and employees, as well as the qualitative and behavioural characteristics of each, with the desirable effect of strengthening the sense of belonging of the same to the unit which they are part of, for the general goal of improving the "state of health" of the administration.

The performance management cycle thus initiated will be completed with the document to be adopted on 30 June of each year called the "Performance Report", which will give an account of the results achieved.

4.2 Implementing and subsidiary bodies

The Co.re.com. and the decentralised communications system

The Authority's activity for the protection of the market and users is carried out at local level by the Regional Communications Committees (Co.re.com.), delegated to perform a number of functions, such as the mandatory attempt at conciliation in disputes between users and operators of electronic communications, the supervision of compliance with legislation for the protection of minors in the local audio-visual sector, the supervision of the publication of surveys and the exercise of the right of rectification (in the first phase of delegation); the resolution of disputes between users and operators of electronic communications, the supervision of

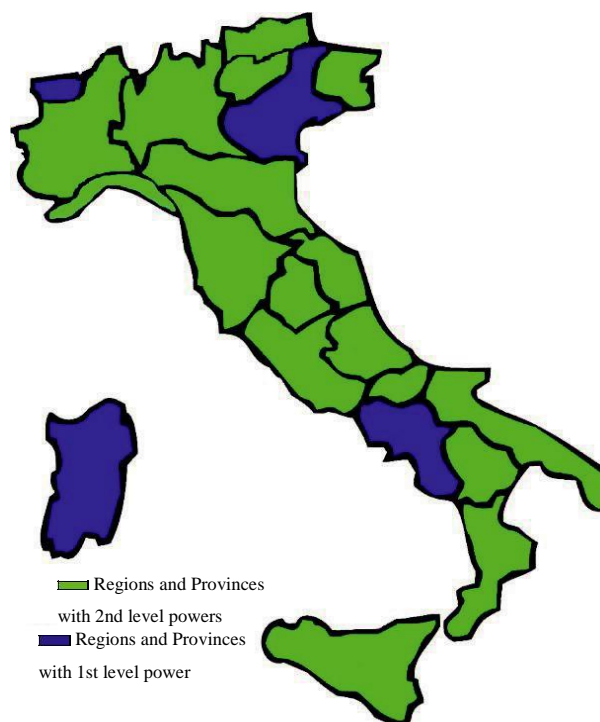


Figure 4.2.1 - Regions and Provinces with first-level (purple) and second-level (green) powers

compliance with all the obligations incumbent on local broadcasters through the monitoring of the same and the management of the COR (in the second phase of delegation).

Starting from 2013, all Committees perform first-level delegated functions, while, beginning from 1 January 2016 almost 80% of the population has been involved in activities relating to second-level delegations, following the signing of the Agreement with the Co.re.com. of the Region of Sicily (Figures 4.2.1 and 4.2.2). The preliminary investigation for the conferment of further proxies to the Co.re.com of the Veneto Region is underway, while the remaining regions, Campania, Sardinia and Valle d'Aosta, should be included in the process within the end of 2017.

In 2016, the process of updating the Framework Agreement currently in force was launched and signed on 4 December 2008 by the Authority with the Conference of Regional and Provincial Legislative Assemblies and the Conference of Regions and Provinces. Negotiations are still underway to extend the scope of the functions of the Co.re.com., with particular reference to the subject of the protection of minors and new media, and allow a more efficient management of resources.

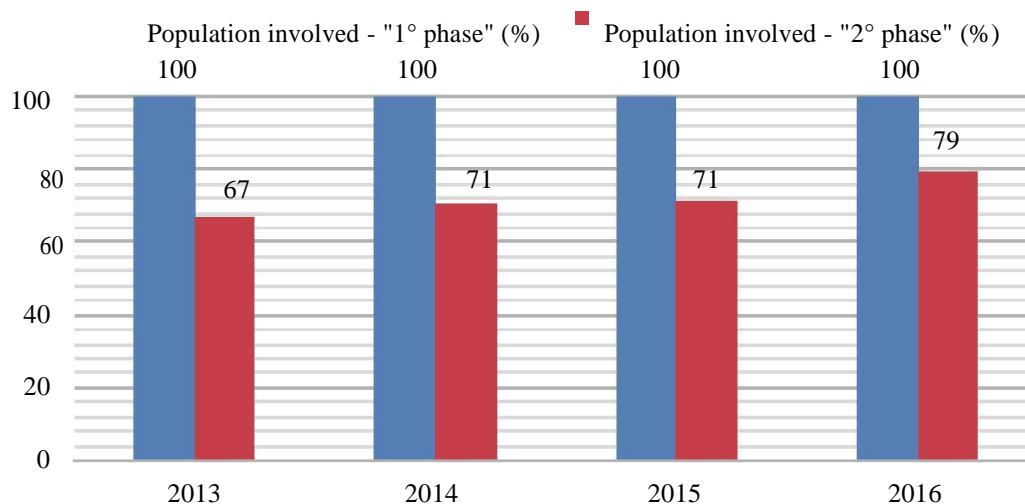


Figure 4.2.2 - Scope of powers delegated to the Co.re.com. % compared to population

The decentralisation process led local functional bodies to become an integral part of the user guarantee system, increasing the prestige and reputation of the Committees. In particular, increasing importance is given to the management - decentralized and free - of disputes, whose value measured in terms of compensations provided by operators for conciliations is around 25 million euros in 2016, without considering the additional economic benefits obtained by consumers at the conclusion of dispute resolution procedures, as well as the intangible benefits consisting of the higher level of self-discipline induced and the gradual diffusion of the culture of transparency that has taken root among operators thanks to the action of the Co.re.com.

In the last three years, the number of proceedings has stabilized around one hundred thousand cases including requests for conciliation and temporary measures handled by the Co.re.com. every year (Figure 4.2.3).

In detail, Figure 4.2.4 represents the distribution of disputes over the Italian territory in 2016 and confirms Campania's leadership in terms of the number of applications received at regional level, equal to more than 15% of the national total.

In relation to the object of the dispute, migration and incorrect invoicing represent the most frequent reasons for appealing to Co.re.com., followed by cases of interruption/suspension of the service, activation of unsolicited products/services and withdrawal expenses.

In pursuit of the aim of mediating the relationship between communications operators and users without going through the ordinary judicial authority, with consequent deflation of the judicial dispute, in 2016 the

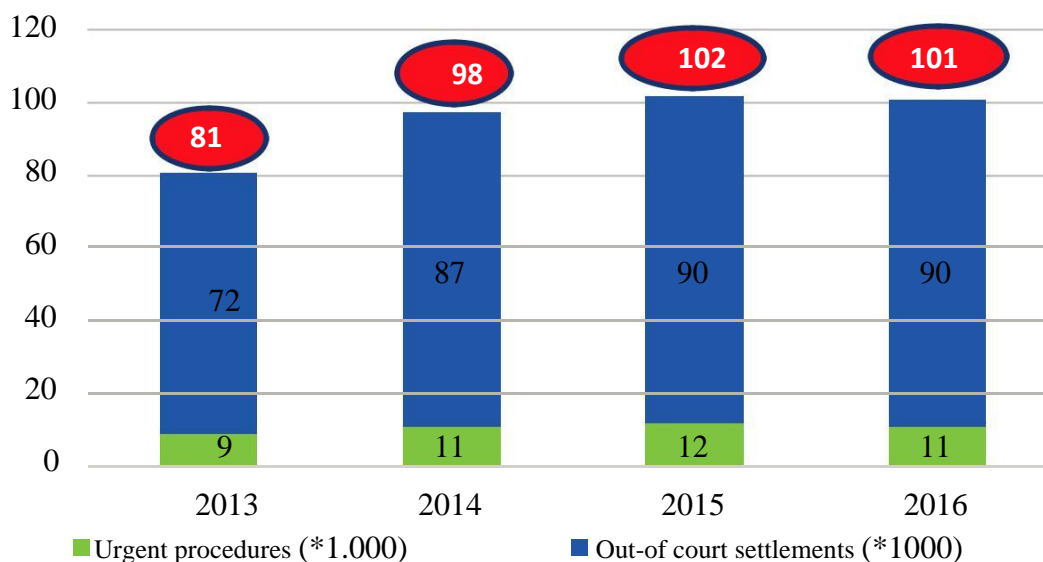


Figure 4.2.3 - Out-of-court settlements and urgent procedures (expressed in thousands)

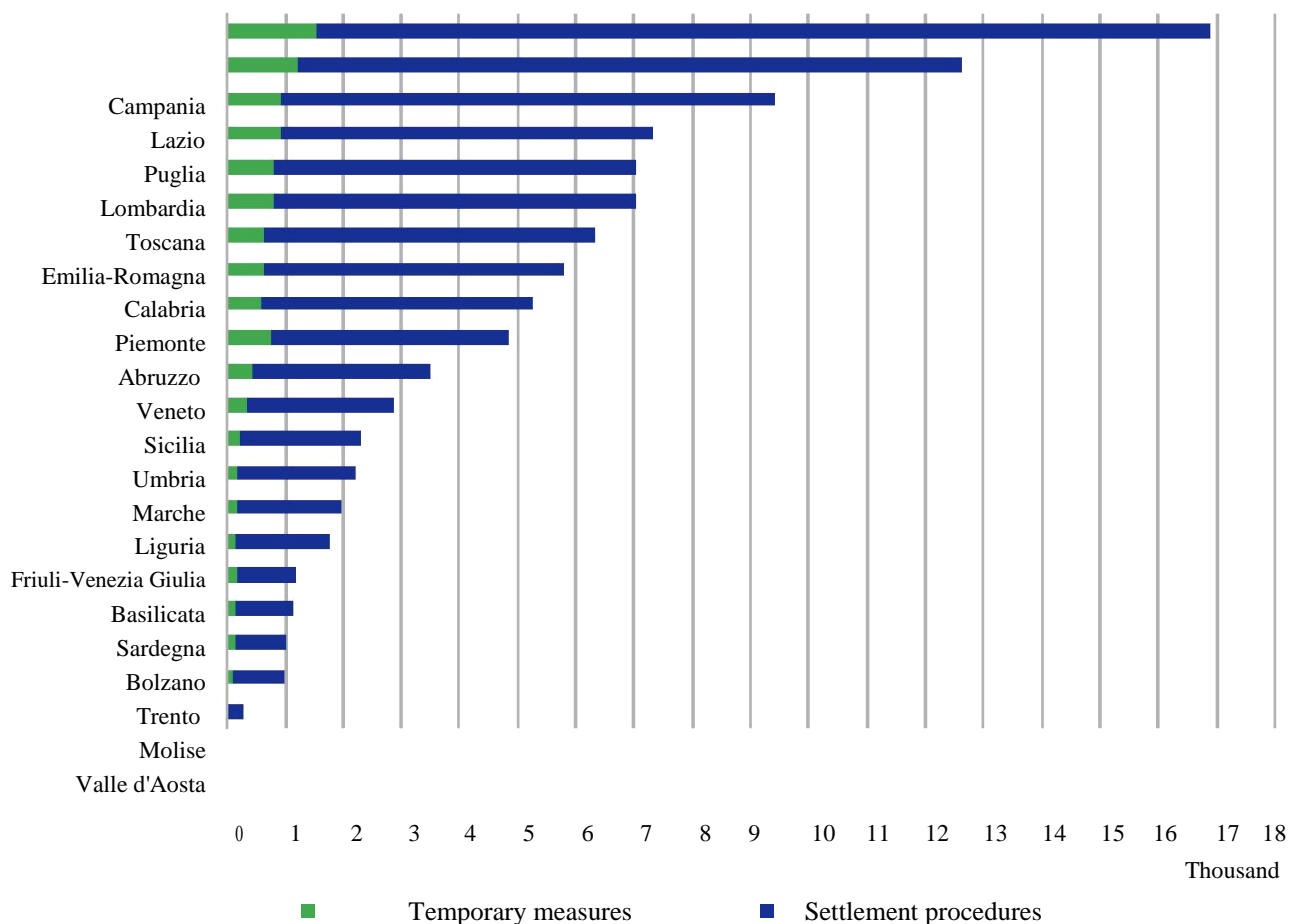


Figure 4.2.4 - Settlement procedures and temporary measures by Co.re.com. (expressed in thousands)

Co.re.com. contributed to the resolution of 83.4% of the disputes that arose, a value that has remained substantially stable over the last three years (Figure 4.2.5).

This percentage includes settlement measures, which represent more than 50% of disputes not settled by mutual agreement following the mandatory attempt at conciliation, i.e. 9,280 claims against 16,077 failed attempts to reach an agreement.

It should be noted that the settlement measures adopted by the Authority represent approximately 30% of the total settlement of disputes and concern the requests received following a lack of agreement with the Co.re.com. not yet delegated to the exercise of the related function, namely Campania, Veneto, Sardinia and Valle d'Aosta, which received a total of 20,615 requests for conciliation, corresponding to 23% of the total

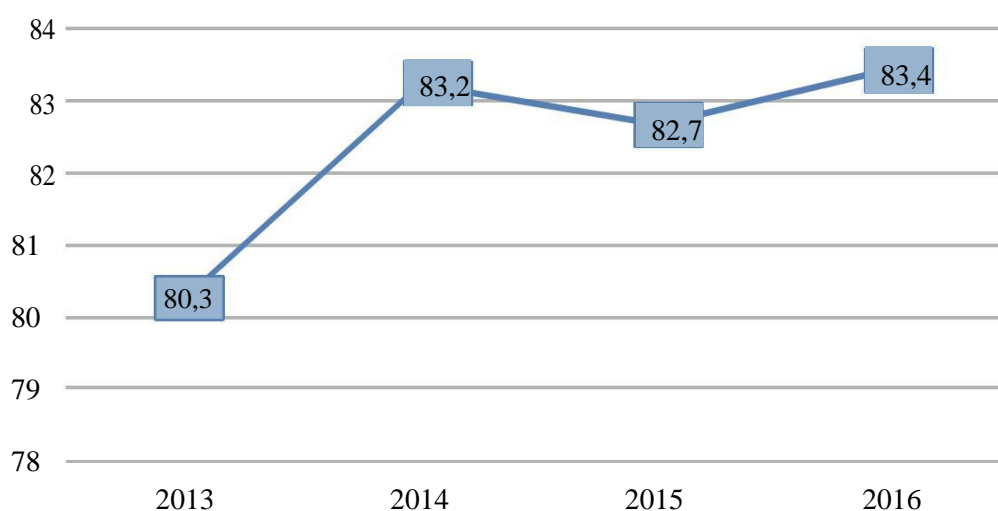


Figure 4.2.5 - Settled disputes (%)

number of requests. These reports show that the decentralised system is more effective where the functional bodies carry out all the delegated functions and not only those relating to the first level of powers (Figure 4.2.6). The conferral of second-level powers, in fact, increases the authority and effectiveness of the body's activities, both with reference to the growing trust placed by the user in the institution, and with reference to the attitude of the operator who has a single interlocutor for mediation and for the final resolution of the dispute.

Faced with the rising number of cases taken to the Co.re.com. for dispute resolution, the Authority has decided to provide a centralised online dispute management system, which will lead to significant savings in terms of staffing and maintenance costs of the management systems, currently multiplied by the number of Co.re.com., as well as to uniform and consistent management throughout the country of the procedures for accessing a single system provided by the Authority.

This IT platform, in line with the single system of digitization of public administration, will unify and simplify the procedures for receiving applications, without depriving functional bodies of their strategic closeness to local communities, a social role of extreme importance improved by greater transparency and traceability of information, both for the benefit of users, who will have easy decentralized access to online procedures, and

for the benefit of operators, who will access computer files remotely in a single virtual space managed by the Authority.

The Co.re.com. are active at local level and represent the balance between the interests of the market and the protection of users, carrying out both the delegated activity to monitor compliance with audio-visual legislation and the delegated activity to verify the requirements for registration in the COR, in addition to the difficult task of dealing with the proceedings in the first instance for violation of the so-called "par condicio" legislation, which is not part of the delegated activities of the Authority as it is a competence attributed by law, but is handled in close collaboration with the competent institutions.

With regard to the supervision of local broadcasting, the year 2016 saw a significant increase due to the conferment of the proxy to the Co.re.com. of Sicily, which is a region with a high number of local broadcasters. The monitoring covered 231 programme schedules, as shown in Figure 4.2.7.

116 violations have been identified, divided into four macro-areas as shown in Figure 4.2.8. Advertising, crowding, reporting and positioning accounted for 60% of total cases compared to 73% the previous year, while proceedings for breaches of programming requirements increased considerably from 14% to 28%. The number of cases involving minors in 2016 is still irrelevant and is equal to four, three of which are closed.

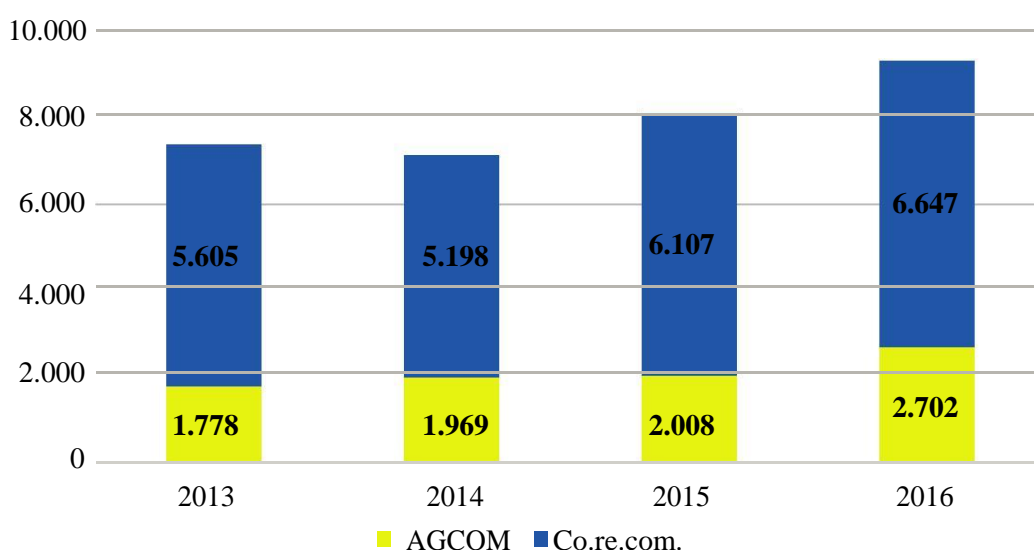


Figure 4.2.6 - Settlement procedures (2013-2016)

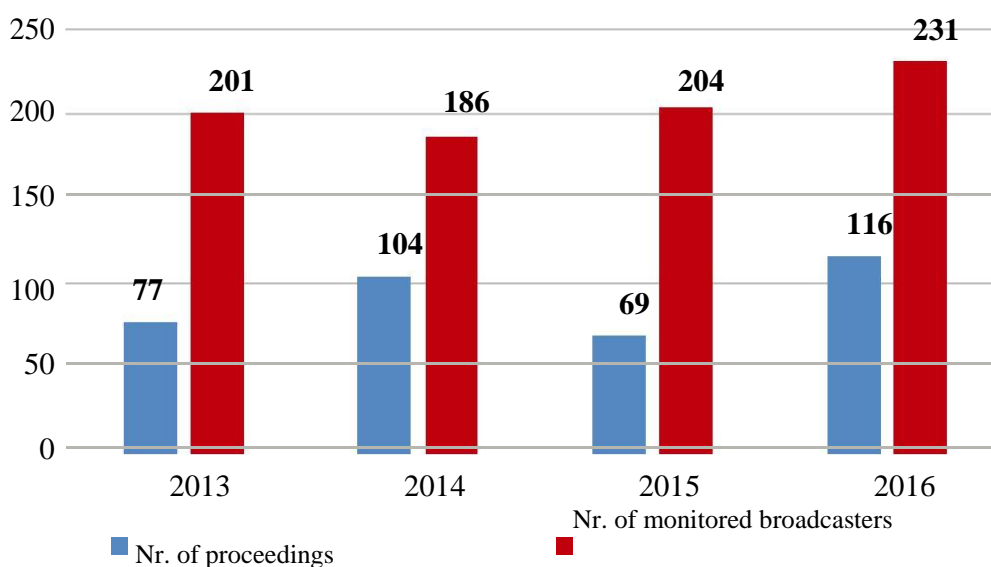


Figure 4.2.7 - Monitoring activity (2013-2016)

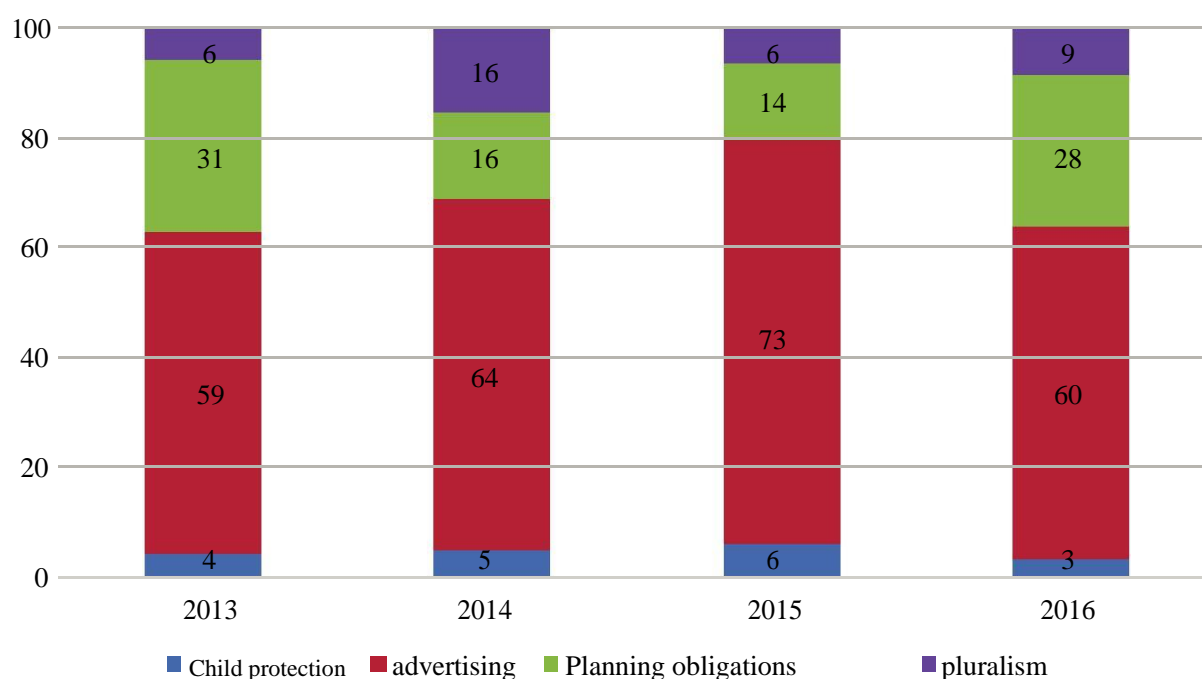


Figure 4.2.8 - Penalty proceedings initiated by macro-area (%)

With specific reference to the actions adopted to maintain the COR at local level, in 2016, the 17 Co.re.com. that received delegation powers for this function handled about 700 new registrations and about 450 cancellations. At the end of the year, about 9,200 operators were registered in the COR, also thanks to the accurate and concerted activity carried out by these functional bodies, which favoured the massive cancellation of "inactive" operators and continued to verify the consistency of registered operators. Following the massive cancellation of the "inactive" operators, carried out by the Authority in the two-year period 2015-2016, and thanks to the promotion and awareness-raising activities implemented by the

Co.re.com. at local level, the percentage of registered operators that comply with the annual communication obligation has significantly increased, as shown in Figure 4.2.10.

The entry into force of Law no. 232 of 11 December 2016 introduced the obligation for economic operators engaged in call centre activities and for third parties entrusted with call centre services to register in the COR with effect from 1 January 2017. Therefore, the number of registered operators handled through the COR is undergoing a considerable increase; in the first quarter of 2017, more than 2,500 applications for registration were received, which have been dealt with directly by the Co.re.com, supported by the competent office of the Authority.

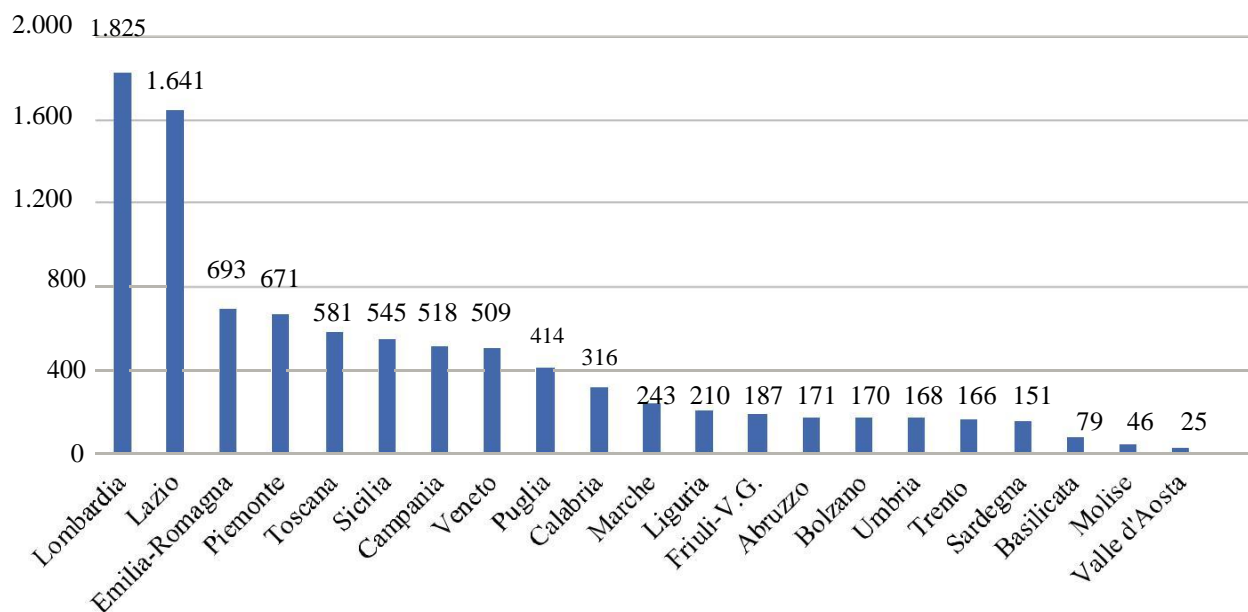


Figure 4.2.9 - Distribution by Region of the operators registered with the COR (31 December 2016)

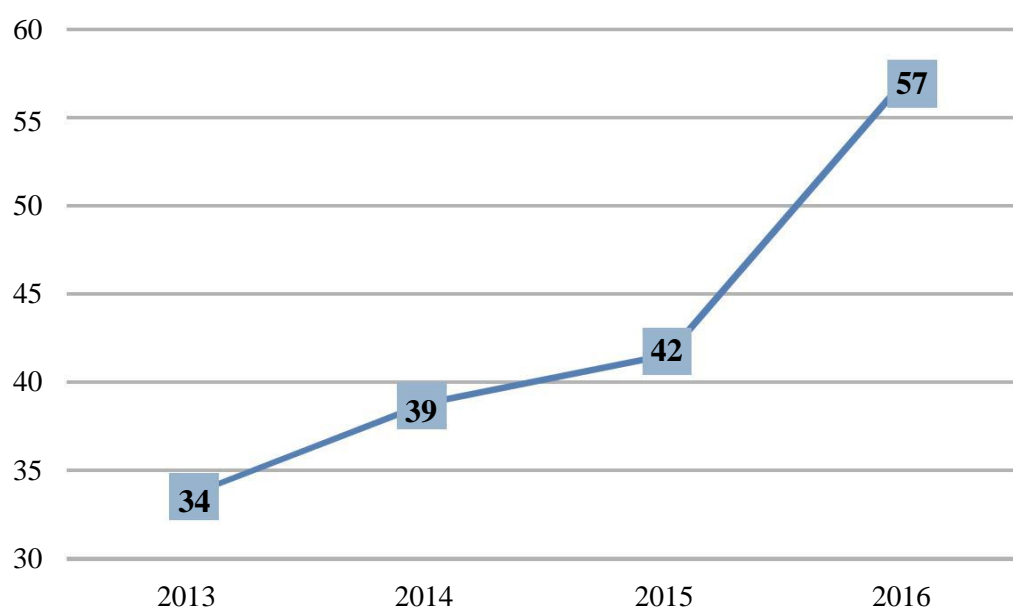


Figure 4.2.10 - Annual communications received from the delegated Co.re.com. in relation to the total number of members of the COR (%)

Multiple study and research activities aimed at improving the regulatory system and meeting consumer's expectations have been conducted by functional bodies; moreover, together with initiatives to raise awareness of the conscious use of digital media and the protection of human dignity, further initiatives on web reputation, cyberbullying and hate speech, organized with the help of other local institutions, were particularly appreciated.

The implementation of this decentralized system is a proof that the protection measures adopted were

successful, as they guarantee closeness to citizens, through a continuous cooperation with local communities and a consistent application of the Authority's guidelines with a view to favouring specific local features. For more information on the individual Regional and Provincial Communications Committees and their activities in the territory, it is useful to visit the institutional websites listed in Table 4.2.1

Table 4.2.1 - The Co.Re.Com: constituting law, chairpersons, delegations and institutional websites

Co.re.com.	Chairperson	Constituting law	I phase delegated functions (starting date)	II phase delegated functions	Institutional website
Abruzzo	Filippo Lucci	Regional Law no.45 Of August 24 2001	1 October 2006	1 May 2011	www.corecomabruzzo.it
Basilicata	Giuditta Lamorte	Regional Law no.20 of 27 March 2000	1 January 2004	1 January 2012	www.consiglio.basilicata.it/consiglienew/site/consiglio/section.jsp?sec=101865
Bolzano - Provincia autonoma	Roland Turk	Provincial law no.6 of 18 March 2002	1 March 2008	1 January 2012	www.consiglio-bz.org/comitatocomunicazioni/
Calabria	Pino Rotta	Regional Law no. 2 of 22 January 2001 and successive amendments	1 July 2004	1 January 2010	http://corecom.consrc.it/hp2/default.asp
Campania	Lino Zaccaria	Regional Law no.9 of 1 July 2002 and successive amendments	1 January 2010		www.consiglio.regione.campania.it/corecom/jsp/
Emilia- Romagna	Giovanna Cosenza	Regional Law no. 1 of 30 January 2001 and successive amendments	1 March 2004	1 October 2009	www.assemblea.emr.it/corecom
Friuli- Venezia Giulia	Giovanni Marzini	Regional Law no. 1 of 10 April 2001	1 February 2004	1 October 2009	www.corecomfvg.it
Lazio	Michele Petrucci	Regional Law no. 19 of 3 August 2001	1 January 2004	1 January 2010	www.corecomlazio.it
Liguria	Alberto Maria Benedetti	Regional Law no. 5 of 24 January 2001	1 March 2004	1 July 2014	www.regione.liguria.it/argomenti/consiglio/corecom/cose-il-corecom.html
Lombardia	Federica Zanella	Regional Law no. 20 of 28 October 2003	1 May 2005	1 January 2010	www.corecomlombardia.it
Marche	Cesare Carnaroli	Regional Law no. 8 of 27 March 2001	1 September 2004	1 July 2013	www.corecom.marche.it
Molise	Andrea Latessa	Regional Law no. 18 of 26 August 2002	1 January 2010	1 January 2012	www.corecommolise.it
Piemonte	Alessandro De Cillis	Regional Law no. 1 of 7 January 2001	1 July 2004	1 October 2012	http://www.cr.piemonte.it/web/per-il-cittadino/corecom
Puglia	Felice Blasi	Regional Law no. 3 of 28 February 2000	1 January 2007	1 October 2009	http://corecom.consiglio.puglia.it/
Sardegna	Mario Cabasino	Regional Law no. 11 of 28 July 2008 and successive amendments	1 July 2013		www.consregsardegna.it/corecom/
Sicilia	Ciro Di Vuolo	Regional Law no. 2 of 26 March 2002 and Successive amendments	1 January 2012	1 January 2016	http://corecom.ars.sicilia.it/ http://pti.regione.sicilia.it/portal/page/portal/PIR_PORTALE/PIR_LaStrutturaRegionale/PIR_Presidenza della Regione/PIR_Segreteria Generale/PIR_UOC o ReCom
Toscana	Sandro Vannini	Regional Law no.22 of 25 June 2002	1 February 2004	1 January 2010	www.consiglio.regione.toscana.it/oi/default.aspx?idc=46&nome=CORECOM
Trento - Provincia autonoma	Carlo Buzzi	Provincial law no.19 of 16 December 2005	1 April 2007	1 January 2010	http://www.consiglio.provincia.tn.it/istituzione/comitato-per-le-comunicazioni/
Umbria	Marco Mazzoni	Regional Law no. 3 of 11 January 2000	1 March 2004	1 January 2010	www.corecom.umbria.it
Valle d'Aosta	Enrica Ferri	Regional Law no.26 of 4 September 2001	1 January 2004		www.corecomvda.it
Veneto	Gualtiero Mazzi	Regional Law no.18 of 10 August 2001	1 february 2005		http://corecom.consiglio veneto.it/corecom/

The National Council of Users

The Authority's constituting law included the introduction of a fundamental supervisory tool to protect consumers, by establishing the National Council of Users (CNU – Consiglio Nazionale degli

Utenti). The eleven members of the CNU are chosen by the Authority's Board from the qualified experts designated by the representatives of users' associations and by the members of associations dealing with the protection of the

rights of children, persons with disabilities and working in the social and education fields. This body's composition represents, therefore, the pluralism of the associative world and of civil society. The current CNU was appointed on 5 November 2015 and is chaired by Dr. Angela Nava Mambretti.

The Authority maintains a relationship of intense and reciprocal collaboration with the National Council of Users. In fact, the CNU is an important auxiliary body whose activity is expressed not only through the adoption of documents and deliberations, but also involves a continuous dialogue with the Authority, consisting of mutual exchange of suggestions, opinions and information that allows the Authority to have, through such a privileged channel, a constant and fruitful relationship with the wide and diverse world of users.

The CNU, pursuant to its founding law, has the power to express opinions and make proposals to the Authority, the Parliament, the Government, and all public and private bodies that carry out activities in the areas regulated by the Authority, and may intervene on issues concerning the protection of the rights and legitimate needs of citizens, users, consumers, parents, children and persons with disabilities, according to the constitutional principles on freedom as well as to the right to information and communication.

The CNU, in line with the technological evolution of the communications system, has, on several occasions, dealt with issues related to a safer use of the Internet and, in particular, has committed to protecting minors in the fight against child pornography, cyberbullying and gambling. The CNU also raised public awareness of the dangers of minors using video games designed for adult audiences, calling for prompt regulatory action and an information campaign to raise parents' awareness.

In addition, the Committee has launched a series of initiatives aimed at ensuring a deeper knowledge of local areas. In this regard, it has started a fruitful collaboration with the representatives of the Co.re.com. and Rai, based on the analysis of common projects, and began to address

issues related to the so-called digital education, with particular attention to the world of childhood and adolescence.

4.3 Legal protection in the national context

Between 1 May 2016 and 30 April 2017, significant legal decisions were made, which outlined particularly important guidelines in the areas in which the Authority operates.

The following is a summary of the most significant decisions taken for each area of institutional competence.

In the area of electronic communications, it is worth mentioning a number of significant decisions such as, resolutions concerning the reference offers for bitstream and ULL wholesale access services for the year 2013, as well as mobile termination rates, frequencies and customer protection.

With regard to the reference offers for bitstream and ULL services for the year 2013, the Council of State, with sentence no. 3143 of 14 July 2016, upheld the appeals presented by Fastweb, Telecom Italia and BT Italia and, consequently, partially annulled the resolutions of the Authority no. 746/13/CONS, no. 747/13/CONS and no. 155/14/CONS, approving the economic and technical conditions of Telecom Italia's reference offers for bitstream and ULL services for the year 2013. More specifically, the Council of State upheld the complaints of the operator Fastweb concerning the lack of assessment of efficient costs, DSLAM's costs, the backhaul band, the infrastructure premium (a complaint also filed by BT Italia), the duplication of collocation costs, the quantification of the asymmetric bitstream fee, marketing costs and one-off contributions.

At the same time, the Appeal Court upheld Telecom Italia's appeal regarding the definition of the values to be attributed to the RFR and ERP tariff components and, as a consequence, to the value of the WACC, in relation to the parameter defined by the European Commission's indications. The judges also accepted Telecom Italia's complaint concerning the unreasonableness and lack of proportionality of obligations relating to compulsory registration and access to the cabinet for the sub-loop unbundling service and, in particular, of the obligation to

create a multi-operator vectoring (MOV) structure in the cabinets, noting that the imposition of such obligations was untimely, given that the technical solution to be introduced had not yet been properly tested.

With regard to mobile termination rates, a number of significant resolutions have been adopted. In particular, with sentence no. 9967 of 28 September 2016, the Lazio Regional Administrative Court rejected H3G's appeal against Resolution no. 365/14/CONS, through which the Authority reviewed the tariffs for the mobile voice termination services of the said operator in compliance with sentence no. 21 of the Council of State of 7 January 2013. Specifically, upon notification of the Regional Administrative Court, the Authority, challenging the resolution, correctly re-defined the termination rate of the operator in question, renewing the procedure and complying with the criteria indicated in Council of State sentence no. 21 of 2013.

By the same judgment no. 9970, the Regional Administrative Court of Lazio also rejected Wind's appeal against Resolution No. 365/14/CONS on the grounds of alleged violation of Article 11 of Law Decree no. 259/2003/253, laying down the Code of Electronic Communications. The Regional Administrative Court specified that the draft measure submitted for public consultation is a mere work draft drawn up on the basis of preliminary findings, which can be amended by the Authority, by virtue of its right of independent determination, without entailing any violation of the agreement entered into with the parties concerned. The applicant cannot, therefore, claim any legitimate expectation in respect of a final measure which partly differs from the original scheme.

Again with reference to Resolution no. 356/14/CONS, by passing sentence no. 11143 of 10 October 2016, the Lazio Regional Administrative Court rejected Telecom Italia's appeal, observing that, since the Authority had substantially confirmed for the H3G operator the tariff of 13 eurocent/min, already notified to and shared by the Commission, the communication of the final measure to the European Governance Body "becomes just a formal exercise", so that the absence of such communication does not represent a procedural defect useful to challenge the contested measure.

The Judges of the first-instance Court also noted that the Authority had correctly used the regulatory accounts

of H3G that had not been certified, reviewing them through 'an adequate critical analysis'.

With sentence no. 9842 of 20 September 2016, the Regional Administrative Court of Lazio rejected the appeal filed by H3G against Resolution no. 259/14/CONS, by which the Authority re-defined the tariff unbalances of the said operator, complying with judgment no. 725, section III of 14 February 2014, delivered by the Council of State, that annulled Resolution no. 621/11/CONS, relating to the mobile termination market, only as regards the part in which it provided an advanced cancellation of tariff unbalances to the benefit of the company H3G on 30 June 2013 instead of 31 December 2013.

According to the Lazio Regional Administrative Court, the Authority's decision to set 31 December 2013 as the date of completion of the tariff reduction process and achievement of tariff balance for this operator must be considered to fall within the sphere of discretion possessed by the Authority, which must comply only with the "principle of proportionality" with respect to asymmetry issues, so that the tariff favourable to the company H3G should have decreased with the increase in the network coverage of the same operator.

By sentence No. 9847, the Lazio Regional Administrative Court also rejected the appeal filed by Wind, rejecting the complaint about the failure to hold a public consultation, since the activity of public consultation was, in this case, "pleonastic and contrary to the principle of not aggravating the administrative procedure as set forth in Article 1, paragraph 2 of Law no. 241 of 1990". With regard to the other complaints raised, the judge of first instance recalled that "the measures of the Supervisory Authorities are subject to a so-called "weak judicial control" and this "despite the evolution of jurisprudence".

The legitimacy of the aforementioned Resolution no. 259/14/CONS was also recognised by the Lazio Regional Administrative Court with the subsequent sentence no. 11020 of 7 November 2016, which rejected Telecom Italia's appeal as *"both the starting date of the recalculation of the asymmetry and its duration, far from expressing an excess of power by the Authority, constitute direct consequences of the application of the criterion of proportionality set out by the Council of State"* in terms of increasing frequency availability and reducing the tariff asymmetry of the H3G operator.

The Council of State, with sentence no. 4862 of 21 November 2016, declared its lack of competence pursuant to art. 113, paragraph 1, of the Code of the administrative procedure, in favour of the Lazio Regional Administrative Court, within the framework of the judgement in compliance with sentence no. 3388/2015 of the Council of State on the implementation of the mechanism for sharing the net cost of the universal service, given that the judgement on appeal fully confirms the judgment passed by the court of first instance and, therefore, the latter must be referred to in order to assess the correct compliance to the final judgement.

With regard to frequencies, with sentence no. 11616 of 21 November 2016, the Regional Administrative Court of Lazio declared the appeal filed by the company La 9 against Resolution no. 603/10/CONS - concerning the frequency allocation plan for digital TV broadcasting - to be inadmissible due to a lack of legal interest as a result of the failure to challenge the related measure taken by the Ministry of Economic Development.

Moreover, with respect to the issue of the so-called "scrapping of frequencies", sentence no. 12788 of 22 December 2016 of the Lazio Regional Administrative Court, recognised the full legitimacy, with regard to the proceedings initiated by some local radio and television broadcasters, of planning Resolution no. 480/14/CONS concerning the modification of the national frequency allocation plan for DVB-T digital television broadcasting. According to the opinion of the judge of the first-instance court, the start of the procedures for "scrapping" the frequencies corresponds to a specific legal obligation, as provided for by an emergency decree, which the Authority promptly implemented by excluding the frequencies for which the Ministry of Economic Development had received reports of radio-electric interference from Italy's neighbouring countries.

With reference to the protection of users, it is worth mentioning Resolutions no. 1241/2016 and 947/2017, by which the Lazio Regional Administrative Court ruled on two appeals filed against Resolution no. 519/15/CONS, concerning "Regulations laying down provisions to protect users with regard to contracts for the supply of electronic communications services". In particular, with reference to the *ius variandi* discipline

of electronic communication operators, this Court stated that neither art. 70 of the Code of Electronic Communications, nor art. 33, paragraph 2, letter m) of Law Decree no. 206/2005 laying down the Consumer Code, would make it possible to limit this right of operators. On the other hand, in rejecting all the other pleas put forward by the applicant against the contested decision, the Regional Administrative Court fully supported the actions adopted by the Authority concerning the duration of the contracts made between operators and users, the amounts due in the event of termination or withdrawal from the contract, and the exercise of the right of withdrawal despite the unilateral amendments introduced by the operators.

Still on the subject of user protection, with regard to the division of responsibilities between the Authority and the Italian Anti-trust Authority, it is important to mention the rulings of the Plenary Meeting of the Council of State, no. 3 and 4 of 2016.

In these judgements, the Meeting stated, in brief, the following: a) the Authority's competence to sanction cases of aggressive commercial practices; b) in the present case, there is no "abstract conflict of norms", but rather an alleged "illegal progression", to be handled on the basis of the "absorption-consumption" principle; c) the principle of speciality, aimed at resolving cases of apparent concurrence of rules, must be understood not "by sectors", but "by case"; d) art. 27, para. 1-bis of the Consumer Code is a rule providing authentic interpretation of art. 19, paragraph 3 of the Consumer Code; e) Italian legislation does not entail, in the present case, a problem of compatibility with European law, given the principle of indifference applied by the European Union to individual States' organisation and division of powers between authorities. It should be pointed out that, following those judgments, the Sixth Chamber of the Council of State nevertheless decided to refer the matter to the Court of Justice for a preliminary ruling (currently pending) on the interpretation of art. 3, paragraph 4 of Directive 2005/29/EC (laying down the principle of speciality).

With sentence no. 3682, published on March 20, 2017, the Regional Administrative Court of Lazio declared partly inadmissible and partly rejected the appeal presented by an operator against Resolution no. 120/16/CONS, concerning "Guidelines for wholesale access conditions to ultra-wideband networks receiving public subsidies", as well as against the proceedings of the tender issued by Infratel, concerning the concession

to build and manage an ultra-wideband infrastructure in some "white areas" of the country. More specifically, the Court has rejected the pleas relating to the identification of wholesale prices lower than those approved by the Authority for Telecom Italia's reference offers and equivalence models. In fact, the Judge found it not unreasonable for the Authority to have chosen to forecast prices lower than those of the reference offer, since those fixed by Resolution no. 120/16/CONS refer to non-competitive market contexts and to infrastructures built by using 100% public funds. With reference to the equivalence models, the Court has agreed to the choice of providing models based on the creation of a separate company, as "aimed at safeguarding effective competition between bidders and thus excluding the risk of the concessionaire favouring itself over other potential purchasers of network access services".

With reference to the "Regulation on the protection of copyright on electronic communications networks and implementation procedures pursuant to Law Decree no. 70 of 9 April 2003" referred to in Resolution no. 680/13/CONS, the Lazio Regional Administrative Court, with sentences no. 4100 and 4101 of 30 March 2017, rejected the judgments promoted by the Anso, Femi and Open Media Coalition associations and by Altroconsumo, Assoprovider and Assintel - Confcommercio.

In support of its decision, the Court referred to the Constitutional Court's sentence no. 247/2015, by which "far from affirming the absence of Agcom's regulatory power, the Court found, with an incidence limited to this case (incidenter tantum), only an insufficient argument in the order in question, regarding the identification of the legal basis of Agcom's power; this, however, does not represent a substantial endorsement by the Court of the arguments of the plaintiffs, which are indeed contradicted by the systematic reading of the provisions in question. [...] A systematic reading of the regulatory provisions mentioned so far, therefore, confirms the existence of the regulatory powers exercised by the Agcom as well as of the supervisory powers, with regard to service providers, to be exercised also by imposing measures aimed at putting an end to violations of copyright

law, through remedies that do not replace but are rather in competition with those already granted to the judicial authority".

In the field of audio-visual media services, the legal resolutions adopted concerned the issue of automatic sorting of channels (LCN). More specifically, with sentence no. 3521/17, filed on March 15, 2017, the

Lazio Regional Administrative Court rejected the appeal filed by Telecity against Resolution no. 237/13/CONS (containing the new Automatic Numbering Plan for channels), confirming the correctness of the Authority's actions in the following areas: i) the completeness of the assessment activity with regard to the contributions received during the public consultation; ii) the appropriate attention paid to the so-called "switch off" of 4 July 2012 ("as a contingency that Agcom had to and has to take into account when re-defining the plan"); iii) compliance with the principle of respect for users' habits and preferences, provided for in art. 32 of Law Decree no. No 177/2005.

With reference to the postal services sector, it is important to mention sentence no. 9902 of September 22, 2016, by which the Lazio Regional Administrative Court partially upheld the appeal presented by Poste Italiane requiring the annulment of Resolution no. 621/15/CONS, which defined the conditions for returning mail entrusted to other operators and found in the Poste Italiane network. In particular, the Judge remarked that the service of returning incorrect items to other operators does not differ in cost from ordinary services, as a result, in order to determine its price, the full cost must be considered, also taking into account the pro-quota share of costs relating to the emptying of mail boxes.

Other key decisions concerned the Authority's financing.

By order no. 19678 of 3 October 2016, the Joint Sections of the Supreme Cassation Court issued a ruling on the regulation of jurisdiction submitted by the Lazio Regional Administrative Court, with reference to the appeal filed against Resolution no. 550/10/CONS of 21 October 2010, calling for the additional contribution for the years 2006-2010 to the operator Seat Pagine Gialle. In this ruling, the Court stated that "disputes concerning the measures issued by AGCOM relating to the operating costs of the Authority itself financed by the relevant market (pursuant to art. 1, paragraph 65, of Law no. 266 of 23 December 2005), have been transferred to the exclusive jurisdiction of the administrative judge, pursuant to art. 133, subparagraph L, of Law Decree no. 209 of 2005".

With reference to the financial contribution by electronic communications operators to the functioning of the Authority, the Lazio Regional Administrative Court took action with a number of sentences (30 December 2016 no. 12878, 12880 and 12881; 19 January 2017 no. 918; 31 January 2017 no. 1532; 13 February 2017 no. 2313 and 2337; 1 March 2017 no. 3020; 17 March 2017 no. 3615, 3616 and 3639), cancelling the decisions concerning the contribution due for the years 2012, 2014, 2015 and 2016. Compared to the previous unfavourable legal proceedings, there are no significant new elements in the motivations of the Court. The Regional Administrative Court, in fact, aligned itself with the legal framework of the Council of State, continuing to provide its interpretation of art. 12 of Directive 2002/20/EC and related laws of the Court of Justice.

Again with regard to the Authority's financing, with specific reference to the financial contribution by postal operators, the sentences of the Council of State no. 229, 232, 237 and 245 of 19 January 2017 should be mentioned, confirming the rulings previously delivered by the Lazio Regional Administrative Court which, upon appeal of the so-called "postal couriers", had cancelled the ministerial decree of 26 January 2015 relating to the financial contribution due to the Authority by the members of the postal services sector for the years 2012, 2013 and 2014. The Council of State, like the Lazio Regional Administrative Court already did before it, pronounced that the procedure – as agreed by the Ministry of Economic Development and the Ministry of Economy and Finance - imposing a contribution by entities operating in the postal services market for the infringement of the provisions of Law Decree no. 261/1999, which are not to be considered implicitly repealed by Law Decree no. 58 of 3 March 2011, was unlawful.

For the same reason, the Lazio Regional Administrative Court, with sentence no. 1221 of 23 January 2017 and sentence no. 3626 of 17 March 2017, cancelled the ministerial decree of 10 March 2016 concerning the contribution due to the Authority for the years 2015 and 2016 with regard to the proceedings promoted by the operator Nexive and the trade association AICAI.

Lastly, with regard to the financing of the Authority, but with specific reference to the system in force in 2003,

based on the rules set forth in art. 2, paragraph 38, subparagraph b) and subsequent paragraphs of Law no. 481 of 14 November 1995, with judgments no. 2876, 2877, 2882 and 2884, filed on 27 February 2017, the Lazio Regional Administrative Court rejected the appeals of the companies Rai Trade (now Rai), Rai Com, Rai Sat (now Rai) and Rai Click (now Rai), confirming its orientation in terms of subjects required to pay. In particular, the Judge has already ruled definitively - according to legislations that date back to 2009 - that the definition of "subjects providing the service" as referred to in the said regulations also includes subjects providing instrumental services related to the main radio and television service, since they are also recipients - albeit often in a mediated and indirect manner - of the regulatory and control activities of the Authority.

4.4 The position of the Authority in the national system

Relations with Parliament and the Government

During 2016 and in the first months of 2017, the Authority continued to have a constant and fruitful dialogue with the constitutional bodies.

The Authority has been heard several times during the hearings held at the various Commissions of the Chamber and Senate, fostering dialogue with Parliament on issues of paramount interest for the communications sector and for the development of the country.

In response to an express request from the XI Committee of the Chamber of Deputies (Transport, Posts and Telecommunications Committee), President Cardani dwelt, at a hearing held on 18 May 2016, on the supervisory activities that the Authority carries out daily to fight the deplorable problem of the so-called telephone scams. In particular, the Chairman focused first on the various types of "scams" against consumers that the Authority has been dealing with over time: a) the activation of unsolicited services on networks and fixed communication services (telephony, Internet access, calls to special numbers); b) the activation, especially on mobile networks, of services and/or content, at an extra cost, with respect to the basic service (justified as value added services);

c) unilateral contractual changes.

The Authority's initiatives aimed at strengthening the safeguards of users in the area of electronic communications set out by Law Decree No 259/2003 and the new Consumer Code were also illustrated.

Finally, new points of reflection were offered to public debate. Among these, it is worth mentioning the possible raise in the amounts of certain sanctions of the Electronic Communications Code and their subsequent deterrent effect, as well as the need to obtain more precise information from the legislator on the allocation of competence and on the rules governing relations between the Authority and the Antitrust Authority on unfair commercial practices in the electronic communications sector.

On 22 June 2016, the Authority was heard at the hearing held by the Commission for the General Direction and Supervision of Broadcasting Services to report on the debate concerning the constitutional referendum to be held in autumn the same year. At that meeting, President Cardani illustrated the methods used by the Authority to verify, during the non-election period, compliance with the general principles regarding information and the protection of pluralism, as set out in Articles 3 and 7 of the Consolidated Text on Audio-visual and Radio Media Services, by the concessionaire of the public radio and television service and by all private radio and television broadcasters.

On 9 November 2016, President Cardani was heard in a hearing at the VIII Commission (Public Works, Communications) of the Senate to report on the Draft Laws n. 2452 and n. 2484 laying down, respectively, rules on the registration of fixed and mobile telephone numbers in the public opt-out register and on the supply of Internet services in order to protect competition and users' freedom of access.

With regard to the first proposal, the President, showing agreement with its contents aimed at extending the opt-out register to all mobile and fixed numbers, whether or not they are included in public telephone books, pointed out that the Authority has been paying particular attention over the years to the issue of the so-called "tele-selling", and recently approved the "Guidelines on the conclusion of contracts for the provision of electronic communications services by telephone".

Furthermore, the hope that in the near future the opt-out register would also be extended to other types of contact, such as e-mails and postal addresses, was also expressed.

With reference to the draft law on the "provision of Internet services to protect competition and users' freedom of access", the Chairman stated that the initiative should necessarily fall within European provisions and, in particular, under Regulation 2015/2120/EU (Telecom Single Market Regulation), which defines a set of rules on the subject of net neutrality, and the "Guidelines adopted by BEREC for the implementation of provisions on net neutrality by national regulatory authorities".

The new rules, which entered into force on 30 April 2016, are aimed at safeguarding the right of end users to freely access and distribute information and content of their choice via the Internet and ensuring that the network continues to function as a driver of innovation for the entire digital sector. The key role of national regulatory authorities in ensuring compliance with the rules for safeguarding the open nature of the network, and in promoting a continuous access to services in a non-discriminatory way and characterized by a level of quality reflecting the latest advances in technology has been remarked.

On examining the Draft Law, the President highlighted some points of convergence, and some possible conflicts, between this proposal and the EU Regulation, calling for careful coordination to avoid ambiguities and uncertainties in the implementation phase, with the consequent possible emergence of litigations.

On 21 November 2016, the Authority offered its support to the works of the "Jo Cox" Committee on intolerance, xenophobia, racism and hatred, chaired by the President of the Chamber of Deputies Laura Boldrini.

In that meeting, the President remarked that, in order to protect human dignity and comply with the principle of non-discrimination, the Authority has recently adopted Guidelines (Resolution No. 424/16/CONS of 16 September 2016) aimed at prompting audio-visual media and radio service providers to adhere to the fundamental principles laid down for the protection of users that access information, in-depth study and

entertainment programmes, paying particular attention to the treatment of issues most at risk of discrimination, such as migration flows and ethnic-religious differences.

With regard to the web, the President mentioned the work of the permanent Observatory for the protection of minors and fundamental human rights on the Internet, established by the Authority with the aim of monitoring phenomena such as incitement to hatred, threats, harassment, bullying, hate speech and the dissemination of deplorable content.

It was also pointed out that the review of the Directive on audio-visual media services is in progress, with the purpose, among other things, of strengthening the fight against Internet crimes. Finally, the Authority expressed its full commitment to helping to combat the dissemination of images, words and material that incite hatred, racism, intolerance or violence on traditional media (TV and radio) and new media, ensuring, for example, continuity in the Observatory's activities with constant updates on results and proposals to institutions.

On 16 March 2017, the Authority was heard at a hearing held by the Commission for the general policy and supervision of radio and television services as part of the process leading to the renewal of the public radio and television service licence and approval of the new agreement annexed to the concession decree.

Several issues of strategic importance were brought to the attention of the Commission. Among these, the need was stressed - in this historic moment of revision of a concession deed adopted more than twenty years ago and in a competitive and radically new market - for the Agreement to define the role of the public-service concession holder, identifying its mission and, consequently, the public service's scope in general or in specific social areas (representativeness, social cohesion, democracy, pluralism, quality of publishing and cultural products, technologic innovation and communication and information services).

The need to ensure universal free reception of all radio and television programmes, not only on the digital terrestrial network but also on other platforms (IP and satellite), in line with the principle of technological neutrality, was also stressed.

The Authority also underlined the crucial importance of the issue of financing, not only for the continuity of the public service itself, but also for the balances and assets of the market in which the public service operates.

Public resources (TV licence fees) must be proportionate to the service's objectives and, at the same time, stable and predictable over a reasonably long period of time. The provision of funding from 'public' resources also requires that public service activities should be clearly distinguishable and identifiable as such, in order to ensure the highest degree of transparency regarding the use and destination of public resources. In this sense, the areas of action of the public service must be reconsidered and specified also in order to make the unbundling model effective and the management of the resources deriving from the fee correct and transparent.

With reference to the supervision and control of compliance with the obligations of the concessionaire, it was asked to better specify, in the text of the Convention, the Authority's competence to supervise the observance of such obligations, in accordance with art. 48 of the Consolidated Act on radio and audio-visual media services. This provision confers the Authority the specific power of verifying the fulfilment of public service obligations and of the service contract and relative implementing regulations, in accordance with national and European regulations on public radio and television service.

As part of the institutional relations between the Authority and the Government, the latter offered its support to the work of the Commission set up within the Ministry of Justice with the task of drawing up a draft comprehensive regulation and reform of out-of-court dispute resolution instruments relating to the different areas of citizens' rights and services, with the aim of harmonising and rationalising a regulatory framework that currently develops various forms of negotiation instruments. In particular, during a hearing held on 11 May 2016, President Cardani first illustrated the specific rules for resolving disputes between users and operators of electronic communications, as defined in detail by the Authority (Regulation pursuant to Resolution no.

173/07/CONS). It was then recalled that the system thus designed is recognized, at European level, as a model of out-of-court settlement of successful disputes, also in the light of the positive results achieved (in 2015, the total number of conciliations handled by the Co.re.com., Chambers of Commerce and corresponding Commissions exceeded 100,000 units).

The Chairman then dwelt on the new rules introduced by Law Decree no. 130/2015 (which amends and supplements the Consumer Code), which transpose into the Italian Law the European Legislation (Directive 2013/11/EU), on the resolution of extra-judicial disputes between consumers and professionals based in the European Union with the aim of creating a network of ADR entities (Alternative Dispute Resolution) for all sectors of the market with an adequate minimum quality standard.

In this regard, it was noted that these rules, being intended for voluntary procedures of out-of-court settlement, does not affect the procedure outlined in the Regulation referred to in Resolution no. 173/07/CONS with reference to the mandatory attempt at conciliation, referred to in Law no. 249/97 and, therefore, they do not impact on the functions of the Co.re.com.

Finally, on 19 April 2017, President Cardani was heard at a hearing called by the 6th (Finance and Treasury) and 10th (Industry, Commerce, Tourism) Joint Committees within the framework of Bill no. 2526, entitled "Fiscal measures on competition in the digital economy". It was first noted that the tax regime applicable to multinational companies offering digital information products and services influences the competitive dynamics between the various players operating in the national information system, affecting its ability to ensure the safeguarding of the principle of pluralism.

This legislative initiative, aimed at guiding the tax strategies adopted by multinational companies operating in digital markets, was therefore welcomed, taking into account the effects that the tax regime applicable to the main Internet players has on competition and pluralism of information sources.

However, it was highlighted that a comprehensive reform would be desirable, which, in addition to assessing the components of taxation, could guarantee a comprehensive regulatory framework in which provisions could

be introduced that, in addition to ensuring a more effective interaction between the different national institutions, would allow a strengthening of the regulatory powers of the Authority in the field of digital web-based economy able to curb tax evasion. In particular, it was stressed that the legislator should grant the Authority precise powers to monitor, supervise and control the owners of digital platforms (the so-called Over The Top), in order to improve the current regulatory framework.

Finally, during the reference period considered, the Authority exercised on two occasions the power of reporting, laid down in art. 1, paragraph 6, subparagraph c) of Law No. 249/1997.

Specifically, on 12 December 2016, the Government was informed of the need for legislative action to implement art. 18 of Regulation 2012/531/EU, relating to roaming, and art. 6 of Regulation 2015/2120/EU, which introduces, among other things, measures on net neutrality.

In summary, it was requested to expressly identify the sanctions to be applied in case of violation of the aforementioned Regulations, underlining that in the absence of an adequate sanctioning system there is a real risk of an infringement procedure against Italy, given that the European Commission has opened an Eu-Pilot case (no. 2016/8925) aimed precisely at verifying the compliance of national measures with the European regulatory framework on roaming and net neutrality.

On 23 February 2017, the Authority, in exercising its power of reporting to the Government pursuant to art. 1, paragraph 6, letter c) of Law no. 249 of 31 July 1997, and to the provisions of art. 1, paragraph 6, subparagraph b) no. 10 of the same law, sent to the Ministry of Economic Development its opinion containing comments and proposals for the preparation of the final text of the Rai Convention.

Article 1, paragraph 6, subparagraph b) of Law No 249 of 1997 provides that the Authority shall propose to the Ministry of Communications (now MISE) a draft text of the Convention attached to the concession deed - and then verify the implementation of the obligations set out therein - while the Parliamentary Commission for the

General Direction and Supervision of Radio and Television Services shall issue a mandatory opinion within thirty days, both on the draft Convention and on the service contract.

The Authority's proposal is based on the significance of and need for reconsideration of public radio, television and multimedia services over the next ten years (the duration of the renewed State-Rai concession contract).

The analysis aims at identifying the possible strengths of public service broadcasting in the digital age, also in the light of a comparison with the experiences gained in other European countries, while addressing the main problems found. The Authority focused on the following key points: a) the definition of the role of the concessionaire and of the public service mission; b) the resources available and the effectiveness and efficiency in their use; c) the verification of the quality of the service provided and the achievement of the objectives set.

The main issues were subsequently addressed at the hearing held on 16 March at the Commission for the General Direction and Supervision of Radio and Television Services.

Acts of inspection

The acts of inspection, i.e. the instruments through which the Parliament monitors the activities of the Government, including urgent reports on particularly important and topical issues, are constantly surveyed and monitored by the Authority with regard to the areas subject to its regulation. These are the acts of control and political guidance (questions, interpellations, motions, resolutions, agendas, urgent reports) carried out by the Chamber of Deputies and the Senate of the Republic.

In order to guarantee timely information and knowledge support, the Authority regularly cooperates with the government bodies subject to the Parliament's acts of inspection, guaranteeing – in the areas of its competence – the highest level of institutional collaboration.

Such cooperation activity is carried out through a fruitful and prompt exchange of information and documentation between the Ministry of Economic Development and the Presidency of the Council of

Ministers, aimed at addressing the requests for information received as soon as possible – guaranteeing, at the same time, a high level of accuracy.

The Authority provides its support through the work of specific staff units that transmit properly documented Notes, in order to formulate a comprehensive response to the parliamentary questions and interpellations received.

In total, the Authority received approximately 100 requests for information aimed at providing a complete response to parliamentary acts of inspection during the reporting period. The issues relating to information and assessment aspects resulting from the inspections mainly concerned the postal services sector, including problems relating to the reorganisation and rationalisation plan of Poste Italiane, the supply of the universal service and inefficiencies in the delivery of correspondence.

The Government also required inspections related to the improvement of the radio and television signal and the resolution of interference problems, as well as on the strategy to be adopted to overcome the digital divide in some areas of the country and, as far as content is concerned, the implementation of regulations on equal conditions.

With regard to the electronic communications sector, the Government asked for cooperation on the issues of development and diffusion of broadband, as well as on users' protection, focusing on mobile telephone services and on the measures implemented to safeguard the populations affected by natural disasters and seismic events, as well as initiatives to protect consumers and users.

Opinions delivered to the Antitrust Authority

With regard to the proceeding concerning misleading or incorrect commercial practices carried out by the Antitrust Authority pursuant to art. 27, paragraph 1-bis and paragraph 6, of the Consumer Code, the Authority is called upon to express its non-binding opinion on the lawfulness of communications and commercial conduct by service providers when such communications are delivered through radio or television, the press and other means of telecommunication, especially via the Internet.

In this respect, 84 opinions on unfair commercial practices were issued during the reference period, 7 of which related to electronic communications operators.

In addition, during the period under review, the Authority issued the opinions provided for in Article 1, paragraph 6, subparagraph c), no. 11 of Law no. 249/97 on the AGCOM's draft measures relating to merger operations for the acquisition of sole control by the company Cairo Communication over RCS MediaGroup, as well as the proposed acquisition – which has been rejected – of the same RCS MediaGroup by the company International Acquisition Holding, and the acquisition of sole control of the company Italiana Editrice by the company Gruppo Editoriale L'Espresso.

The Postal and Communications Police

The branch of the Postal and Communications Police Section located in Naples at the Authority's sub-offices represents the intermediate body between the Authority and the Postal and Communications Police Service. It constitutes the body of the Ministry of the Interior responsible for the security and regularity of telecommunications services, which cooperates with the Authority pursuant to Law No. 249/97.

Within the framework of this collaboration and in the light of the current Memorandum of Understanding, during the period of reference, as usual, the Section offered its contribution, where required by the Authority, and undertook initiatives in the areas of specific competence. With this in mind, the Section has participated in the activities of verification and inspection, initiated by the Authority, on several communications operators.

More specifically, the Section carried out an intense activity of verification on a number of telephony operators, aimed at verifying compliance with the sector regulations concerning the correct management of the relations with the users, which led to the adoption of sanctioning measures. This activity, which began in the first months of 2016, continued, with additional checks, during the period of reference.

The Section also verified the subjective requirements necessary for the issue/renewal/transfer of authorisations for the transmission of satellite programmes, identifying some non-compliant operators. As a result, a number

of directors of companies holding authorisations have been referred to the Public Prosecutor's Office for false declarations.

Significant monitoring activities were carried out on the programming of numerous television stations, both satellite and digital terrestrial, also on the basis of reports made by police offices and private citizens, in order to verify compliance with the Regulations on radio and television advertising and teleshopping, as per Resolution no. 538/01/CSP and subsequent amendments and additions, and with the provisions on propaganda regarding interactive numbers, audiotex and videotex and similar, as per art. 1 paragraph 26 of Decree No. 545/96, as amended by Law No. 650 of 23 December 1996, as well as with the rules and regulations for the protection of minors. All the violations found have been reported to the competent offices of the Authority for the purposes of assessing and adopting any relevant sanctioning measures.

In relation to the numerous reports received by the Directorate-General for Electronic Communication Services and Radio Broadcasting of the Ministry of Economic Development, to which the results were later transmitted, several monitoring activities on telephone services were also carried out to verify compliance with the regulations in force relating to premium services and, in particular, compliance with the rules relating to the initial information message, the services offered and the pricing applied, with particular reference to Resolution no. 26/08/CIR (art. 5, paragraph 4, art. 18, paragraph 1 and art. 19, paragraph 1) and the Ministerial Decree no. 145/06 (Articles 12 and 13).

The Section has also undertaken policing and judicial actions to fight the issue of unsolicited activation of mobile phone contracts. The investigative activity focused on the ever present phenomenon of the activation of telephony contracts, in the name of unaware customers, by some subjects who concluded subscription contracts that included the purchase of latest-generation smartphones. Once received by courier, such smartphones were sold to unwary purchasers at advantageous prices. At the end of such monitoring activity, which also allowed the recovery of various telephone sets, a number of individuals were reported to the Judicial Authority without detaining them, for the crimes of possession of stolen goods and purchasing of counterfeit goods.

Similarly, the results of a monitoring activity initiated after receiving a user's complaint concerning the so-called "wild telemarketing" were delivered to the Public Prosecutor's Office. Such marketing practice, which increasingly exasperates telephone service users, consists of continuous telephone calls from outbound call centres aimed at selling services and products. In this case, the Judicial Authority was required to examining the methods used to present commercial proposals to users.

At the national level, the Postal and Communications Police, in the areas of its institutional competence similar to those of the Authority, has undertaken, with the help of local departments, activities concerning the protection of copyright, which included verifications on several public establishments, the reporting of ten people, the seize of 21,120 Gigabytes of computer material, the monitoring of 128 online pages, of which one showed illegal content. In the telephony sector, it received 1,685 complaints, relating to both fixed telephony and mobile telephony; it reported 79 persons and carried out 27 searches. As for the Internet, more than 500,000 websites of different kinds were monitored, together with 188 online game and gambling sites, detecting 11 offences and reporting 110 people. In the area of radio frequencies, 11 stations were controlled, of which three were seized together with 20 telecommunications equipment, and six persons were reported.

The Guardia di Finanza

The Guardia di Finanza (the Financial Police) performs important functions in the areas of media services, electronic communications and publishing in accordance with the reference standards and the Memorandum of Understanding – which was renewed on 12 October 2015 – signed by the Authority and the Financial Police which, through the work of the Special Unit for Broadcasting and Publishing, ensures every possible form of cooperation and provides the necessary professional skills needed to influence, in a flexible and decisive manner, the quality of the actions and their effectiveness.

During the reference period, cooperation activities with the Authority focused mainly on the following: (i) payment of the licence fee due by broadcasting companies; (ii) compliance with the principle of equal access to the media; (iii) verification of the positions of control or connection with the publishing sector; (iv) compliance with the rules on television programming concerning the safeguard of users (advertising, television sales, protection of minors, etc.); (v) compliance with the rules on on-line copyright; (vi) verification of compliance with postal legislation and postal service obligations by the universal service provider, individual licence holders and holders of general authorizations.

The activities of the Special Unit were also based on independent initiatives, carried out with the support of the Office of Operations of the Special Units Command, by performing both context analyses and risk assessments on the areas of the Authority's competence.

During the period under review, the Special Unit concluded 247 inspections. About half of these inspections were undertaken after receiving specific requests for collaboration from the Authority, pursuant to the Memorandum of Understanding. The Authority reported 21 administrative irregularities and five subjects were reported to the Judicial Authority.

With regard to the payment of the concession fee due by radio and television companies, as per art. 27, paragraphs 9 and 10, of Law no. 488 of 23 December 1999, the Special Unit's inspection activity in this area is represented by a verification of the accounting and management aspects of the obliged parties, in order to determine the amount of the fee due (equal to 1% of national television broadcasters' turnover, with maximum ceilings in the case of other types of broadcasters). This activity is based on a database containing data on the subjects operating in the sector, as indicated in the licences issued by the Ministry of Economic Development and the Communication Operators' Register held by the Authority, which is used for the purpose of identifying the radio and television companies that have not paid the due fee. The measures taken against some national television companies allowed to uncover significant cases of evasion of the contribution due. The Authority transmitted the results of such monitoring activity to the Department of Communications of the Ministry of Economic Development.

With regard to compliance with the requirements of equal access to the media ("par condicio"), pursuant to Law no. 28 of 22 February 2000, the Memorandum of Understanding and the regulatory provisions issued from time to time by the Authority, the Special Unit provides support to the Authority's "Unit for Par Condicio" in the performance of the following activities: i) acquisition of magnetic media and publications; ii) management of reports relating to local broadcasters and publications (in cooperation, according to need, with the Provincial Units of the Financial Police); iii) supply of direct assistance by using specific resources. This activity is mainly carried out during political campaigns for elections to the European Parliament, for parliamentary, regional and local elections and for referendums.

With regard to verification of the positions of control or connection among companies applying for grants for publishing activities, AGCOM asked the Special Unit to verify whether such companies are able to exercise control and/or develop a link, direct or indirect, between them, pursuant to Art. 3, paragraph 11 ter, of Law no. 250 of 7 August 1990. In accordance with Presidential Decree no. 223 of 25 November 2010, the Authority communicates - at the request of the Department for Information and Publishing of the Presidency of the Council of Ministers - whether the ownership structure of the relevant publishing company complies with current legislation and whether there are no positions of control or connection as per art. 2359 of the Italian Civil Code. In order to ascertain the proper allocation of public subsidies to publishing companies, the Special Unit has carried out an in-depth study and analysis of the rules as well as of the corporate and financial structures of the companies involved, aimed at defining the risk indicators and the operating procedures to be adopted in the subsequent on-site verifications. In various cases, the inquiries carried out allowed for "reconstructing" complex and articulated company and cooperative structures arranged parallel to and officially entirely separate from those declared, governed by subjects without evident connection with each other, allowing the Authority and the Information and Publishing Department to prevent companies from obtaining public grants.

With regard to compliance with the rules on television and radio programming to guarantee user protection, control activities are designed to enable the Authority to exercise its supervisory powers pursuant to law no. 249 of 31 July 1997. The investigations of the Special Unit involve the monitoring of the programmes that are broadcast by television and radio stations and mainly regard advertising, television sales, and the protection of users and minors (law 223/1990 and Law Decree 177/2005 and successive amendments). In the period under consideration, such inspection activities allowed for the detection of many cases of illicit behaviour, reported in order to open the relative sanction procedures. More specifically, breaches were identified regarding advertising (crowding, positioning and the content of the "ads") and breaches of the provisions on the protection of users and minors (the broadcasting of programmes prejudicial to physical, mental and moral development, and programmes with pornographic content during the night-time bracket).

On the issue of compliance with rules relating to on-line copyright, the law grants the Authority specific competence (see law no. 633/1941, Law Decree no. 177/2005, Decree no. 70/2003, implementing Community directive 2000/31 on electronic commerce). In this context, the Special Unit and the local departments of the Financial Police carry out constant and careful monitoring activities of the Internet, aware that the illegal practices committed on the web may lead to market distortions. Moreover, with the entry into force of the Regulation on the protection of copyright on electronic communications networks (see Resolution no. 680/13/CONS), the Committee for the development and protection of the legal offer of digital works was set up, composed of a number of subjects including the Special Unit for Broadcasting and Publishing of the Financial Police.

Lastly, with regard to the verification of compliance with postal regulations and the obligations of the universal service provider, as is well known, Decree Law no. 201 of 2011, converted into Law no. 214 of 22 December 2011, entrusted AGCOM with the functions of regulatory authority for the postal sector with the related tasks of regulation, supervision and protection of users. The Special Unit, at the express request of the Authority, collaborates with AGCOM in performing these functions, with particular reference to inspection activities.

The Supervisory Board

After conducting a market analysis on fixed network access services, changes were made to the role, functions and organisation of the Supervisory Board (SB), which have been brought to completion during 2016 according to the new regulatory provisions adopted.

The Supervisory Board (SB) was established in 2009 under the framework of the commitments undertaken by Telecom Italia (Resolution no. 718/08/CONS); it is, therefore, an independent body that ensures the correct implementation of the said commitments.

After the conclusion of the latest market analysis on access to the fixed network (Resolution no. 623/15/CONS) the SB's important role in providing the Authority with technical support in the performance of its supervisory activities on non-discrimination requirements was confirmed.

Article 64 of the said resolution established that Telecom Italia shall submit to the Authority a proposal for the revision of the Body's Regulation, in order to strengthen the autonomy and effectiveness of the SB's governance model, taking into account specific guidelines aimed at ensuring the impartiality of members, sufficient independence of the Supervisory Body's staff, and introducing appropriate measures for the participation of alternative operators in the Supervisory Body's activities with regard to equal treatment. Telecom Italia, therefore, put forward a proposal to amend the Rules governing the functioning of the Supervisory Body and, with Resolution no. 451/16/CONS, the Authority approved the Body's new Rules, with the consequent update of Group no. 7 of the Commitments.

As provided for in the new provisions, in addition to monitoring the correct implementation of the Commitments and the additional voluntary equivalence measures proposed by Telecom Italia in 2016 (the so-called "Voluntary measures"), the SB can provide technical support to the Authority in monitoring and verifying compliance with the requirements of non-discrimination (see "Voluntary measures") through the

performance of specific activities of study and analysis, in accordance with the provisions of art. 15-bis of the new Regulation. The results of the activities carried out by the Supervisory Board shall be communicated to the Authority as well as to Telecom Italia, but the evaluations expressed by the Supervisory Board shall not interfere in any way with the exercise of the powers of the Authority, in particular with its supervisory powers.

The amendments to the SB's Regulation have had effects on the composition and term of office of the board. In fact, the number of members has increased from three to five, with a simultaneous extension of the mandate from three to five years. As for the new board, which took office in August 2016, Professor Antonio Sassano was confirmed as Chairman, together with Professors Marco Lamandini and Michele Polo. Drs. Giovanni Amendola and Fabio Di Marco have been appointed as new members of the board. In order to safeguard the impartiality of the board, three members (including the Chairman) are appointed by the Authority and two by Telecom Italia, after consulting the Authority.

In carrying out its functions, the Supervisory Board is assisted by the Supervisory Committee, which provides the necessary operational support and carries out preparatory and accessory activities, in accordance with the provisions of the Commitments and the Regulations of the Board. In addition to the innovations already mentioned, the position of Director of the Supervisory Committee was created, replacing the two previous positions of General Secretary and Head of the Supervisory Board, as well as the position of Assistant who supports the Director in the performance of his duties. On the occasion of the first appointment of the Director - who has the task of ensuring the proper functioning of the administrative structure of the SB and supporting its activities - the outgoing Secretary General, Mr. Fabrizio Dalle Nogare, was appointed.

During the past year, the Authority and the SB have continued to cooperate with the aim of increasing mutual collaboration and providing the necessary support to the Authority to carry out monitoring and verification activities on compliance with non-discrimination requirements. Meetings were also held on topics of common interest.

Relations with public administration institutions and bodies

During 2016, the Authority completed the inclusion of its services to the Impresa.gov front office system and the payment platform of the Digital Agency for Italy (AGID). More specifically, "PagoPA" is a system developed by AGID in accordance to the Digital Administration Code (Codice dell'Amministrazione Digitale - CAD) and is one of the regulatory provisions that the Authority shall promote and implement within the framework of the goals of the Digital Agenda, with the purpose of encouraging citizens and businesses to use online payment services.

All the activities concerning the inclusion of the Public System for Digital Identity (SPID) to the services delivered on the Authority's website, which enables the Authority to align with the latest technological innovation and the regulatory provisions set out in the CAD and in the AGID directives, as well as the activities aimed at the development of the Register of Analogue Radio have been completed. These activities contribute to eliminate all technological barriers in the relationship between the Authority and the public, thus creating the conditions for the full participation of the relevant stakeholders in ongoing proceedings.

Lastly, in 2016, the Authority continued to cooperate with other independent authorities under the "Convention for the Management of Operating Services" signed on 17 December 2014. In fact, the administrations concerned have had the opportunity to discuss a wide range of issues, not least in order to define common strategies. Among the most important ones, the management of facility management within the framework of the Consip Convention and the adoption of new insurance policies relating to civil liability and coverage of real estate and movable assets (all risk), for which a joint tender procedure may be started in 2017.

Universities and research institutions

During the reference period, the Authority undertook several collaboration activities with University institutions aimed at analysing in depth legal, sociological and technical-economic issues related to relevant institutional aspects as well as offering traineeship opportunities to students in the Authority's sub-offices located in Naples and Rome.

In this regard, it should be noted that the Authority, in accordance with the efficiency and transparency criteria set out in the Guidelines for the signing of agreements with University institutions or research centres (see Resolution no. 176/15/CONS, as last amended by Resolution no. 341/16/CONS), has entered into three new agreements, respectively with the University of Rome "Tor Vergata" (see Resolution no. 164/16/CONS), with the University of Rome "LUMSA" (see Resolution no. 555/16/CONS), and with the University of Rome "Roma TRE" (see Resolution no. 556/16/CONS).

These agreements are aimed at carrying out in a harmonized and coordinated way numerous activities of mutual interest, such as offering traineeship opportunities to young graduates and postgraduate students, chosen through special public selections, the holding of university masters and advanced courses in the subjects of institutional interest of the Authority, carrying out joint study and research activities, providing training activities for internal staff, organizing conferences, seminars and training events.

Over the last year, the Authority has therefore intensified its cooperation with academic and research institutions, implementing the provisions of the framework agreement to regulate the different forms of collaboration between institutions. Recently, the Authority's attention has been particularly focused on the academic institutions located in the Regions of Lazio and Campania and new agreements are currently being defined with University institutions.

Moreover, during the last year, the Authority has devoted extensive time to public events organized with the help of academic institutions and operators. In this regard, it is worth mentioning the many conferences and workshops held by partner Universities or by the Authority, aimed at providing a deeper insight into complex issues – resulting from the constant evolution that characterizes the media and electronic communications segments – in cooperation with academic representatives and sector operators, who are called upon to apply the reference rules on a daily basis.

The results of the studies and research activities performed to provide citizens with the necessary operational tools to be aware and prevent the risks that could arise in the different market segments in which the Authority operates have been disclosed to a large public.

In addition to this, the Authority's supervision of public initiatives falling within the scope of its institutional competence was particularly intense. It should be noted that, during the period under consideration, the Authority supported dozens of public initiatives of debate and discussion, by sponsoring events and encouraging the joint participation of users, stakeholders and members of the academic world.

Lastly, in December 2016, the Authority signed a Memorandum of Understanding with the National Statistical Institute for the development of common projects in the field of statistics. A specific consumer price index for communications products, from telecommunications to the media and postal services, will be the first of a series of initiatives on which the two institutions are working. In addition to the exchange of information for statistical purposes, the activities provided for in the Agreement include the following: the creation of a national database of Internet access networks and the carrying out of studies and research activities, focusing on digitisation and citizens' new consumption habits with reference to new media. In conclusion, it is worth mentioning the Open Data and Big Data projects, aimed at promoting innovative services based on shared information.

4.5 The role of the Authority in the international system

The communications sector in Europe

The reference period considered represents a turning point with regard to the reform of the regulation of the European digital markets and the related work of the Authority in cooperation with European institutions.

In line with the Digital Single Market Strategy (Digital Single Market – DSM)⁹⁸, the European Commission, in the period under review, has launched a series of reforms to update a number of regulations concerning the entire communications and digital services sector, designed, once completed, to become the key reference for the performance of the Authority's institutional tasks in the coming years.

In a highly technologic and market environment which is constantly evolving, the Commission wished to propose rules which, by means of different, but integrated, legal provisions, would be able to promote a balanced and competitive development of digital services in the European Union.

The proposal for the updating of Directive 2010/13/EU on audio-visual media services put forward in May 2016 is part of such composite programme of initiatives⁹⁹. Among the key aspects of the reform, it is worth mentioning the proposals relating to the expansion of the framework of the Directive on video-sharing platforms, by adopting instruments for self- and co-regulation (with a particular focus on safeguards for minors) and to the strengthening of the autonomy and independence of national regulators as well as of the role of the European regulatory cooperation body (the ERGA¹⁰⁰).

A proposal for the adoption of European Regulations on cross-border parcel delivery services in the European Union¹⁰¹ was also published in May 2016. Such proposal aims at introducing greater transparency on the tariffs charged by cross-border delivery service providers, for the purpose of promoting the development of e-commerce, which represents a significant driver for the growth of the EU economy.

⁹⁸ <http://eur-lex.europa.eu/legal-content/IT/TXT/PDF/?uri=CELEX:52015DC0192&from=EN>.

⁹⁹ <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1464618463840&uri=COM:2016:287:FIN>.

¹⁰⁰ ERGA (European Regulators Group for Audiovisual Media Services) was established by the Commission Decision of February 3, 2014, available at: <https://ec.europa.eu/digital-single-market/en/news/commission-decision-establishing-european-regulators-group-audiovisual-media-services>.

¹⁰¹ <http://eur-lex.europa.eu/legal-content/IT/TXT/?uri=CELEX%3A52016PC0285>.

In September 2016, the legislative proposals to revise the European regulatory framework for electronic communications networks and services were published. In particular, the European Electronic Communications Code¹⁰² proposes a comprehensive reform of European sector legislation, with the formal objective of promoting private infrastructure investment in ultra-wideband networks. To this end, the Code lays down rules, among other things, on the framework of application of sector regulations (proposing an extension of part of the regulations to new players providing services that replace traditional electronic communications services); on the regulation ruling wholesale fixed access services (providing, among other things, specific and more favourable rules in the case of co-investments and subjects operating exclusively at the wholesale level and strengthening the role of symmetrical regulations); on radio spectrum regulation (proposing the standardisation of the minimum duration of individual license of use for harmonised bands and the strengthening of the Commission's role in defining the terms for granting specific bands and in defining the conditions attached to licences); on consumer protection (promoting a "maximum harmonisation" approach) and on universal service (encouraging the removal of certain services that are considered obsolete and promoting a universal basic Internet access service).

This reform package also includes the proposal to reform the BEREC (Body of European Regulators for Electronic Communication)¹⁰³, which outlines the future structure of the European regulatory cooperation body by adhering to the institutional model of the Union's decentralized agency.

The many European legislative initiatives arising from the DSM Strategy also include a package of legislative proposals on copyright in the digital single market¹⁰⁴, which the Authority pays great attention to and which

was also published by the Commission in September 2016. It is currently being examined by the co-legislators. A further initiative that is worth mentioning is the proposal for a European Regulation guaranteeing the cross-border transference of online content services in the internal market.

Finally, last January, following the entry into force of the new European Privacy Regulation in April 2016, the Commission launched a proposal for a new regulation on the protection of privacy and the processing of personal data in the electronic communications sector, which will replace the current "e-Privacy" Directive¹⁰⁵. In this area too, the aim is to increase consumer confidence and encourage the use of digital online services, by updating current legislation and extending the scope of the regulation to online service providers.

Even though falling within different regulatory areas, the various reform proposals focus on aligning the services provided to technology innovations and on the new Internet players. To this end, the Authority sets a good example, since it adopts a convergent approach, with a structure allowing for the exercise of regulatory, supervisory and sanctioning powers in the whole communications sector.

Providing information to stakeholders

The Authority continues to cooperate with the international financial community to allow for a correct interpretation of decisions and measures that have a significant impact on profitability, investment incentives and distribution of sector revenues.

¹⁰² <https://ec.europa.eu/digital-single-market/en/news/proposed-directive-establishing-european-electronic-communications-code>.

¹⁰³ <https://ec.europa.eu/digital-single-market/en/news/proposed-regulation-establishing-body-european-regulators-electronic-communications-berec>.

¹⁰⁴ <https://ec.europa.eu/digital-single-market/en/modernisation-eu-copyright-rules>.

¹⁰⁵ <https://ec.europa.eu/digital-single-market/en/news/proposal-regulation-privacy-and-electronic-communications>.
Direttiva 2002/58/CE.

To this end, the Authority provides investors and financial analysts with information on trends in regulated markets, its regulatory decisions and its long-term strategic planning.

In the past year, several meetings on specific topics of interest to investors and financial analysts were organized, sometimes also held through conference calls; at the same time, “investor days” and events organized by the financial community itself were attended by the Authority.

Over the years, the Authority has been providing information and support to national and international stakeholders. In this regard, it should be mentioned the now well consolidated initiative of publishing the Communications Observatory Report on the Authority's website, aimed at outlining the economic situation in all the markets falling within the Authority's jurisdiction, as well as the most recent practice regarding the publication of economic reports and statistical studies, some of which in English, with the aim of providing information on specific topics on the markets regulated by the Authority.

As far as the Communications Observatory is concerned, in 2016 the innovations (graphic and content) introduced in 2015 were consolidated. The Communications Observatory is published every three months on the Authority's website (<http://www.agcom.it/osservatorio-sulle-comunicazioni>); and an English version is also available. It consists of four sections, the first of which is dedicated to telecommunications, the second to the media (television, radio, Internet, daily and periodical publishing) and the third to postal and express delivery services. The final section deals with the trend of consumer prices of communication services and provides, among other things, for an international comparison with the main European countries. This structure offers an overview of the various areas of the Authority's competence in order to provide businesses, consumers and the media with a set of information that is useful for understanding market and competitive trends in the communications sector.

The section on the Authority's website relating to reports and economic/statistical analysis has also been improved (<http://www.agcom.it/report-e-focus-economico-statistici>). In this case, the objective is to provide

stakeholders with more detailed information on specific topics of interest to the Authority. These are economic-statistical analyses aimed at disseminating data and analyses, in order to understand the dynamics and evolutionary trends of the reference sectors. In particular, the reports are intended to provide stakeholders with information based on in-depth quantitative analyses, while the in-depth studies offer a synthetic assessment, which also include quantitative evaluations, on some specific issues. Among the reports published in 2016 it is worth mentioning the report on "The determinants of private investment in telecommunications infrastructure", an analysis aimed at assessing the relevance that some demographic and socio-economic factors (such as the age of the population, the level of education, income levels, the employment, the characteristics of the territory) have had on investment decisions in telecommunications infrastructure by private operators. In addition, it is useful to recall that there are two reports which the Authority used to monitor consumers' experience (businesses and individuals) with regard to the use of communication tools ("Communication services in small and medium-sized enterprises: experiences and perspectives" and "Consumption of communication services: experiences and perspectives"). The publication of the reports was accompanied by the dissemination of the findings at public events, in the form of workshops or seminars, which were well attended.

With regard to the section on economic and statistical analysis, like the previous year, a series of data (historical and cross-sectional data series) were produced on the financial statements of the main companies operating in the markets within the Authority's jurisdiction, as well as a summary of the main findings resulting from the data collected through the ICS ("Focus - Integrated Communications System - 2012-2015").

Thanks to this intense activity of dissemination of information and data related to market trends, the Authority intends to provide businesses, consumers and the media with additional information to support

their specific needs, aware of the increasing importance that economic and statistical data have as a strategic resource that can be used to make decisions, evaluate and invest. In this context, the data contained in the Communications Observatory, in the balance sheets and in the Authority's Annual Report are also published in the open data format.

Electronic communications

The Authority has continued to support the activities of BEREC, in compliance with the obligations provided for by the European law and in line with the objectives of cooperation between the NRAs, with the purpose of implementing a more effective regulation of internal markets. As a proof of this, the Authority played a leading role in the governance of BEREC during 2016: in fact, President Cardani held the position of BEREC vice-president in the previous year, undertaking the task of supervising important areas of activity, such as those relating to the legislative reform of the sector and the definition of regulatory remedies.

Like the previous year, the Authority has continued to coordinate a key activity in BEREC's 2016 and 2017 work programme involving the analysis and outlining of proposals aimed at modifying the regulatory framework for electronic communications, by co-chairing the Regulatory Framework Expert Working Group. In this context, the Authority has coordinated discussions on technical issues with the Commission in order to help the European Commission to focus on the main development of the regulatory framework; following the publication of the Commission's proposals, the Authority has therefore led the Group in the performance of the analysis of the legislative texts for the drafting of a high-level opinion published last December¹⁰⁷. The analysis of the Commission's proposals will continue throughout 2017, by carrying out technical examinations on a number of issues and a close monitoring of the co-decision process.

In addition, the Authority continued to ensure the coordination of other important activities by chairing two more working groups that focus on regulatory accounting ("Regulatory Accounting Expert Working Group")

and on issues related to market analysis ("Remedies Expert Working Group"); furthermore, the Authority has keenly participated in all the different activities provided for in the work program. In fact, the Authority's experts took part in the initiatives on net neutrality – which led to the adoption, in August 2016, of the BEREC Guidelines for the implementation of the rules set out in the TSM Regulation - and on international mobile roaming, which involved numerous in-depth studies and obligations to implement the "Roam-Like-At-Home" model starting from summer 2017.

With regard to the electronic communications sector, the Authority has also ensured its technical and regulatory contribution to all European sector committees, by actively participating in the Radio Spectrum Policy Group (RSPG), in the CEPT ECC Committee, dedicated to electronic communications (by coordinating the activities on numbering), and forming part of national delegations represented in the Communications Committee and the Radio Spectrum Committee.

The audio-visual sector

In relation to the audio-visual sector, the Authority's activities, at European level, focused on the review of the Directive on audio-visual media services.

In this context, the Authority took part in the activities of the European Regulators Group for Audio-visual Media Services (ERGA), an advisory body of the European Commission, set up in 2014 to help the Commission in implementing the European sector legislation, to encourage the exchange of best practices between EU regulatory authorities and also to support the European Commission during the process of revising the regulatory framework.

The Authority has provided its support to the three working groups set up under the 2016 work programme (relating to the reform of the Directive on audio-visual media services, the protection of minors and the

¹⁰⁷ http://berec.europa.eu/eng/document_register/subject_matter/berec/opinions/6615-berec-high-level-opinion-on-the-euro-pean-commissions-proposals-for-a-review-of-the-electronic-communications-framework.

creation of the so-called Digital European Toolkit, the database created by the NRAs to share documents and practices, respectively) and contributed to the definition of the Work Programme for 2017. In this context, the Authority has renewed its commitment to participate in all the new working groups, and has made available to the platform its experience, gained also in other sectors of communications, with the aim of strengthening ERGA's internal rules of procedure, by taking over the chairmanship of the "Future-proofing ERGA" working group.

The Authority has also ensured its technical support to the activities undertaken by the Contact Committee, a body composed of the representatives of Member States' sector authorities, set up by Directive 97/36/EC.

Postal services

The Authority has confirmed its commitment to cooperate with the European Regulators Group for Postal Services (ERG-P), the chairmanship of which has passed to the Authority for the year 2017, in the person of its Chairman Angelo Marcello Cardani.

Following the approval of the mid-term strategy for the years 2017-2019, which has been outlined and coordinated by AGCOM, during the plenary meeting held in Naples on 24 and 25 November 2016, the Authority was appointed as head of the task force responsible for revising the internal operating rules and drafting internal guidelines to increase the efficiency and effectiveness of the work carried out by the platform. The Authority also confirmed its role of coordinating the working group on the regulation of the universal service.

Under the AGCOM presidency, ERG-P provided its significant support in monitoring and analysing developments in the co-decision process for the cross border parcel delivery services regulation, by taking part in the institutional debate and representing the Group's common position on the main issues subject to regulation to the EU Council Presidency and the European Parliament.

International cooperation

The Authority has continued to cooperate with international bodies, through active participation in regulatory bodies, associations and networks of the sector and through bilateral initiatives.

The twinning project with the Tunisian electronic communications regulator, Instance Nationale Des Telecommunications (INT), has continued during the reference period, and is due to be completed in May this year, with the Authority leading a consortium composed of the Spanish regulator CNMC and the French Ministry of Economy, Industry and Labour.

The Authority also participated in the selections related to two more twinning projects, in Israel and Azerbaijan, dealing with telecommunications and intellectual property issues, respectively. In the first case, AGCOM acted as leader of a consortium formed by the German regulator BNetzA and the Latvian regulator SPRK; in the second case, the Authority joined a consortium coordinated by the Greek institution EPLC. Both proposals were declared the winners of the respective selections by the local EU Delegations and the activities of both projects are expected to start in 2017.

With regard to bilateral initiatives, in the reporting period, the Authority hosted a study visit by the National Commission on Television and Radio (NCTR) of Armenia in April 2016 as part of the activities under the Memorandum of Understanding signed in 2015. Furthermore, two meetings were held with the National Council for the Audio-visual (CNA) of Lebanon, during a workshop held in Beirut on 23 and 24 May 2016 on the digitization of the Lebanese television sector, and subsequently in Italy, from 5 to 7 December 2016, to exchange information on techniques for monitoring national television channels.

A meeting with the Korean Communications Standards Commission (KCSC) on the issues of independence and child protection was held in Rome on 3 April 2017.

As usual, the Authority also provided its contribution in technical areas to several TAIEX (Technical Assistance and Information Exchange) projects organised by the European Commission, sending its own experts to the beneficiary countries and hosting foreign delegations in Italy;

moreover, during the reference period, it is worth mentioning the visit paid by the Turkish Regulatory Authority (ICTA) to Italy in December 2016, which focused on AGCOM's experience in alternative dispute resolution.

The Authority has actively participated in the activities of EPRA - European Platform of Regulatory Authorities (which brings together 52 audio-visual regulators from Europe and from the neighbourhood policy area of the Commission), RéseauMed - Mediterranean Regulators' Network of the Audio-visual (the network of audio-visual regulators in the Mediterranean area), EMERG - European Mediterranean Regulators' Group (the network of Mediterranean electronic communications regulators) and Regulatel (Latin American Telecommunications Regulators Group).

With specific reference to EMERG, in May 2016 the Authority assumed the head of the Group for 2017 (Chairman Angelo Marcello Cardani was formally appointed at the plenary meeting held in Rome on 20 March 2017). This is a further recognition of the enormous work made by the Authority to promote

instruments of regulatory cooperation in the Mediterranean area and to further strengthen these links in a historic moment when competitive and non-discriminatory access to electronic communications services is taking on a new value, which goes beyond mere market logic.

Besides taking part in sector platforms, the Authority has also ensured participation in the activities of the various regulatory committees operating within the framework of OECD (including the ICCP-CISP Committee and the Network of Economic Regulators, under the PRC Committee), the UN (forming part of the Italian delegation to the Human Rights Committee) and the main international think tanks operating in the institutional and market areas of interest of the Authority (among them, mention should be made of the CERRE, IIC and Eurovisioni). In particular, like in the previous two years, the Authority has organised in Rome, together with the Eurovisioni Association, a day dedicated to audio-visual regulatory issues during the festival of the same name, held on 21 October 2016 at the French Academy.

ANNEX

Table A1 - Composition of Rai TV offer – General TV networks (2016)

Time dedicated to television genres provided for under the Service Agreement in the time slot: 06:00-24:00

CHANNEL	RAI 1		RAI 2		RAI 3		RAI	
GENRES	h:mm:ss	%	h:mm:ss	%	h:mm:ss	%	h:mm:ss	%
News and General analyses	1386:08:55	23,51	1113:29:40	18,20	2944:39:21	47,57	5444:17:56	29,91
General programmes and shows	1308:46:48	22,20	392:17:21	6,41	443:34:49	7,17	2144:38:58	11,78
Cultural programmes	411:54:14	6,99	327:32:45	5,35	1212:03:47	19,58	1951:30:46	10,72
Sports news and programmes	146:17:36	2,48	696:49:14	11,39	198:57:48	3,21	1042:04:38	5,72
Programmes for children	11:47:51	0,20	647:37:36	10,59	156:04:41	2,52	815:30:08	4,48
Italian and European Audio-visual productions	636:49:31	10,80	746:10:41	12,20	871:50:35	14,09	2254:50:47	12,39
SERVICE GENRES TOTAL	3901:44:55	66,17	3923:57:17	64,15	5827:11:01	94,14	13652:53:13	75,00
OTHER	1994:49:13	33,83	2193:08:08	35,85	362:30:19	5,86	4550:27:40	25,00
TOTAL 6.00-24.00*	5896:34:08	100,00	6117:05:25	100,00	6189:41:20	100,00	18203:20:53	100,00

* Programming is calculated in net hours of transmission.

The following are excluded: advertising, telepromotion spots, teleshopping, network promotions, public service announcements and social campaign spots, announcements, theme songs, breaks, time signals, interruptions and suspension of broadcasts.

Table A2 - Rai TV offer for disabled people - General TV networks (anno 2016)

Time slot: 06:00-24:00

CHANNEL	RAI 1	RAI 2	RAI 3	Totale RAI
TYPE OF SERVICE	h:mm:ss	h:mm:ss	h:mm:ss	h:mm:ss
Subtitled programmes and	5080:58:00	4871:16:00	4351:26:36	14303:40:36
<i>content with audiodescription</i>	<i>340:34:36</i>	<i>335:55:32</i>	<i>251:56:37</i>	<i>928:26:45</i>
Total Rai Programmes Rai 6.00-24.00*	5896:34:08	6117:05:25	6189:41:20	8203:20:53
% subtitling on total programming	86%	80%	70%	79%

* Programming is calculated in net hours of transmission.

The following are excluded: advertising, telepromotion spots, teleshopping, network promotions, public service announcements and social campaign spots, announcements, theme songs, breaks, time signals, interruptions and suspension of broadcasts.

Table A3 - TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

PROGRAMMES WITH SUBTITLES/AUDIO-DESCRIPTION
20 ANNI DI PORTA A PORTA 20 ANNI D'ITALIA
59° ZECCHINO D'ORO 2016
8 AMICI DA SALVARE
A CONTI FATTI
A CONTI FATTI - LA PAROLA A VOI
A SUA IMMAGINE
A SUA IMMAGINE - GIUBILEO
A SUA IMMAGINE - LE RAGIONI DELLA SPERANZA
A SUA IMMAGINE - SPECIALE
AFFARI TUOI
AFFARI TUOI - TELETHON
AFFARI TUOI CON IL CUORE
AFFARI TUOI RADDOPPIA
AFFARI TUOI SPECIALE - LOTTERIA ITALIA 2015
AMAZING RACER - L'INCREDIBILE GARA
AMORI ALL'IMPROVISO
ANDREA BOCELLI - IL MIO CINEMA
ANGELUS
ANT. UNA VOCE PER PADRE PIO - XVII EDIZIONE
ANTEPRIMA 20 ANNI DI PORTA A PORTA 20 ANNI D'ITALIA
ANTEPRIMA A SUA IMMAGINE
ANTEPRIMA ANDREA BOCELLI - IL MIO CINEMA
ANTEPRIMA AVRAI
ANTEPRIMA COME FAI SBAGLI
ANTEPRIMA CON IL CUORE
ANTEPRIMA DEDICATO A MINACELENTANO
ANTEPRIMA DIECI COSE
ANTEPRIMA DOMENICA IN
ANTEPRIMA EUROVISION SONG CONTEST 2016
ANTEPRIMA FUOCOAMMARE
ANTEPRIMA I MIGLIORI ANNI - STAGIONE 7
ANTEPRIMA IL COMMISSARIO MONTALBANO
ANTEPRIMA IL GRANDE MATCH - UEFA EURO 2016 FRANCE
ANTEPRIMA IN GUERRA PER AMORE
ANTEPRIMA LA PARTITA DELLA PACE 2016
ANTEPRIMA LA PIÙ BELLA DEL MONDO

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

ANTEPRIMA LA PROVA DEL CUOCO
ANTEPRIMA LA PROVA DEL CUOCO - L'ANTIPASTO
ANTEPRIMA LA PROVA DEL CUOCO SABATO IN FESTA
ANTEPRIMA LAMPEDUSA - DALL'ORIZZONTE IN POI
ANTEPRIMA LIGABUE ITALIA ANTEPRIMA MADE IN
ITALY + VIDEOCLIP
ANTEPRIMA MUSIC QUIZ
ANTEPRIMA NA TALE E QUALE SHOW
ANTEPRIMA NEMICAMATISSIMA
ANTEPRIMA NON DIRLO AL MIO CAPO
ANTEPRIMA PANARIELLO SOTTO L'ALBERO REWIND
ANTEPRIMA PETROLIO
ANTEPRIMA PORTA A PORTA
ANTEPRIMA PRODIGI - LA MUSICA È VITA
ANTEPRIMA RAI 1 E TG1 - SPECIALE PORTA A PORTA - ELEZIONI AMMINISTRATIVE 2016
ANTEPRIMA RAI 1 E TG1 SPECIALE PORTA A PORTA - È GUERRA ANTEPRIMA
RISCHIATUTTO
ANTEPRIMA SANREMO 2016
ANTEPRIMA SPECIALE L'EREDITÀ
ANTEPRIMA SPECIALE PORTA A PORTA
ANTEPRIMA TALE E QUALE SHOW
ANTEPRIMA UNO MATTINA - STORIE VERE
ANTEPRIMA UNO MATTINA IN FAMIGLIA - SPECIALE TELETHON
ANTEPRIMA UNO MATTINA IN FAMIGLIA ANTEPRIMA: LE GRANDI
FICTION DI RAI 1
ANTICIPAZIONI TG1
APPUNTAMENTO AL CINEMA
ARENÀ - RENATO ZERO SI RACCONTA
ASPETTANDO BALLANDO CON LE STELLE
ASPETTANDO DOMENICA IN
ASPETTANDO I MEDICI
ASPETTANDO LINEA VERDE
ASPETTANDO MADAMA BUTTERFLY
ASPETTANDO STANOTTE A FIRENZE
ASPETTANDO STANOTTE A SAN PIETRO - VIAGGIO TRA LE MERAVIGLIE DEL VATICANO
ATTORI E DIVI ITALIANI
AVRAI

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

BACIATO DAL SOLE - IL BACKSTAGE
BACIATO DAL SOLE
BACKSTAGE - IL CORAGGIO DI VINCERE
BACKSTAGE - IO NON MI ARRENDO
BACKSTAGE - L'ALLIEVA
BACKSTAGE: UN MEDICO IN FAMIGLIA
BALLANDO CON LE STELLE
BALLANDO CON LE STELLE LA FINALE
BALLANDO... PROVA A SORPRESA!
BENEDIZIONE URBI ET ORBI
BIANCA COME IL LATTE, ROSSA COME IL SANGUE
BIANCANEVE
BORIS GIULIANO UN POLIZIOTTO A PALERMO
BORIS GIULIANO UN POLIZIOTTO A PALERMO: IL BACKSTAGE
BRACCIALETTI ROSSI 2-3
BRACCIALETTI ROSSI 2 - BACKSTAGE
BUON NATALE DAL SET DI BRACCIALETTI ROSSI - STAGIONE 3
BUONGIORNO BENESSERE
BUONGIORNO BENESSERE - TUTTI I COLORI DELLA SALUTE
CALCIO AMICHEVOLE
CALCIO CAMPIONATO EUROPEO
CALCIO COPPA ITALIA
CALCIO: QUALIFICAZIONI CAMPIONATI MONDIALI 2018
CALCIO: SUPERCOPPA ITALIANA TIM 2016
CALLAS
CAMILLERI RACCONTA MONTALBANO
CASTROCARO 2016
CATTURANDI NEL NOME DEL PADRE - STAGIONE 1
CCISS VIAGGIARE INFORMATI
CEDAR COVE
C'ERAVAMO TANTO AMATI
CHE DIO CI AIUTI
CIBO PER TUTTI
CICLO: PURCHÉ FINISCA BENE
CINEMA RAI 1
CINEMATOGRAFO
CINEMATOGRAFO ESTATE

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

CLIP DI MONTAGGIO
CLIP: AUGURI MAESTRO
COLORS
COME FAI SBAGLI - STAGIONE 1
COME TOGETHER - ANTEPRIMA EUROVISION SONG CONTEST 2016
COMPLIMENTI PER LA CONNESSIONE
CON IL CUORE
CONCERTO DELL'EPIFANIA
CONCERTO DI CAPODANNO
CONCERTO DI NATALE
CONCERTO DI PASQUA
CONFUSI E FELICI
COPPA ITALIA TIM CUP
COSE NOSTRE
COSÌ LONTANI COSÌ VICINI
DA DA DA - MUSICA E CINEMA
DARIO FO - FRANCESCO LU SANTO JULLARE
DARIO FO CON MIKA
DARLING COMPANION - UN CARO AMICO
DEDICATO A MINACELENTANO
DIECI COSE
DIETRO LE QUINTE - I BASTARDI DI PIZZOFALCONE
DIETRO LE QUINTE DE: LA CLASSE DEGLI ASINI
DIETRO LE QUINTE DI I MEDICI
DIETRO LE QUINTE: CATTURANDI - NEL NOME DEL PADRE
DIETRO LE QUINTE: CHE DIO CI AIUTI 4
DIETRO LE QUINTE: DON MATTEO 10
DIRETTAZZURRA - UEFA EURO 2016 FRANCE
DIVORZIO D'AMORE
DOMANI È CASTROCARO 2016
DOMENICA IN
DOMENICA IN - IL MEGLIO DI
DOMENICA IN - L'ARENA
DOMENICA IN - L'ARENA PROTAGONISTI
DOMENICA IN - L'ARENA PROTAGONISTI SPECIALE REFERENDUM
DOMENICA IN - L'ARENA REPLAY
DOMENICA IN - L'ARENA SPECIALE PROTAGONISTI

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

DOMENICA IN - SPECIALE 40 ANNI
DOMENICA IN - UNA DOMENICA DA LEONI
DON MATTEO 6-10
DONNE
DOPO IL GP
DOTTORI A HOPE ISLAND - STAGIONE 1
DREAMS ROAD
EASY DRIVER
EDUARDO DE FILIPPO - PADRE CICOGNA (MUSICA DI NICOLA PIOVANI)
ELEZIONI COMUNALI 2016 (L.I.S.)
EMILIE RICHARDS - TRACCE DEL PASSATO
ESTATE IN DIRETTA
EUROPEAN QUALIFIERS - EURO 2016
EUROPEAN QUALIFIERS 2018 FIFA WORLD CUP
EUROVISION SONG CONTEST 2016
FAN CAR-AOKE
FELICIA IMPASTATO
FIRMATO RAI 1
FIRMATO RAI 1 RICORDA...
FOLK EXPRESS - VIAGGIO TRA I SUONI DEL MONDO
FONDAZIONE TELETHON - UN SUCCESSO ITALIANO
FORMULA 1: GRAN PREMIO
FRATELLI UNICI
FRONTIERE
FROZEN - IL REGNO DI GHIACCIO
FROZEN FEVER
FUORI LUOGO
FUORI LUOGO SPECIALE
GENERATION WHAT? - LA GENERAZIONE CHE HA FRETTA
GLI IMPERDIBILI - I BASTARDI DI PIZZOFALCONE
GLI IMPERDIBILI - LA MAFIA UCCIDE SOLO D'ESTATE LA SERIE
GLI IMPERDIBILI - L'IMPORTANTE È AVERE UN PIANO
GLI IMPERDIBILI - MADAMA BUTTERFLY
GLI IMPERDIBILI - MUSIC QUIZ
GLI IMPERDIBILI - ROCCO SCHIAVONE
GLI IMPERDIBILI - STANOTTE A SAN PIETRO
GLI IMPERDIBILI - STASERA CASA MIKA

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

GRACE DI MONACO
GRANDI SPERANZE
HACHIKO
HEIDI
I GIORNI, DOPO
I GIUBILEI - LA STRADA DEL PERDONO
I MEDICI - PER IL CAST
MEDICI
MIGLIORI ANNI
MIGLIORI ANNI NOI CHE...
MIGLIORI ANNI... IL VINCITORE
NOSTRI ANGELI REPORTAGE
IL COMMISSARIO MONTALBANO - IL SORRISO DI ANGELICA
IL COMMISSARIO MONTALBANO - LA CACCIA AL TESORO
IL COMMISSARIO MONTALBANO - LA PIRAMIDE DI FANGO
IL COMMISSARIO MONTALBANO - L'ODORE DELLA NOTTE
IL COMMISSARIO MONTALBANO - UNA FACCENDA DELICATA
IL COMMISSARIO MONTALBANO - UNA LAMA DI LUCE
IL COMMISSARIO MONTALBANO - UNA VOCE DI NOTTE
IL DONO
IL GIUBILEO DI FRANCESCO
IL GIUBILEO DI FRANCESCO - SPECIALE NOTTE DI NATALE
IL GRANDE MATCH - UEFA EURO 2016 FRANCE
IL LAGO DELLE NINFEE
IL MEGLIO DI LINEA VERDE
IL MIO VICINO DEL PIANO DI SOPRA
IL MISTERO DELLE LETTERE PERDUTE - STAGIONE 1
IL PARADISO DELLE SIGNORE - STAGIONE 1
IL PESCATORE DI SOGNI (DI L. HALLSTRÖM)
IL PRINCIPE ABUSIVO
IL PRINCIPE DELLE BALENE
IL RICHIAMO DEL CUORE
IL SINDACO PESCATORE
IL SISTEMA - STAGIONE 1
IL SORRISO DELLE DONNE
IL SUONO DELLA DOMENICA
IL VOLO - UN'AVVENTURA STRAORDINARIA

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

IN VIAGGIO CON LA ZIA
INTERVISTA A DARIO FO IN OCCASIONE DEI SUOI 90 ANNI
IO CI SONO
IO NON MI ARRENDO
IO SONO LIBERO
JESOLO AIR SHOW 2016
KATIE FFORD - LE DUE EREDITÀ
LA BUSSOLA DEL REFERENDUM
LA CLASSE DEGLI ASINI
LA CUOCA DEL PRESIDENTE
LA DOMENICA DI...AFFARI TUOI
LA DOMENICA DI...AFFARI TUOI RADDOPPIA
LA GENTE CHE STA BENE
LA MAFIA UCCIDE SOLO D'ESTATE
LA MAFIA UCCIDE SOLO D'ESTATE (LA SERIE)
LA MOSSA DEL PINGUINO
LA PARTITA DEL CUORE - 25 ANNI INSIEME
LA PARTITA DEL CUORE 2016
LA PARTITA DELLA PACE 2016
LA PIÙ BELLA DEL MONDO
LA PRINCIPESSA SISSI
LA PROVA DEL CUOCO
LA PROVA DEL CUOCO - SABATO IN FESTA
LA RAGAZZA CON LO SMERALDO INDIANO
LA VITA IN DIRETTA - PARLIAMONE... SABATO
LA VITA IN DIRETTA - SANREMO
LA VITA IN DIRETTA
LA VITA IN DIRETTA PER TELETHON
L'ALLIEVA
L'ALTRA MOGLIE
LAMPEDUSA - DALL'ORIZZONTE IN POI
L'ANNO CHE VERRÀ
L'ATTESA
L'ATTIMO FUGGENTE
LAURA & PAOLA
LAURA & PAOLA - ANTEPRIMA
LE RICETTE DE LA PROVA DEL CUOCO

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

LE VIE DELL'AMICIZIA - REQUIEM PER LE VITTIME DI TUTTE LE GUERRE
LEGAMI
L'EREDITÀ
L'EREDITÀ - LA SFIDA DEI 7
L'EREDITÀ LA SFIDA DEI 7 - SPECIALE TELETHON
L'EREDITÀ SPECIALE TELETHON
LIGABUE ITALIA
LILLY SCHONAUER - IMPRESA D'AMORE
L'IMPORTANTE È AVERE UN PIANO
LINEA BIANCA
LINEA BLU
LINEA BLU SPECIALE
LINEA BLU SPECIALE PASQUETTA
LINEA VERDE
LINEA VERDE DI SABATO
LINEA VERDE ESTATE
LINEA VERDE ORIZZONTI
LINEA VERDE ORIZZONTI ESTATE
LO ZECCHINO DI NATALE
L'OROSCOPO
LOVE IS ALL YOU NEED
LUISA SPAGNOLI
L'ULTIMA COSA
L'ULTIMO SAN VALENTINO
L'UMBRIA CUORE VERDE D'ITALIA PRESENTA LE VIDEOGUIDE DEL MARESCIALLO CECCHINI
MADAMA BUTTERFLY
MADRE TERESA
MAI STATI UNITI
MARIA DI NAZARET
MEMORIE DI ADRIANO: RITRATTO DI UNA VOCE
MESSAGGIO DI FINE ANNO DEL PRESIDENTE DELLA REPUBBLICA SERGIO MATTARELLA
MESSAGGIO NATALIZIO E BENEDIZIONE URBI ET ORBI DI PAPA FRANCESCO METEO
METEO VERDE
METEO VERDE DOMENICA
MIA MOGLIE, MIA FIGLIA, DUE BEBÈ
MIO PAPÀ

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

MISS FISHER - DELITTI E MISTERI
MOGOL RACCONTA
MUSIC FOR MERCY
MUSIC QUIZ
NA TALE E QUALE SHOW
NAPOLI PRIMA E DOPO - LA CANZONE NAPOLETANA IN CONCERTO
NASTRI D'ARGENTO
NATALE DA STIMARE
NEMICAMATISSIMA
NON DIRLO AL MIO CAPO
NOSTRA MADRE TERRA
OCEANI 3D
OUR ZOO
OVERLAND - L'ESTREMO SUD EST ASIATICO
OVERLAND 14
OVERLAND 16
OVERLAND 17
PAESI CHE VAL...
PALERMO CHIAMA ITALIA
PALIO DI SIENA - 16 AGOSTO 2016
PANARIELLO SOTTO L'ALBERO REWIND
PANE E BURLESQUE
PAPA FRANCESCO, CUBA E FIDEL
PASSAGGIO A NORD OVEST
PASSAGGIO A NORD OVEST DOC
PETROLIO
PICCOLI SEGRETI GRANDI BUGIE
PIEDONE L'AFRICANO
PIETRO MENNEA LA FRECCIA DEL SUD
POOH AMICI PER SEMPRE
PORTA A PORTA
PORTA A PORTA SPECIALE REFERENDUM SÌ - NO
PREMIO BIAGIO AGNES
PREMIO LE MASCHERE DEL TEATRO ITALIANO
PRES. AFFARI TUOI
PRES. AFFARI TUOI - TELETHON
PRES. AFFARI TUOI CON IL CUORE

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

PRES. AFFARI TUOI RADDOPPIA
PRES. AFFARI TUOI SPECIALE - LOTTERIA ITALIA 2015
PRES. ARENÀ - RENATO ZERO SI RACCONTA
PRES. CALLAS
PRES. CERNOBBIO 2016 - ECONOMIA E MIGRANTI: EMERGENZE EUROPEE
PRES. COLORS
PRES. CON IL CUORE
PRES. DOMENICA IN
PRES. DOMENICA IN - L'ARENA
PRES. DOMENICA IN - L'ARENA PROTAGONISTI SPECIALE REFERENDUM
PRES. DOMENICA IN - L'ARENA REPLAY
PRES. DOMENICA IN - L'ARENA SPECIALE PROTAGONISTI
PRES. DOMENICA IN - SPECIALE 40 ANNI
PRES. DON MATTEO 10
PRES. EASY DRIVER
PRES. ESTATE IN DIRETTA
PRES. EUROVISION SONG CONTEST 2016
PRES. FRONTIERE
PRES. FUORI LUOGO SPECIALE
PRES. LA DOMENICA DI...AFFARI TUOI
PRES. LA PROVA DEL CUOCO
PRES. LA VITA IN DIRETTA
PRES. LA VITA IN DIRETTA - PARLIAMONE... SABATO
PRES. LA VITA IN DIRETTA - SANREMO
PRES. L'EREDITÀ
PRES. L'EREDITÀ SPECIALE TELETHON
PRES. LINEA BIANCA
PRES. LINEA BLU
PRES. LINEA BLU SPECIALE
PRES. LINEA VERDE
PRES. LINEA VERDE DI SABATO
PRES. LINEA VERDE ESTATE
PRES. NATALE DA STIMARE
PRES. PETROLIO
PRES. PORTA A PORTA
PRES. PORTA A PORTA SPECIALE REFERENDUM SÌ - NO
PRES. RAI 1 E TG1 - SPECIALE PORTA A PORTA: ELEZIONI USA 2016

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

PRES. RAI 1 E TG1 - SPECIALE PORTA A PORTA - ITALIA AL VOTO SÌ NO
PRES. RAI 1 E TG1 - SPECIALE PORTA A PORTA
PRES. RAI 1 E TG1 - SPECIALE PORTA A PORTA - ADESSO TOCCA A VOI
PRES. REAZIONE A CATENA
PRES. ROBERTO BOLLE - LA MIA DANZA LIBERA
PRES. SARÀ SANREMO
PRES. SOGNO AZZURRO
PRES. SPECIALE PORTA A PORTA - LA NOTTE DEGLI ULTIMI
PRES. SPECIALE TG1
PRES. TECHE TECHE TÈ
PRES. TEMPO E DENARO
PRES. TEMPO E DENARO - PER TELETHON
PRES. UNA DOMENICA DA LEONI
PRES. UNA VOCE PER PADRE PIO - XVII EDIZIONE
PRES. UNO MATTINA - STORIE VERE
PRES. UNO MATTINA - STORIE VERE SPECIALE
PRES. UNO MATTINA IN FAMIGLIA
PRES. VIVA MOGOL CON I GRANDI DELLA MUSICA
PRES. WIND MUSIC AWARDS 2016
PRES. ZUCCHERO PARTIGIANO REGGIANO
PRIGIONIERI IN PARADISO
PRIMA DEL GP
PRIMA DI TUTTO RISCHIATUTTO
PRIX ITALIA 68
PRODIGI - LA MUSICA È VITA
PROVACI ANCORA PROF 5
QUARK ATLANTE - IMMAGINI DAL PIANETA
RAI 1 E RAI CULTURA - CONCERTO PER IL 70° ANNIVERSARIO DELLA REPUBBLICA ITALIANA
RAI 1 E TG 1 - SPECIALE PORTA A PORTA: ELEZIONI USA 2016
RAI 1 E TG1 - SPECIALE PORTA A PORTA - ELEZIONI AMMINISTRATIVE 2016
RAI 1 E TG1 - SPECIALE PORTA A PORTA - ITALIA AL VOTO SÌ NO
RAI 1 E TG1 - SPECIALE PORTA A PORTA - LA LUNGA NOTTE DI BREXIT
RAI 1 E TG1 - SPECIALE PORTA A PORTA
RAI 1 E TG1: SPECIALE PORTA A PORTA - ADESSO TOCCA A VOI (RETE)
RAI CULTURA - 2 GIUGNO 1946: L'ITALIA È REPUBBLICA
RAI CULTURA - DIARIO CIVILE
RAI CULTURA - GLI OCCHI CAMBIANO

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

RAI CULTURA - L'ITALIA DELLA REPUBBLICA
RAI CULTURA E TEATRO ALLA SCALA: CONCERTO DI NATALE
RAI NEWS
RAI NEWS METEO (I)
RAI NEWS IN DIRETTA
RAI PARLAMENTO - PUNTO EUROPA
RAI PARLAMENTO - SETTEGIORNI
RAI PARLAMENTO - SPECIALE CAMERA
RAI PARLAMENTO - SPECIALE SENATO
RAI PARLAMENTO - TELEGIORNALE
RAI PARLAMENTO - TRIBUNA REFERENDUM 2016
RAI PARLAMENTO - TRIBUNA REFERENDUM IL CONFRONTO
RAI PARLAMENTO SPECIALE
RAI PLAYER
RAI QUIRINALE E TG1: IL GIORNO DELLA MEMORIA
RAI SPORT
RAI SPORT - ERA IL PIÙ GRANDE
RAI1 E RAI CULTURA - CONCERTO DELLA BANDA DELL'ARMA DEI CARABINIERI
REAZIONE A CATENA
REAZIONE A CATENA - L'INTESA VINCENTE
REAZIONE A CATENA DI SERA
REFERENDUM 2016 (L.I.S.)
REFERENDUM COSTITUZIONALE 2016
REFERENDUM COSTITUZIONALE 2016 - VOTO DEGLI ITALIANI ALL'ESTERO
REFERENDUM COSTITUZIONALE 2016 (L.I.S.) RIASSUMENDO: DON MATTEO
10
RIASSUMENDO: I MEDICI
RIASSUMENDO: UN MEDICO IN FAMIGLIA 10
RIASSUNTO - CATTURANDI NEL NOME DEL PADRE
RIASSUNTO IO NON MI ARRENDO
RIASSUNTO LUISA SPAGNOLI
RIASSUNTO VELVET - STAGIONE 3
RIASSUNTO: BACIATO DAL SOLE
RIASSUNTO: BORIS GIULIANO UN POLIZIOTTO A PALERMO
RIASSUNTO: BRACCIALETTI ROSSI - STAGIONE 2
RIASSUNTO: BRACCIALETTI ROSSI - STAGIONE 3
RIASSUNTO: COME FAI SBAGLI

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

RIASSUNTO: IL PARADISO DELLE SIGNORE
RIASSUNTO: IL SISTEMA
RIASSUNTO: LA MAFIA UCCIDE SOLO D'ESTATE (LA SERIE)
RIASSUNTO: LA RAGAZZA CON LO SMERALDO INDIANO
RIASSUNTO: L'ALLIEVA
RIASSUNTO: NON DIRLO AL MIO CAPO
RIASSUNTO: PROVACI ANCORA PROF 5
RIASSUNTO: TANGO PER LA LIBERTÀ
RIASSUNTO: TUTTO PUÒ SUCCEDERE
RIASSUNTO: UNA PALLOTTOLA NEL CUORE 2
RISCHIATUTTO
ROAD BOOK
ROBERTO BOLLE - LA MIA DANZA LIBERA
ROBERTO BOLLE - LA MIA DANZA LIBERA FLASHBACK
ROSAMUNDE PILCHER: SOLSTIZIO D'ESTATE SABATO
IN
SANREMO 2016 - 66° FESTIVAL DELLA CANZONE ITALIANA
SANREMO START
SANTA MESSA
SANTA MESSA DI NATALE CELEBRATA DA PAPA FRANCESCO
SANTA MESSA PRESIEDUTA DA PAPA FRANCESCO
SANTA MESSA PRESIEDUTA DA PAPA FRANCESCO - MESSAGGIO PASQUALE E BENEDIZIONE URBI ET ORBI
SARÀ SANREMO
SAVING MR. BANKS
SCATTI D'AMORE
SCUSATE SE ESISTO!
S'È FATTA NOTTE
SEMBRA IERI CRONACA E STORIA
SIGNORE E SIGNORI AL BANO E ROMINA POWER
SISSI - DESTINO DI UNA IMPERATRICE
SISSI - LA GIOVANE IMPERATRICE
SOGNO AZZURRO
SOGNO AZZURRO - ARRIVA LA NAZIONALE
SOGNO E SON DESTO 3
SOGNO E SON DESTO 3 - NIGHT
SONO UN PIRATA SONO UN SIGNORE
SPECIALE L'EREDITÀ

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

SPECIALE PORTA A PORTA - DALLA RUSSIA CON AL BANO
SPECIALE PORTA A PORTA - LA NOTTE DEGLI ULTIMI
SPECIALE PORTA A PORTA
SPECIALE TG1
SPORT: CALCIO
STAI LONTANA DA ME
STANOTTE A FIRENZE
STANOTTE A SAN PIETRO - VIAGGIO TRA LE MERAVIGLIE DEL VATICANO
STANOTTE AL MUSEO EGIZIO
SUA SANTITÀ RECITA IL REGINA COELI
SUL SET DI LUISA SPAGNOLI
SUL SET DI TANGO PER LA LIBERTÀ
SUL SET DI: IL PARADISO DELLE SIGNORE
SUPEREROI
SUPERQUARK
SUPERQUARK PROSSIMAMENTE
TALE E QUALE SHOW
TANGO PER LA LIBERTÀ
TAORMINA FILM FEST - SPECIALE 62° EDIZIONE
TECHE TECHE TÈ
TELETHON
TELETHON SHOW
TELETHON SHOW ANTEPRIMA
TELETHON... VIA ALLA MARATONA!
TEMPO E DENARO
TEMPO E DENARO - PER TELETHON
TG1
TG1 - CERIMONIA DI INAUGURAZIONE ANNO GIUDIZIARIO
TG1 - CONCISTORO NUOVI CARDINALI
TG1 - CONFERENZA STAMPA DI FINE ANNO DEL PRESIDENTE DEL CONSIGLIO PAOLO GENTILONI
TG1 - INCONTRO DEL PRESIDENTE DELLA REPUBBLICA CON LE ALTE CARICHE DELLO STATO PER GLI AUGURI DI FINE ANNO
TG1 - PIAZZA S. PIETRO - SANTA MESSA DI CANONIZZAZIONE DI MADRE TERESA DI CALCUTTA
TG1 - RELAZIONE ANNUALE DEL PRESIDENTE DELL'AUTORITÀ GARANTE DELLA CONCORRENZA E DEL MERCATO
TG1 - RITO DELLA VIA CRUCIS PRESIEDUTO DA PAPA FRANCESCO
TG1 - SANTA MESSA PRESIEDUTA DA PAPA FRANCESCO TG1 (L.I.S.)

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

TG1 60 SECONDI
TG1 CLIP: INTERVISTA AD ETTORE BARNABEI NELL'AGOSTO 2015
TG1 DIALOGO
TG1 DIRETTA - DOMENICA DELLE PALME SANTA MESSA CELEBRATA DA PAPA FRANCESCO
TG1 DIRETTA - IL RIENTRO DELLE SALME DELLE VITTIME DI DACCA TG1 DIRETTA -
INTERNET DAY -30 ANNI DI RETE IN ITALIA
TG1 DIRETTA - LAMPEDUSA, VISITA DEL PRESIDENTE DELLA REPUBBLICA SERGIO MATTARELLA
TG1 DIRETTA - RELAZIONE ANNUALE DELL'AUTORITÀ NAZIONALE ANTICORRUZIONE TG1
DIRETTA: DIVINA LITURGIA ALLA PRESENZA DI PAPA FRANCESCO
TG1 DIRETTA: INTERVENTO DEL PRESIDENTE DELLA REPUBBLICA SERGIO MATTARELLA ALLA COLUMBIA UNIVERSITY
TG1 E RAI QUIRINALE - CELEBRAZIONE DEL 71° ANNIVERSARIO DELLA LIBERAZIONE
TG1 E RAI QUIRINALE - GIORNATA DELLE FORZE ARMATE OMAGGIO DEL PRESIDENTE DELLA REPUBBLICA AL MILITE IGNOTO
TG1 E RAI QUIRINALE: ASIAGO CENTO ANNI FA SULL'ALTOPIANO - COMMEMORAZIONE DELLA BATTAGLIA ALLA PRESENZA DEL PRESIDENTE DELLA REPUBBLICA
TG1 E RAI QUIRINALE: CERIMONIA DI PRESENTAZIONE DEI CANDIDATI AI PREMI "DAVID DI DONATELLO" 2016
TG1 E RAI QUIRINALE: GIORNATA NAZIONALE DELLA DISABILITÀ INTELLETTIVA
TG1 E RAI QUIRINALE: INTERVENTO DEL PRESIDENTE DELLA REPUBBLICA SERGIO MATTARELLA ALL'UNIVERSITÀ DI YAOUNDE
TG1 E RAI QUIRINALE: VISITA DEL PRESIDENTE DELLA REPUBBLICA SERGIO MATTARELLA ALLA SEDUTA STRAORDINARIA DEL CONSIGLIO REGIONALE
TG1 E RAI VATICANO - GIUBILEO DEGLI AMMALATI E DELLE PERSONE DISABILI, SANTA MESSA PRESIEDUTA DA PAPA FRANCESCO
TG1 E RAI VATICANO - GIUBILEO DEI CATECHISTI, SANTA MESSA PRESIEDUTA DA PAPA FRANCESCO
TG1 E RAI VATICANO - GIUBILEO DEI RAGAZZI, SANTA MESSA PRESIEDUTA DA PAPA FRANCESCO TG1
E RAI VATICANO - INCONTRO DI PAPA FRANCESCO CON LA COMUNITÀ EBRAICA
TG1 E RAI VATICANO - LESBO, GRECIA - L'ABBRACCIO DI PAPA FRANCESCO AI MIGRANTI
TG1 E RAI VATICANO: DUE SANTI PER IL GIUBILEO TG1 E RAI VATICANO: IL PERDONO DI FRANCESCO
TG1 E RAI VATICANO: PREGHIERA DI PAPA FRANCESCO ALLE VITTIME DELL'OLOCAUSTO
TG1 E RAI VATICANO: PREGHIERA ECUMENICA CON PAPA FRANCESCO
TG1 ECONOMIA
TG1 EDIZIONE STRAORDINARIA
TG1 EDIZIONE STRAORDINARIA (L.I.S.)
TG1 REFERENDUM - SÌ O NO
TG1, RAI 1 E RAI QUIRINALE: FESTA DELLA REPUBBLICA 2016
TG1: AMATRICE - FUNERALI SOLENNI VITTIME DEL TERREMOTO
TG1: APERTURA DELLA PORTA SANTA E SANTA MESSA

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

TG1: ASCOLI PICENO - FUNERALI SOLENNI VITTIME DEL TERREMOTO DEL COMUNE DI ARQUATA DEL TRONTO
TG1: ASSISI - GIORNATA MONDIALE DI PREGHIERA PER LA PACE
TG1: CONSEGNA DELLE ONORIFICENZE AI NUOVI CAVALIERI DEL LAVORO
TG1: FESTA INTERNAZIONALE DELLA DONNA
TG1: FUNERALI SOLENNI VITTIME INCIDENTE FERROVIARIO CORATO-ANDRIA
TG1: L'ULTIMO SALUTO A DARIO FO
TG1: L'ULTIMO SALUTO A UMBERTO ECO
TG1: OMAGGIO DI PAPA FRANCESCO ALL'IMMACOLATA
TG1: ROMA - L'ULTIMO SALUTO A CARLO AZEGLIO CIAMPI
TG1: VATICANO - CONVEGNO FEDE E SPORT
TGR - I NOSTRI ANGELI
THE ENGLISH TEACHER
THE IRON LADY
THE LADY - L'AMORE PER LA LIBERTÀ
THE QUEEN - LA REGINA (S. FREARS)
TI RICORDI DI ME?
TI SPOSO MA NON TROPPO
TIZIANO FERRO - LO STADIO
TOP TUTTO QUANTO FA TENDENZA D'ESTATE
TORN - STRAPPATI
TORTO O RAGIONE IL VERDETTO FINALE
TORTO O RAGIONE? - IL FATTO
TRA ROMA E IL CIELO
TUTTI A SCUOLA (DAL CAMPUS SCOLASTICO DI SONDRIO)
TUTTI I PADRI DI MARIA
TUTTO PUÒ SUCCEDERE
TV7
UEFA - EURO 2016 FRANCE
UN FANTASTICO VIA VAI
UN FIDANZATO PER MIA MOGLIE
UN FIUTO SPECIALE
UN MAGICO NATALE (R.M. GIVENS)
UN MATRIMONIO DA FAVOLA
UN MEDICO IN FAMIGLIA - DIETRO LE QUINTE
UN MEDICO IN FAMIGLIA - LA NUOVA SERIE
UN MEDICO IN FAMIGLIA - STAGIONE 10: DIETRO LE QUINTE
UN MEDICO IN FAMIGLIA 10

Table A3 - RAI 1: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

UN MESSAGGIO IN BOTTIGLIA
UN MONDO NUOVO
UN PASSO DAL CIELO 1-3
UNA CANZONE PER MARION
UNA PALLOTTOLA NEL CUORE
UNA PALLOTTOLA NEL CUORE 2
UNA PATATINA NELLO ZUCCHERO
UNA SERATA SPECIALE
UNA VOCE PER PADRE PIO - XVII EDIZIONE
UN'ESTATE A PARIGI
UN'ESTATE IN GRECIA
UN'ESTATE IN PROVENZA
UN'ESTATE...IN SCOZIA
UNO MATTINA - IL CAFFÈ DI RAIUNO
UNO MATTINA - SPECIALE
UNO MATTINA - SPECIALE ELEZIONI AMERICANE
UNO MATTINA - STORIE VERE
UNO MATTINA - STORIE VERE SPECIALE
UNO MATTINA - STORIE VERE SPECIALE SOLIDARIETÀ
UNO MATTINA
UNO MATTINA ESTATE - SPECIALE
UNO MATTINA ESTATE
UNO MATTINA IN FAMIGLIA - SPECIALE TELETHON
UNO MATTINA IN FAMIGLIA
UN'ORA CON CASSIUS CLAY
VASCO ROSSI - UN MONDO MIGLIORE
VELVET - STAGIONE 1-3
VISTO NON VISTO - CHE SPETTACOLO
VIVA L'ITALIA
VIVA MOGOL CON I GRANDI DELLA MUSICA
VIVA MOGOL THE BEST
WIND MUSIC AWARDS 2016
WIND MUSIC AWARDS 2016 - ANTEPRIMA
ZUCCHERO PARTIGIANO REGGIANO

Note: the table also includes programmes subtitled/audio-described in a non-continuous way

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

PROGRAMMES WITH SUBTITLES/AUDIO-DESCRIPTION
1968
#MAI PIÙ BULLISMO
12 VOLTE NATALE
13 ASSASSINI
2NEXT - ECONOMIA E FUTURO
3 DAYS TO KILL
57° REGATA DELLE ANTICHE REPUBBLICHE MARINARE
90° MINUTO SERIE A
90° MINUTO SERIE A - TEMPI SUPPLEMENTARI
90° MINUTO SERIE B
90° MINUTO ZONA MISTA
A BERLINO COLPO GROSSO
A CASA PER NATALE
A PROVA D'INGANNO
A SUD DI MADE IN SUD
ACTIONAID OLYMPICS
AIUTO! SE L'È MANGIATO IL CANE
ALADDIN
ALICE NEL PAESE DELLE MERAVIGLIE
ALLA RICERCA DI NEMO
AMERICAN GOTHIC - STAGIONE 1
AMORE TRA I FIORI 1-4
ANCHE STASERA TUTTO È POSSIBILE
ANTEPRIMA CALCIO CHAMPAGNE
ANTEPRIMA CAPTAIN AMERICA: THE WINTER SOLDIER
ANTEPRIMA CASTLE
ANTEPRIMA CSI: CYBER - STAGIONE 2
ANTEPRIMA ELEMENTARY - QUARTA STAGIONE
ANTEPRIMA HAWAII FIVE-O
ANTEPRIMA IL COLLEGIO
ANTEPRIMA ITALIA
ANTEPRIMA JANE THE VIRGIN
ANTEPRIMA L'ISPETTORE COLIANDRO - STAGIONE 5
ANTEPRIMA MADAM SECRETARY
ANTEPRIMA MADE IN SUD
ANTEPRIMA MEZZOGIORNO IN FAMIGLIA

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

ANTEPRIMA PECHINO EXPRESS - LE CIVILTÀ PERDUTE
ANTEPRIMA ROCCO SCHIAVONE
ANTEPRIMA SBANDATI
ANTEPRIMA SQUADRA SPECIALE COBRA 11
ANTEPRIMA STASERA CASA MIKA
ANTEPRIMA STASERA TUTTO È POSSIBILE
ANTEPRIMA THE BLACKLIST
ANTEPRIMA THE VOICE OF ITALY
ANTEPRIMA TROPPO GIUSTI
ANTEPRIMA UNICI
ANTEPRIMA VOYAGER - AI CONFINI DELLA CONOSCENZA
ANTICIPAZIONI TG2
APPUNTAMENTO AL CINEMA
ATLETI EMOZIONI MEDAGLIE
ATTACCO AL POTERE - OLYMPUS HAS FALLEN
BABYLON A.D.
BACIATO DAL SOLE
BEL AMI - STORIA DI UN SEDUTTORE
BELLA DOLCE BABY SITTER
BELLE E GEMELLE
BLITZ
BLUE BLOODS 1-6
BODY OF PROOF 3
BOSS IN INCOGNITO
BRACCIALETTI ROSSI 3
BREAKING POINT
BROOKLYN'S FINEST
BULL - STAGIONE 1
BUONI A NULLA
CAFFÈ DEGLI EUROPEI - UEFA EURO 2016 FRANCE
CALCIO AMICHEVOLE
CALCIO CAMPIONATO EUROPEO
CALCIO CHAMPAGNE
CALCIO: AMICHEVOLE NAZIONALE ITALIANA UNDER 21
CALCIO: COPPA ITALIA
CALL ME PIRNCE
CANTANDO SOTTO IL VISCHIO

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

CAPTAIN AMERICA: THE WINTER SOLDIER
CARA VIOLA
CARL MØRCK - 87 MINUTI PER NON MORIRE
CASTLE 2-8
CEDAR COVE 1-3
CELLA 211
CERCHI SPEZZATI
CERIMONIA DI CONSEGNA DEI COLLARI D'ORO 2016
CERIMONIA DI CONSEGNA DELLE BANDIERE AGLI ATLETI IN PARTENZA PER I GIOCHI OLIMPICI E PARALIMPICI DI RIO 2016
CERIMONIA DI RESTITUZIONE DELLA BANDIERA DEGLI ATLETI ITALIANI DELLE OLIMPIADI E PARALIMPIADI DI RIO 2016
CESAR MILLAN OPERAZIONE PITBULL
CHLOE - TRA SEDUZIONE E INGANNO
CINEMA CINEMA
CINEMA RAI 2
COLD CASE
COME D'INCANTO
COME FAI SBAGLI
COMMEDIASEXI
CON AIR
CONAN THE BARBARIAN
CONCERTO DI CAPODANNO 2016
COPPA ITALIA TIM CUP
COPPIE IN ATTESA 2
CORSA A WITCH MOUNTAIN
CRIMINAL MINDS 9-11
CRIMINAL MINDS BEYOND BORDERS
CRONACHE ANIMALI
CSI: CYBER
CULTO DI PASQUA
CULTO EVANGELICO DI PENTECOSTE 2016
DEADLY SPA - WEEKEND DA INCUBO
DÉJÀ VU - CORSA CONTRO IL TEMPO
DELITTI IN PARADISO
DETTO FATTO
DETTO FATTO XMAS
DOMENICA SPORTIVA ESTATE

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

DONNE AD ALTA QUOTA: XXVII EDIZIONE PREMIO MARISA BELLISARIO
DOPO IL GP
DOTTORI A HOPE ISLAND
DREAM HOTEL - STAGIONE 1
DREAM HOTEL: BALI
DREAM HOTEL: INDIA
DREAM HOTEL: MESSICO
DREAM HOTEL: SEYCHELLES
DREAM HOTEL: SUDAFRICA
DREAM TEAM
DRIBBLING
DUE UOMINI E MEZZO
DUMBO
GIÀ IERI EARTH
ELEMENTARY
ELEPHANT WHITE
ELEZIONI COMUNALI 2016 (L.I.S.)
EMOZIONI
EMOZIONI PLAYLIST
ESCAPE PLAN - FUGA DALL'INFERNO
EX - AMICI COME PRIMA!
FORMULA 1: GRAN PREMIO
FATTI UNICI
FINO ALL'ULTIMO INGANNO
FLUKE
FORECLOSED - QUESTA È LA MIA CASA
FRAMMENTI DI FOLLIA FREELANCERS
FRIGO
FROZEN - IL REGNO DI GHIACCIO
FUGA DAL PASSATO
FURYO
G.I. JOE - LA VENDETTA
GENERAZIONI GENITORI
IN TRAPPOLA GIANNI E
LE DONNE

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

GINO BARTALI - IL CAMPIONE E L'EROE
GIOCHI OLIMPICI 2016: CERIMONIA DI APERTURA
GIOCHI OLIMPICI 2016: CERIMONIA DI CHIUSURA
GIOCHI PARALIMPICI 2016: CERIMONIA DI APERTURA
GIOVANI E RICCHI
GLI ARISTOGATTI
GLI IMPERDIBILI - I BASTARDI DI PIZZOFALCONE
GLI IMPERDIBILI - LA MAFIA UCCIDE SOLO D'ESTATE LA SERIE
GLI IMPERDIBILI - L'IMPORTANTE È AVERE UN PIANO
GLI IMPERDIBILI - MADAMA BUTTERFLY
GLI IMPERDIBILI - MUSIC QUIZ
GLI IMPERDIBILI - STANOTTE A SAN PIETRO
GLI IMPERDIBILI - STASERA CASA MIKA
GLI INCREDIBILI - UNA "NORMALE" FAMIGLIA DI SUPEREROI
GLI OCCHI SU DI TE
GOCCE DI GIALLO
GOLDEN CAT SHOW
GONE - SCOMPARSA
GOOD WITCH - STAGIONE 1
GRAN PREMIO
GRAN PREMIO DELLA CINA - GARA
GUARDIA COSTIERA
GUARDIANI DELLA GALASSIA
HAWAII FIVE-0
HEARTLAND
HIDE - SEGRETI SEPOLTI
HOLIDAZE - NATALE CON I MIEI
HOMICIDE HILLS - UN COMMISSARIO IN CAMPAGNA
HOURS
I FANTASTICI 5 - ALLA RICERCA DEL TESORO PERDUTO
I FANTASTICI 5 - ALLA RICERCA DELL'OCCHIO VERDE
I FANTASTICI 5 (DI M. MARZUK)
I FATTI VOSTRI
I LOVE SHOPPING
MERCENARI
NOSTRI AMICI ANIMALI
SEGRETI DI COLD SPRING

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

I SEGRETI NON RIPOSANO IN PACE
I TRE MOSCHETTIERI
I-5 - IL KILLER DELL'AUTOSTRADA
ICE PRINCESS - UN SOGNO SUL GHIACCIO
ICE QUAKE - NATALE DI GHIACCIO
IL 4 DICEMBRE 2016 VAI A VOTARE
IL BARONE DI MÜNCHHAUSEN
IL CACCIATORE DI DONNE
IL CAPOBRANCO SEI TU
IL COMMISSARIO HELDT
IL COMMISSARIO LANZ
IL COMMISSARIO VOSS
IL DOPPIO VOLTO DELLA FOLLIA
IL DOPPIO VOLTO DELLA PAURA
IL FIGLIO DELL'INGANNO
IL GIOCO DELLA VENDETTA
IL GOBBO DI NOTRE DAME
IL GRANDE MATCH - UEFA EURO 2016 FRANCE
IL MIO ARCOBALENO
IL MIO NOME È BOND
IL MONACO
IL MONDO DEI REPLICANTI
IL NOSTRO AMICO CHARLY
IL NOSTRO AMICO KALLE
IL PASSATO NON MUORE MAI
IL RICHIAMO DELLA FORESTA
IL SIGNORE DELLO ZOO
IL TOCCO DI UN ANGELO
IL TRIANGOLO DELLE BERMUDA - MARE DEL NORD
IN FUGA PER MIA FIGLIA (GONE)
INDIZI DA UNO SCONOSCIUTO
INKHEART - LA LEGGENDA DI CUORE D'INCHIOSTRO
INNAMORARSI A SAN VALENTINO
INSPECTOR GADGET 2 - L'ISPETTORE GADGET II
IRON MAN 3
ITALIA
JANE THE VIRGIN - STAGIONE 1

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

KILLER ELITE
KUNG FU MAMMA
LA BAMBINA RAPITA (CHI VUOLE MIA FIGLIA?)
LA CARICA DEI 101 - QUESTA VOLTA LA MAGIA È VERA
LA CARICA DEI 102 - UN NUOVO COLPO DI CODA (102 DALMATIANS)
LA DOMENICA SPORTIVA
LA DOMENICA SPORTIVA ESTATE
LA DOMENICA SPORTIVA SPECIALE
LA FAMIGLIA (DI ETTORE SCOLA)
LA FONTANA DELL'AMORE
LA NAVE DEI SOGNI - BALI
LA NAVE DEI SOGNI - BORA BORA
LA NAVE DEI SOGNI - CAMBOGIA
LA NAVE DEI SOGNI - NEW YORK, SAVANNAH E SALVADOR DE BAHIA
LA NAVE DEI SOGNI - PANAMA
LA NAVE DEI SOGNI - PORTORICO
LA NAVE DEI SOGNI - SINGAPORE
LA NAVE DEI SOGNI - STAGIONE 1
LA NAVE DEI SOGNI - VIAGGIO DI NOZZE (CROCIERE DI NOZZE)
LA NAVE DEI SOGNI - VIAGGIO DI NOZZE NELL'ISOLA DI JERSEY
LA NOSTRA AMICA ROBBIE
LA SCOMPARSA DI ALICE CREED
LA SPOSA DI NEVE
LA TORCIA
L'AGENDA DI SUNDAY TABLOID
L'ALBUM DEI RICORDI
L'AMORE DIETRO LA MASCHERA
L'APPRENDISTA STREGONE
LAST COP L'ULTIMO SBIRRO
LE MIE GROSSE GRASSE VACANZE GRECHE
LE REGOLE DEL DELITTO PERFETTO
LE SORELLE MCLEOD
LENA AMORE DELLA MIA VITA
LIMITLESS
L'ISPETTORE COLIANDRO
LOL :-)
L'OMPIADE NASCOSTA (DI A. PEYRETTI)

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

LUI È LA MIA OSSESSIONE
L'ULTIMA MOSSA DELL'ASSASSINO
L'UOMO CHE SUSSURRAVA AI CAVALLI
MACHETE
MACHETE KILLS
MADAM SECRETARY
MADE IN SUD
MADE IN SUD RELOADED
MAGA MARTINA E IL LIBRO MAGICO DEL DRAGHETTO
MARIE BRAND E IL CONTO IN SOSPESO MARIE BRAND E
IL GIOCO PERICOLOSO
MARIE BRAND E IL MOMENTO DELLA MORTE
MARIE BRAND E IL PECCATO ORIGINALE
MARIE BRAND E IL RITORNO AL PASSATO
MARIE BRAND E IL VOLTO D'ANGELO
MARIE BRAND E LA NOTTE DELLA VENDETTA
MARIE BRAND E LA RAGAZZA SUL RING
MARIE BRAND E LA RESIDENZA DEI SEGRETI
MARIE BRAND E LA STANZA BIANCA
MARIE BRAND E L'AMORE CHE NON PERDONA
MARIE BRAND E L'AMORE CHE UCCIDE
MARIE BRAND E L'EREDITÀ DI OLGA LENAUI
MARIE BRAND E L'ERRORE DI PERSONA
MARIE BRAND E L'ULTIMO GIRO SULLA GIOSTRA
MARY POPPINS
MESSAGGIO DI FINE ANNO DEL PRESIDENTE DELLA REPUBBLICA SERGIO MATTARELLA
METEO
MEZZOGIORNO IN FAMIGLIA
MIKA LOVES PARIS
MILANO - ROMA IN VIAGGIO CON I GIALAPPA'S
MORTE A CARCASSONNE
MUCCHE ALLA RISCOSSA
NATALE CON HOLLY
NCIS LOS ANGELES
NCIS UNITÀ ANTICRIMINE
NCIS: LOS ANGELES
NCIS: NEW ORLEANS

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

NEED FOR SPEED
NEL SEGNO DEL GIALLO
NELLA RETE DEL SERIAL KILLER
NELLA RETE DELL'INGANNO
NEMO - NESSUNO ESCLUSO - ANTEPRIMA
NEMO - NESSUNO ESCLUSO
NIENTE PUÒ FERMARCI
NIGHT TABLOID
NON TOCCATE MIA FIGLIA
NON-STOP
NORA ROBERTS - L'ESTATE DEI MISTERI
NUMERO 1
OLIMPIADI RIO 2016
OLIVER & COMPANY
OMICIDI NELL'ALTA SOCIETÀ - DISPOSTI A TUTTO
OMICIDI NELL'ALTA SOCIETÀ - LA FINE DELLA CANZONE
OMICIDI NELL'ALTA SOCIETÀ - RICETTA PER UN DELITTO
OMICIDI NELL'ALTA SOCIETÀ - TORBIDI SEGRETI
OMICIDIO IN PRIMA SERATA (LINDBURGS FALL)
OPERAZIONE CUPCAKE
OPERAZIONE SPY SITTER (THE SPY NEXT DOOR)
OSSESSIONE PERICOLOSA
PALIO DI SIENA 2016
PARALYMPIC GAMES - RIO 2016
PASIÓN PROHIBIDA
PASSIONE SENZA REGOLE
PATRICIA CORNWELL - A RISCHIO
PECHINO EXPRESS - LE CIVILTÀ PERDUTE
PECHINO EXPRESS - LE CIVILTÀ PERDUTE: KM 3628... IL VIAGGIO CONTINUA
PIEDONE LO SBIRRO
PLANES 2 - MISSIONE ANTINCENDIO
PLAYDATE - IL SEGRETO DIETRO LA PORTA
POLE POSITION
POMPEI
PREMIO INTERNAZIONALE DEL VINO 2016
PRES. 90° MINUTO ZONA MISTA
PRES. MADE IN SUD

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

PRES. NEMO - NESSUNO ESCLUSO
PRES. PROTESTANTESIMO
PRES. QUELLI CHE IL CALCIO
PRES. SBANDATI
PRES. SORGENTE DI VITA
PRES. STASERA TUTTO È POSSIBILE
PRIMA O POI MI SPOSO
PRINCE OF PERSIA - LE SABBIE DEL TEMPO
PROSSIMA FERMATA: OMICIDIO
PROTESTANTESIMO
PROTESTANTESIMO - CULTO EVANGELICO
QUALIFICAZIONI EUROPEO 2017 UNDER 21
QUANDO ERAVAMO RE
QUANDO L'AMORE DIVENTA CORAGGIO
QUANDO L'AMORE HA INIZIO
QUANTUM OF SOLACE
QUELLI CHE ASPETTANO
QUELLI CHE IL CALCIO
RAI CULTURA - 2 GIUGNO '46 IL GIORNO CHE DIVENNE FESTA
RAI CULTURA - MEMEX
RAI CULTURA - SUONI DELL'ANIMA
RAI NEWS
RAI PARLAMENTO - PUNTO EUROPA
RAI PARLAMENTO - QUESTION TIME
RAI PARLAMENTO - SPAZIOLIBERO
RAI PARLAMENTO - SPECIALE CAMERA
RAI PARLAMENTO - SPECIALE SENATO
RAI PARLAMENTO - TELEGIORNALE
RAI PARLAMENTO - TRIBUNA REFERENDUM 2016
RAI PARLAMENTO - TRIBUNA REFERENDUM IL CONFRONTO
RAI PARLAMENTO MAG
RAI SPORT - E POI VINCEMMO L'ORO: LE ORIGINI DEL MOVIMENTO PARALIMPICO ITALIANO
RAI SPORT (RBS)
RAIPLAYER
RAPUNZEL - L'INTRECCIO DELLA TORRE
RATATOUILLE
RECKLESS - STAGIONE 1

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

RECLAIM - PRENDITI CIÒ CHE È TUO
REFERENDUM COSTITUZIONALE 2016
REFERENDUM COSTITUZIONALE 2016 - VOTO DEGLI ITALIANI ALL'ESTERO
REFERENDUM COSTITUZIONALE 2016 (L.I.S.)
RIASSUNTO: TUTTO PUÒ SUCCEDERE
RIBELLE - THE BRAVE
RICHARD BROCK - NESSUNO È SENZA COLPA
RICORDAMI ANCORA
RIDDICK
RITORNO AL LAGO
ROCCO SCHIAVONE
ROMA 1960
RUSH
SABATO SPRINT
SBANDATI
SCHOOL FOR SCOUNDRELS - SCUOLA PER CANAGLIE
SCONFITTI E FAMOSI
SE FOSSI IN TE
SEA PATROL
SEMPRE PIÙ SBANDATI
SENTI CHI ABBAIA
SENZA TRACCIA (WITHOUT A TRACE)
SERENO VARIABILE
SERENO VARIABILE ESTATE
SHADE - CARTA VINCENTE
SHADOWBOXER
SHALL WE DANCE?
SHAUN VITA DA PECORA
SIGNORI DEL VINO
SKETCH POINT
SKYFALL
SNITCH - L'INFILTRATO
SNOWMAGEDDON - DISASTRI DI NATALE
SOLA NEL BUIO (J. RUBEN)
SORGENTE DI VITA
SOUL SURFER
SOURCE CODE

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

SPECIALE TG2
SPECIALE TG2 - ELEZIONI USA
SPECIALE VIRUS - IL CONTAGIO DELLE IDEE (RETE)
SPORT: CALCIO
SPY HARD - SPIA E LASCIA SPIARE
SQUADRA OMICIDI ISTANBUL
SQUADRA SPECIALE COBRA 11
SQUADRA SPECIALE LIPSIA
SQUADRA SPECIALE STOCCARDA
START! LA VITA A PORTATA DI APP
STASERA CASA MIKA
STASERA TUTTO È POSSIBILE
STASERA TUTTO È POSSIBILE - ANTEPRIMA
STORM RIDER - CORRERE PER VINCERE
STRACULT
STRACULT SPECIALE LO CHIAMAVANO BUD
STRIKE BACK - STAGIONE 5
STRISCIA, UNA ZEBRA ALLA RISCOSSA
SUL FILO DEL PERICOLO
SULLA VIA DI DAMASCO
SUMMER VOYAGER - AI CONFINI DELLA CONOSCENZA
SUNDAY & PARKER IRRESISTIBILI DETECTIVES
SUNDAY TABLOID
TELETHON
TENNIS: INTERNAZIONALI BNL D'ITALIA
TG OLIMPICO
TG SPORT
TG2
TG2 - 122° ASSEMBLEA ANNUALE DELLA BANCA D'ITALIA CONSIDERAZIONI FINALI DEL GOVERNATORE IGNAZIO VISCO
TG2 - 61^ REGATA DELLE ANTICHE REPUBBLICHE MARINARE
TG2 - ACHAB LIBRI
TG2 - CINEMATINÉE
TG2 - CORTE DEI CONTI INAUGURAZIONE ANNO GIUDIZIARIO 2016
TG2 - CORTE DEI CONTI. CERIMONIA DI INSEDIAMENTO DEL PRESIDENTE ARTURO MARTUCCI DI SCARFIZZI
TG2 - COSTUME E SOCIETÀ
TG2 - DOSSIER

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

TG2 - E...STATE CON COSTUME
TG2 - EAT PARADE
TG2 - GIUDIZIO DI PARIFICAZIONE DEL RENDICONTO GENERALE DELLO STATO
TG2 - HELLO AMERICA
TG2 - IL CONFRONTO
TG2 - INSIEME
TG2 - INSIEME ESTATE
TG2 - LA CELEBRAZIONE DELLA FESTA DEL LAVORO
TG2 - LAVORI IN CORSO
TG2 - MEDICINA 33
TG2 - MIZAR
TG2 - MIZAR SPECIALE
TG2 - MOTORI
TG2 - REGATA STORICA DI VENEZIA
TG2 - SÌ VIAGGIARE
TG2 - SPECIALE
TG2 - SPECIALE REFERENDUM
TG2 - STORIE RACCONTI DELLA SETTIMANA
TG2 - TUTTO IL BELLO CHE C'È
TG2 (L.I.S.)
TG2 EDIZIONE STRAORDINARIA
TG2 PUNTO DI VISTA
TG2: SANTA MESSA PRESIDUTA DA PAPA FRANCESCO
THE AVENGERS
THE AVIATOR
THE BLACKLIST
THE BLACKLIST - STAGIONE 2
THE CLINIC - LA CLINICA DEI MISTERI
THE CONTRACT (BRUCE BERESFORD)
THE CORE
THE DOUBLE (M. BRANDT)
THE EAGLE
THE FLU - IL CONTAGIO
THE GOOD WIFE
THE GOOD WITCH - UN AMORE DI STREGA
THE GOOD WITCH'S CHARM - L'INCANTESIMO DI CASSIE
THE GOOD WITCH'S DESTINY - IL DESTINO DI CASSIE

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

THE GOOD WITCH'S WONDER - UN'AMICA PER CASSIE
THE LONE RANGER
THE MAGIC OF BELLE ISLE
THE MILLERS
THE MILLERS - STAGIONE 2
THE SAMARITAN
THE SQUARE
THE SWEENEY
THE VOICE OF ITALY - KNOCK OUT
THE VOICE OF ITALY
THE VOICE OF ITALY - THE BATTLES
THE WOLF OF WALL STREET
THOR: THE DARK WORLD
TIM MUSIC ON STAGE AWARDS
TONI COSTA: UN COMMISSARIO A IBIZA - IL DELITTO È SERVITO
TONI COSTA: UN COMMISSARIO A IBIZA - PIOGGIA ROSSA
TORNADO - LA FURIA DEL CIELO
TOUR DE FRANCE - TOUR ALL'ARRIVO
TOUR DE FRANCE 2016 - PROCESSO ALLA TAPPA
TOY STORY OF TERROR!
TRA MATRIMONI E DIVORZI
TRESPASS
TRILLI
TRILLI E IL GRANDE SALVATAGGIO
TRILLI E IL SEGRETO DELLE ALI
TRILLI E IL TESORO PERDUTO
TROPPO GIUSTI
TRUST
TURNER E IL CASINARO
TUTTA COLPA DELL'AMORE
TUTTO PER MIO MARITO
TUTTO PUÒ SUCCEDERE - STAGIONE 1
UCI ROAD WORLD CHAMPIONSHIPS - DOHA QATAR 2016
UEFA EURO 2016 FRANCE
UN ANGELO SOTTO L'ALBERO
UN CICLONE IN CONVENTO
UN KILLER TRA NOI

Table A4 - RAI 2: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

UN NATALE FORTUNATO
UN NATALE REGALE
UN PESCE DI NOME WANDA
UN PRINCIPE IN GIACCA E CRAVATTA
UN RAGIONEVOLE DUBBIO
UN VENERDÌ DA EROI
UNA GIORNATA PARTICOLARE
UNA SETTIMANA DA DIO
UN'ESTATE DA RICORDARE (DI M. M. SCOTT)
UNICI
UP
UTTA DANELLA: UN AMORE A VENEZIA - STAGIONE 1
VENDETTA
VENDICAMI
VERDETTO FATALE
VERSO PECHINO EXPRESS
VIAGGI DA RECORD
VIDEOMIC - PASSERELLA DI COMICI IN TV
VIRUS - IL CONTAGIO DELLE IDEE
VITA DA GIUNGLA - OPERAZIONE TRICHECO
VOYAGER - AI CONFINI DELLA CONOSCENZA
VULCANO
WALT DISNEY - DONALD DUCK
WASABI
WINDSTORM - LIBERI NEL VENTO
WORKERS - PRONTI A TUTTO
ZIO GIANNI - STAGIONE 2

Note: the table also includes the programmes subtitled/audio-described in a non-continuous way.

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

PROGRAMMI SOTTOTITOLATI/AUDIODESCRITTI

#CARTABIANCA

#TRETRE3

...E LA VITA CONTINUA

007 - IL DOMANI NON MUORE MAI

007 - LA MORTE PUÒ ATTENDERE

007 - LA SPIA CHE MI AMAVA

007 - SOLO PER I TUOI OCCHI

007 - VENDETTA PRIVATA

007 - ZONA PERICOLO

007 CASINO ROYALE

2061: UN ANNO ECCEZIONALE

4 CUCCIOLI DA SALVARE

40° FESTIVAL INTERNAZIONALE DEL CIRCO DI MONTECARLO

50 ANNI IN ROSA

A CAVALLO DELLA TIGRE

A CHE PREZZO HOLLYWOOD?

A CHE SERVONO QUESTI QUATTRINI?

A CHRISTMAS CAROL

A HISTORY OF VIOLENCE

A QUALSIASI PREZZO (DI E. MIRAGLIA)

ACCADDE AL COMMISSARIATO

AGE IS...

AGENTE 007 - AL SERVIZIO SEGRETO DI SUA MAESTÀ

AGENTE 007 - BERSAGLIO MOBILE

AGENTE 007 - DALLA RUSSIA CON AMORE

AGENTE 007 - IL MONDO NON BASTA

AGENTE 007 - LICENZA DI UCCIDERE

AGENTE 007 - L'UOMO DALLA PISTOLA D'ORO

AGENTE 007 - MAI DIRE MAI

AGENTE 007 - MISSIONE GOLDFINGER

AGENTE 007 - MOONRAKER: OPERAZIONE SPAZIO

AGENTE 007 - SI VIVE SOLO DUE VOLTE

AGENTE 007 - THUNDERBALL

AGENTE 007 - UNA CASCATA DI DIAMANTI

AGENTE 007 - VIVI E LASCIA MORIRE

AGNUS DEI

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

AGORÀ
AGORÀ ESTATE
AGORÀ SPECIALE
AIR FORCE ONE
ALBUM PERSONALE DI ERMINIO MACARIO
ALEX CROSS - LA MEMORIA DEL KILLER
ALI IN ACTION
ALICE IN WONDERLAND
ALLA LUCE DEL SOLE
ALLACCIATE LE CINTURE
ALLARME ROSSO (T.SCOTT)
AMERICAN HUSTLE - L'APPARENZA INGANNA
AMORE CRIMINALE
AMORI MIEI
AMORI TRAVOLGENTI
ANGST VOR DER ANGST - PAURA DELLA PAURA
ANIMA E CORPO (R. ROSSEN)
ANIMA PERSA
ANIME NERE
ANNI FELICI
ANNIBALE
ANTEPRIMA - ULISSE IL PIACERE DELLA SCOPERTA
ANTEPRIMA AGORÀ
ANTEPRIMA AGORÀ ESTATE
ANTEPRIMA AMORE CRIMINALE
ANTEPRIMA CHE FUORI TEMPO CHE FA
ANTEPRIMA CHE TEMPO CHE FA
ANTEPRIMA CHI L'HA VISTO?
ANTEPRIMA CHI L'HA VISTO? SPECIALE
ANTEPRIMA CIRCO ESTATE
ANTEPRIMA E LASCIATEMI DIVERTIRE
ANTEPRIMA ELISIR SPECIALE
ANTEPRIMA FUOCOAMMARE
ANTEPRIMA GAZEBO
ANTEPRIMA IL BORGO DEI BORGHI
ANTEPRIMA IL CONCERTO DEL PRIMO MAGGIO 2016
ANTEPRIMA IL PROCESSO DEL LUNEDÌ

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

ANTEPRIMA INSUPERABILI

ANTEPRIMA ISLAM ITALIA

ANTEPRIMA KILIMANGIARO

ANTEPRIMA LA CASA BIANCA

ANTEPRIMA LA GRANDE STORIA ANNIVERSARI

ANTEPRIMA LA PAZZA GIOIA

ANTEPRIMA L'ERBA DEI VICINI

ANTEPRIMA MI MANDA RAITRE

ANTEPRIMA PRESADIRETTA

ANTEPRIMA RISCHIATUTTO LA STORIA

ANTEPRIMA STELLE NERE 3

ANTEPRIMA VERTIGO

ANTONIO DI PADOVA

APPUNTAMENTO AL CINEMA

APPUNTAMENTO COL DISONORE

ARAGOSTA A COLAZIONE

ARRIVA DORELLIK

ARRIVANO I DOLLARI!

ARRIVANO I TITANI

ART DETECTIVE

ARTHUR E IL POPOLO DEI MINIMEI

ASCOLTAMI

ASPETTANDO BALLARÒ

ASPETTANDO GEO

ASPETTANDO I MEDICI

ASPIRANTE VEDOVO

AT BERKELEY

ATTENTI A QUEI DUE

AUDACE COLPO DEI SOLITI IGNOTI

AVANTI C'È POSTO

AVVENNE DOMANI

BALLARÒ

BARBIERI D'ITALIA

BASIL L'INVESTIGATOPO

BASSA MAREA

BEARS

BELLE MA POVERE

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

BELLISSIMA
BENVENUTO PRESIDENTE!
BIAGIO
BIANCA E BERNIE NELLA TERRA DEI CANGURI
BLOB DI TUTTO DI PIÙ
BLOB DI TUTTO DI PIÙ - FUOCOABLOB
BLOB DI TUTTO DI PIÙ - SI&NO
BLU NOTTE - MISTERI ITALIANI
BOY MEETS GIRL
BRONTE: CRONACA DI UN MASSACRO CHE I LIBRI DI STORIA NON HANNO RACCONTATO
BUONGIORNO ITALIA
CACCIA AL MARITO
CAFÉ CHANTANT
CALCIO AMICHEVOLE
CALCIO COPPA ITALIA
CALCIO QUALIFICAZIONI EUROPEI UNDER 21
CALCIO: UEFA UNDER 19
CALIFORNIA (M. LUPO)
CALLE DE LA PIETÀ
CAMERA CON VISTA SPECIALE
CAMERIERA BELLA PRESENZA OFFRESI...
CAMILLA
CARCERE IN ITALIA
CARMELO BENE - LE TECNICHE DELL'ASSENZA
CARMEN (DI C.JAQUE)
CARTAGINE IN FIAMME
CARTOUCHE
CASANOVA FAREBBE COSÌ!
C'ERA UN CASTELLO CON 40 CANI
C'ERA UNA VOLTA IL WEST
C'ERA UNA VOLTA UN PICCOLO NAVIGLIO
C'ERA UNA VOLTA...
C'ERAVAMO TANTO AMATI
CHAMPAGNE IN PARADISO
CHARLIE - ANCHE I CANI VANNO IN PARADISO
CHARLOT AVVENTURIERO
CHARLOT E IL MANICHINO

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

CHARLOT E LE SALSICCE

CHARLOT INFERMIERE

CHARLOT PUGILE

CHE FUORI CHE TEMPO CHE FA

CHE FUORI TEMPO CHE FA - PER UMBERTO ECO

CHE FUORI TEMPO CHE FA

CHE FUORI TEMPO CHE FA S'È FATTA UNA CERTA

CHE TEMPO CHE FA - IN RICORDO DI DARIO FO

CHE TEMPO CHE FA - IN RICORDO DI GIANMARIA TESTA

CHE TEMPO CHE FA - LE PAROLE DELLA SETTIMANA

CHE TEMPO CHE FA - OMAGGIO A GIORGIO ALBERTAZZI

CHE TEMPO CHE FA - OMAGGIO A PAOLO POLI

CHE TEMPO CHE FA - OMAGGIO A UMBERTO ECO

CHE TEMPO CHE FA - RICORDO DI UMBERTO VERONESI

CHE TEMPO CHE FA

CHE TEMPO CHE FA SPECIALE - OMAGGIO A ETTORE SCOLA

CHI È SENZA PECCATO...

CHI L'HA VISTO?

CHI L'HA VISTO? 12:25

CHI L'HA VISTO? SPECIALE

CHIEDI A PAPÀ

CHIMERA

CICLISMO - CAMPIONATO ITALIANO PROFESSIONISTI

CICLISMO: AMSTEL GOLD RACE 2016

CICLISMO: CLASSICHE DEL NORD LIEGI - BASTOGNE - LIEGI

CICLISMO: GIRO DELLE FIANDRE

CICLISMO: GIRO DI LOMBARDIA

CICLISMO: MILANO - SANREMO

CICLISMO: PARIGI - ROUBAIX

CICLISMO: TIRRENO - ADRIATICO

CICLISMO: TRITTICO LOMBARDO TRE VALLI VARESINE

CINEMA D'OGGI

CINEMA RAI 3

CIRCO ESTATE

COCKFIGHTER

CODE BLACK

COLPO DI SCENA

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

COLPO DI SCENA - SPECIALE CARLA FRACCI

COME PERSI LA GUERRA

COME SCOPERSI L'AMERICA

COMMUNITY - L'ALTRA ITALIA

COMPLIMENTI PER LA CONNESSIONE

CON AURA SENZA AURA. VIAGGIO AI CONFINI DELL'ARTE

CON MARCO PANNELLA

CONFIDENTIAL REPORT - MR. ARKADIN

COPPA DEL MONDO DI SCI

CORREVA L'ANNO

CRESUS

CRONACA FAMILIARE

CRONACHE DI POVERI AMANTI

CSALADI TUZFESZEK - NIDO FAMILIARE

CUORE

CUORI IN CUCINA - STAGIONE 1

DAL GRAN CONSIGLIO AL GRAN SASSO

DALLA VITA IN POI

DALLAS BUYERS CLUB

DER STADTSTREICHER - IL VAGABONDO

DIARIO DI UN MAESTRO

DICIOTTO ANNI DOPO

DIETRO I CANDELABRI

DIRITTO D'AMARE

DIVORZIO ALL'ITALIANA

DOC 3

DOC 3 - TRASHED

DOC MARTIN

DOMENICA GEO

DON BOSCO

DONNE E VELENI

DOTTORE A SPASSO

DOVE LA TERRA SCOTTA

DRAGONFLY - IL SEGNO DELLA LIBELLULA

DUE ASSI PER UN TUBO

DUE VITE

È ARRIVATA LA PARIGINA

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

E LASCIATEMI DIVERTIRE
ECCE HOMO
ECCO LA FELICITÀ
ELEZIONI COMUNALI 2016 (L.I.S.)
ELISIR
ELISIR SPECIALE
ENEIDE
ENIGMA (MICHAEL APTED)
EQUITAZIONE: CONCORSO IPPICO INTERNAZIONALE UFFICIALE (CSIO)
ERNEST & CELESTINE
ETERNO RITORNO
EUCLIDE ERA UN BUGIARDO
FANTASIA
FANTASIA 2000
FANTOZZI CONTRO TUTTI
FANTOZZI SUBISCE ANCORA
FATE LARGO AI MOSCHETTIERI
FEDORA
FESTIVAL INTERNAZIONALE DEL CIRCO DI MONTECARLO
FIGU - ALBUM DI PERSONE NOTEVOLI
FLIGHTPLAN - MISTERO IN VOLO
FLORENTINA HUBALDO, CTE
FRANCESCO - LU SANTO JULLARE
FRANKENWEENIE
FREE BIRDS - TACCHINI IN FUGA
FRENESIA DELL'ESTATE
FUOCOAMMARE
FUORI BINARIO
FUORI ORARIO COSE (MAI) VISTE
FUORI ROMA
GAGARIN PRIMO NELLO SPAZIO
GAZEBO
GAZEBO SOCIAL NEWS
GAZEBO SPECIALE
GEO
GEO & GEO
GEO MAGAZINE

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

GEORGE RE DELLA GIUNGLA...?
GERSHWIN
GETTYSBURG
GHIACCIO VERDE (GREEN ICE)
GIORNO DI NOZZE
GIOVANE E BELLA
GIRO D'ITALIA - GIRO ALL'ARRIVO
GIRO D'ITALIA - GIRO IN DIRETTA
GIRO D'ITALIA - PROCESSO ALLA TAPPA
GIRO ROSA - 27° GIRO ROSA
GIÙ LA TESTA
GLI ARCHIVI DEL NOVECENTO
GLI IMPERDIBILI - CASA MIKA
GLI IMPERDIBILI - I BASTARDI DI PIZZOFALCONE
GLI IMPERDIBILI - LA MAFIA UCCIDE SOLO D'ESTATE LA SERIE
GLI IMPERDIBILI - L'IMPORTANTE È AVERE UN PIANO
GLI IMPERDIBILI - MADAMA BUTTERFLY
GLI IMPERDIBILI - ROCCO SCHIAVONE
GLI IMPERDIBILI - STANOTTE A SAN PIETRO
GOLDENEYE
GRANDI MOSTRE
GUARDIA, GUARDIA SCELTA, BRIGADIERE E MARESCIALLO
GUNGA DIN
HERCULES
HO CAMMINATO CON UNO ZOMBIE
HOUDINI - L'ULTIMO MAGO
HUGO CABRET
I 4 MONACI
I AM IN SPACE
I BAMBINI CI GUARDANO
I BAMBINI SANNO
I CENTO PASSI
I DIECI COMANDAMENTI
I GIORNI DI PARIGI - UEFA EURO FRANCE 2016
I GRANDI PROTAGONISTI
I MAGNIFICI SETTE
I MISTERI DI LISBONA

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

I MISTERI DI MURDOCH
I NOSTRI RAGAZZI
I PROMESSI SPOSI
I QUATTRO MOSCHETTIERI
I ROBINSON - UNA FAMIGLIA SPAZIALE
I SETTE FRATELLI CERVI
I SOLITI IGNOTI
I TERRIBILI 7
IERI, OGGI, DOMANI
IL BANDITO
IL BORGO DEI BORGHI
IL BRAVO DI VENEZIA
IL BUONO, IL BRUTTO, IL CATTIVO
IL CAMMINO DELLA SPERANZA
IL CAPITALE UMANO
IL CAPPOTTO DI ASTRAKAN
IL COMMISSARIO REX -
IL CONCERTO DEL PRIMO MAGGIO 2016
IL CONTE DI MONTECRISTO (R. VERNAY)
IL CONTE TACCHIA
IL CORAGGIO DI PARLARE
IL CORRIERE DI FERRO
IL CORTILE
IL COWBOY COL VELO DA SPOSA
IL CUORE ALTROVE
IL DIAVOLO IN CONVENTO
IL FIDANZATO DI MIA MOGLIE
IL GIORNO IN PIÙ
IL GIUSTIZIERE DI MEZZOGIORNO
IL GRANDE BOTTO
IL GRANDE FREDDO
IL GRANDE JOE
IL KENTUCKIANO (DI B. LANCASTER)
IL LEONE DI SAN MARCO (CAPUANO L.)
IL MAESTRO DI VIOLINO
IL MEDICO DEI PAZZI
IL MIO MIGLIOR NEMICO

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

IL MIO NOME È BOND
IL MIO NOME È NESSUNO
IL MIO NOVECENTO
IL MONACO DI MONZA
IL MONDO A 45 GIRI
IL MULINO DEL PO
IL NOME DELLA ROSA
IL PASSATORE
IL PIANETA DEL TESORO
IL POSTO GIUSTO (RETE)
IL PRIMO UOMO SULLA LUNA
IL PRINCIPE DI HOMBURG (BELLOCCHIO M.)
IL PROCESSO DEL LUNEDÌ
IL PROFUMO DEL SUCCESSO
IL RICHIAMO DELLA FORESTA
IL SABATO DI TUTTA SALUTE
IL SALVATORE
IL SATELLITE ITALIANO
IL SEGNO DI VENERE
IL SILENZIO DEL MARE
IL SOLDATO AMERICANO
IL SOSPETTO
IL TIRANNO DI PADOVA
IL VIAGGIO IN CIELO DI MAMMA KUSTERS
IMMORTALS
IMOGENE (S. SPRINGER BERMAN, R. PULCINI)
IMPICCALO PIÙ IN ALTO
IN 1/2H - SPECIALE BALLOTTAGGI
IN 1/2H
IN DARKNESS
IN NOME DEL POPOLO SOVRANO
IN SOLITARIO
IN THE BORDER STATES - ALLA FRONTIERA DEGLI STATI UNITI (DI D.W. GRIFFITH)
INDOVINA CHI VIENE A CENA
INSUPERABILI
IO & GEORGE
IO E IL DUCE

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

IO LA CONOSCEVO BENE
IPCRESS
ISLAM ITALIA
ITALIA - VIAGGIO NELLA BELLEZZA
JIMMY BOBO - BULLET TO THE HEAD
KHUMBA
KILIMANGIARO
KILIMANGIARO - IL BORGO DEI BORGH
KILIMANGIARO - IL GRANDE VIAGGIO
KILIMANGIARO - TUTTE LE FACCE DEL MONDO
KILIMANGIARO - TUTTO UN ALTRO MONDO
KILIMANGIARO MAG
K-PAX DA UN ALTRO MONDO
LA BALLATA DEI MARITI
LA BALLERINA E BUON DIO
LA BANDERA: MARCIA O MUORI
LA BATTAGLIA DI ROMA
LA BELLA AVVENTURIERA
LA BELLA DI ROMA
LA BELLA MUGNAIA
LA BELLISSIMA ESTATE
LA BIBBIA - GENESI: LA CREAZIONE E IL DILUVIO
LA CASA BIANCA
LA CASA DEGLI SPIRITI
LA CASA NELLA PRATERIA
LA CAVIGLIA DI AMELIA
LA CENTO CHILOMETRI
LA CIOCIARA
LA CITTÀ SI DIFENDE
LA FAMIGLIA
LA FAMIGLIA OMICIDI (KEEPING MUM)
LA GRANDE PASSIONE
LA GRANDE RAPINA (ROBBERY UNDER ARMS)
LA GRANDE STORIA
LA GRANDE STORIA - ROTOCALCO
LA GRANDE STORIA SPECIALE
LA LEGGE È LEGGE

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

LA LEGGENDA DI ZANNA BIANCA
LA LEGIONE DEI DANNATI
LA MEGLIO GIOVENTÙ
LA MIA CLASSE
LA MOGLIE È UGUALE PER TUTTI
LA NONNA SABELLA
LA NOTTE (DI MICHELANGELO ANTONIONI)
LA PRIMULA BIANCA
LA PROSSIMA VOCE
LA QUARTA ETÀ
LA RAGAZZA CON LA VALIGIA
LA REGOLA DEL SILENZIO - THE COMPANY YOU KEEP
LA RICOSTRUZIONE DI VENZONE
LA SIGNORA DELLA PORTA ACCANTO - LA FEMME D'À CÔTÉ
LA SPADA NELLA ROCCIA
LA SPADA NORMANNA
LA STORIA VERA DELLA SIGNORA DALLE CAMELIE
LA VEDOVA ALLEGRA
LA VITA CHE VERRÀ
LACRIME D'AMORE
L'AMBIZIOSO
L'AMORE DELL'800
L'AMORE È UN RACKET
L'AMORE INATTESO
L'AMORE SEGRETO DI MADELEINE
L'ANGELO BIANCO
L'ANGOLO ROSSO - COLPEVOLE FINO A PROVA CONTRARIA
L'ARCIERE DI FUOCO
L'ARMATA BRANCALEONE
L'ARTE DELLA FELICITÀ
L'ASSASSINO È QUELLO CON LE SCARPE GIALLE
L'ATTIMO FUGGENTE
L'AVVENTURA DEL GRANDE NORD
LE AVVENTURE DI BIANCA E BERNIE
LE AVVENTURE DI PINOCCHIO
LE AVVENTURE E GLI AMORI DI SCARAMOUCHE
LE MANI SVELTE, GIOVANI, DONNE, FABBRICA

Table A5 - RAI 3: TV programmes for disabled people (2016)
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LE MASSAGGIATRICI
LE MISERIE DEL SIGNOR TRAVET
LE PORTE REGALI, SAGGIO SULL'ICONA
LE QUATTRO GIORNATE DI NAPOLI
LE RAGAZZE DEL '46
LE STORIE - DIARIO ITALIANO
L'EMIGRANTE
LEONARDO DA VINCI: IL GENIO A MILANO
L'ERBA DEI VICINI
LI CHIAMAVANO I TRE MOSCHETTIERI... INVECE ERANO QUATTRO
LIEBE IST KÄLTER ALS DER TOD - L'AMORE È PIÙ FREDDO DELLA MORTE
LILLY TURNER
L'IMMORTALE
L'IMPERATORE DI CAPRI
L'INCONSOLABLE (DI J.M. STRAUB)
L'INCREDIBILE VITA DI TIMOTHY GREEN
L'INNOCENTE CASIMIRO
L'ISOLA DELLA PERDIZIONE
L'ISOLA DELL'ISOLA
LITIGI D'AMORE
L'OMBRELLONE
LONTANO DAGLI OCCHI
LONTANO DAL PARADISO
LOTTE IN ITALIA
LOVE & SECRETS
LOVE HURTS
L'ULTIMA INTERVISTA DI FIDEL
L'ULTIMA LEGIONE
L'ULTIMA VIOLENZA
L'UOMO CHE MENTE
L'UOMO CHE SAPEVA TROPPO (DI A. HITCHCOCK)
LUPI NELL'ABISSO
MADRI PERICOLOSE
MALAFEMMENA
MALOMBRA (M. SOLDATI)
MARE MATTO
MARISA LA CIVETTA

Table A5 - RAI 3: TV programmes for disabled people (2016)
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Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

MARTIN EDEN
MAURIZIO, PEPPINO E LE INDOSSATRICI
MEDICUS
MESSAGGIO DI FINE ANNO DEL PRESIDENTE DELLA REPUBBLICA SERGIO MATTARELLA (L.I.S.)
METEO
METEO RAI NEWS 24
METEO REGIONE
METEO TGR
MI MANDA PICONE
MI MANDA RAITRE
MILLION DOLLAR ARM
MINI RITRATTI QUANDO LA VITA È UNO SPETTACOLO
MIO PADRE AVEVA RAGIONE MIRACOLO A SANT'ANNA
MISERIA E NOBILTÀ
MISS ITALIA
MUD
NAPOLEON
NATA DI MARZO
NEBRASKA
NEL MONDO - RASSEGNA STAMPA (I)
NEL SILENZIO DEI SASSI
NEMICO PUBBLICO
NEMICO PUBBLICO LIVE
NESSUNO ESCLUSO
NOI SIAMO LE COLONNE
NOI SIAMO L'ITALIA
NON BUTTIAMOCI GIÙ
NON PARLO PIÙ
NON PERDIAMO LA TESTA
NON TI PAGO!
NON UCCIDERE
NORMAN ASTUTO POLIZIOTTO (ON THE BEAT)
NUOVO CINEMA PARADISO
O MANDARIM (IL MANDARINO)
OCCHIO ALLA PENNA
OCEAN OF PEARLS

Table A5 - RAI 3: TV programmes for disabled people (2016)
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Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

OCTOPUSSY OPERAZIONE PIOVRA

ODISSEA

OGNI GIORNO È DOMENICA

OGRO

OKI'S MOVIE

OMAGGIO A WILLIAM BLAKE

OMSA SUD, DOPO UN ANNO DI LOTTA

ONE FOR THE MONEY

ONEGIN

PANE QUOTIDIANO

PANE, AMORE E FANTASIA

PANE, AMORE E GELOSIA

PANE, AMORE E...

PANELKAPCSOLAT - RAPPORTI PREFABBRICATI

PARKLAND

PER QUALCHE DOLLARO IN PIÙ

PER SEMPRE

PER UN PUGNO DI LIBRI

PERCEPTION

PERDIZIONE

PETROSINO

PICCOLO MONDO ANTICO

PIEDONE A HONG KONG

PISTOLETTO E SOTHEBY'S

POCAHONTAS

POLITICS - TRIBUNA

POLITICS - TUTTO È POLITICA

POVERI MA BELLI

POVERI MILIONARI

PREMIO STREGA 2016

PRES. AGORÀ

PRES. AGORÀ ESTATE

PRES. BALLARÒ

PRES. CHI L'HA VISTO?

PRES. ELISIR

PRES. FRANCESCO - LU SANTO JULLARE

PRES. GAZEBO

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

PRES. GAZEBO SOCIAL NEWS
PRES. GAZEBO SPECIALE
PRES. IL PROCESSO DEL LUNEDÌ
PRES. KILIMANGIARO
PRES. L'ERBA DEI VICINI
PRES. MI MANDA RAITRE
PRES. POLITICS - TRIBUNA
PRES. POLITICS - TUTTO È POLITICA
PRES. RAI EDUCATIONAL - TV TALK
PRES. REC
PRES. REPORT
PRES. RISCHIATUTTO
PRES. THE COOKING SHOW - IL MONDO IN UN PIATTO
PRES. ULISSE - IL PIACERE DELLA SCOPERTA
PRESADIRETTA
PRIGIONIERO TERRORISTA
PRINCE OF PERSIA - LE SABBIE DEL TEMPO
PROCESSO ALLA TAPPA TOUR
PROFUMO DI DONNA
QUALUNQUEMENTE
QUANTE STORIE
QUANTE STORIE DI SABATO
QUASI QUASI RISCHIATUTTO PROVA PULSANTE
QUATTRO MATRIMONI E UN FUNERALE
QUEL MOSTRO DI SUOCERA
QUELLI DELLA DOMENICA
QUO VADIS?
R.A.M. - RICERCA ARCHIVIO MEMORIA
RADICI - L'ALTRA FACCIA DELL'IMMIGRAZIONE
RAI CULTURA - CALL ME PRINCE
RAI CULTURA - DIARIO CIVILE
RAI CULTURA - GIORGIO ALBERTAZZI VITA MORTE E MIRACOLI
RAI CULTURA - ITALIA VIAGGIO NELLA BELLEZZA
RAI CULTURA - POTERE E BELLEZZA
RAI CULTURA - PROVINCIA CAPITALE
RAI CULTURA - SIGNORIE
RAI CULTURA - VIAGGIO NELL'ITALIA DEL GIRO

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

RAI CULTURA - VIVA LA STORIA

RAI CULTURA - VOLERE VOTARE

RAI EDUCATIONAL - IL TEMPO E LA STORIA

RAI EDUCATIONAL - ITALIANI

RAI EDUCATIONAL - STORIE SOSPETTE

RAI EDUCATIONAL - TV TALK

RAI NEWS

RAI NEWS 24 - LUNEDI SPORT

RAI NEWS 24 - OGGI IN PRIMA

RAI NEWS 24 - SPORT 24

RAI NEWS IN DIRETTA

RAI PARLAMENTO - QUESTION TIME

RAI PARLAMENTO - REFERENDUM COSTITUZIONALE - MESSAGGI AUTOGESTITI

RAI PARLAMENTO - REFERENDUM COSTITUZIONALE - MESSAGGI AUTOGESTITI (L.I.S.)

RAI PARLAMENTO - SPECIALE CAMERA

RAI PARLAMENTO - SPECIALE SENATO

RAI PARLAMENTO - TELEGIORNALE

RAI PARLAMENTO - TRIBUNA REFERENDUM 2016

RAI PARLAMENTO - TRIBUNA REFERENDUM IL CONFRONTO

RAI SPORT - CICLISMO MARATONA DELLE DOLOMITI RAI

SPORT - EQUITAZIONE

RAI SPORT - IL GRANDE CICLISMO

RAI SPORT - MIRACOLO A LEICESTER

RAI SPORT - PROCESSO ALLA TAPPA

RAI SPORT - SCI

RAI SPORT (RBS)

RAIPLAYER

RALLY - STAGIONE 1

RALPH SPACCATUTTO

REC

RED E TOBY NEMICIAMICI

REFERENDUM COSTITUZIONALE 2016 - 4 DICEMBRE 2016

REFERENDUM COSTITUZIONALE 2016 - VOTO DEGLI ITALIANI ALL'ESTERO

REFERENDUM COSTITUZIONALE 2016 (L.I.S.) REPORT

REPORT CULT

RIASSUNTO NAPOLEON

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

RIDENDO E SCHERZANDO. RITRATTO DI UN REGISTA ALL'ITALIANA (PAOLA E SILVIA SCOLA)
RISATE DI GIOIA
RISCHIATUTTO
RISCHIATUTTO ANTEPRIMA
RISCHIATUTTO LA STORIA
RITRATTI QUANDO LA VITA È UNO SPETTACOLO
RIVEDIAMOLI
RIVINCITA PER 2
ROAR - UN GIOVEDÌ DA LEONE
ROAR - UN LUNEDÌ DA LEONE
ROAR - UN MARTEDÌ DA LEONE
ROAR - UN MERCOLEDÌ DA LEONE
ROAR - UN SABATO DA LEONE
ROAR - UN VENERDÌ DA LEONE
ROAR - UNA DOMENICA DA LEONE
ROBIN HOOD, L'ARCIERE DI SHERWOOD
ROMA CITTÀ APERTA
RONIN (JOHN FRANKENHEIMER)
ROSMUNDA E ALBOINO
SALVA E CUSTODISCI
SAM & SALLY
SCACCO AL RE - LA CATTURA DI PROVENZANO
SCALA MERCALLI
SCANDALI AL MARE
SCAPPO DALLA CITTÀ - LA VITA, L'AMORE E LE VACCHE
SCONOSCIUTI - LA NOSTRA PERSONALE RICERCA DELLA FELICIT'
SCUOLA DI SPIE
SEGNAL DA UN PIANETA IN VIA DI ESTINZIONE
SEMBRA IERI - CRONACA E STORIA
SENZA ARTE NÉ PARTE
SFIDE
SFIDE OLIMPICHE
SINFONIA FATALE
SLANG SOGNO L'AMERICA NEL GIARDINO
SLANG THATSAPORE
SOGNO DI UNA NOTTE DI MEZZA SBORNIA
SOLITUDINE

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
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SOLO 2 ORE
SOPRA DI NOI IL MARE
SOTTO IL SOLE DI ROMA
SOTTOVOCE
SPAGHETTI HOUSE
SPECIALE COMMUNITY - L'ALTRA ITALIA
SPECIALE COMMUNITY - LE STORIE
SPINNING BORIS - INTRIGO A MOSCA
SPORT: CALCIO
SPORT: CICLISMO
SPOSTAMENTI PROGRESSIVI DEL PIACERE
STANLIO & OLLIO PER RIDERE INSIEME
STATO CIVILE - L'AMORE È UGUALE PER TUTTI
STATO DI GRAZIA
STELLE NERE
STILL LIFE (U. PASOLINI)
STOLEN
STORIE DELL'EMIGRAZIONE
STORIE MALEDETTE
STUDIO UNO
SUDDENLY (GANGSTERS IN AGGUATO)
SUL LAGO DORATO
SWEETWATER
TARZAN
TARZAN II
TE STO' ASPETTANNO
TEATRO ALLA SCALA - IL TEMPIO DELLE MERAVIGLIE
TERRA DI RIBELLIONE
TERREMOTO UN MESE DOPO 3:36 #NONDIMENTICHIAMOLI
TEZA
TG SPORT SPECIALE
TG3
TG3 - FUORI TG
TG3 - NEL MONDO
TG3 (L.I.S)
TG3 EDIZIONE STRAORDINARIA
TG3 LINEA NOTTE

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

TG3 MINUTI
TG3 SPECIALE
TGR - 43° PREMIO INTERNAZIONALE FLAIANO
TGR - 56° SALONE NAUTICO INTERNAZIONALE
TGR - 68° PRIX ITALIA
TGR - 89° ADUNATA NAZIONALE ALPINI
TGR - AMBIENTE ITALIA
TGR - AMBIENTE ITALIA SPECIALE
TGR - BELLITALIA
TGR - BUONGIORNO REGIONE
TGR - ESTOVEST
TGR - IL CARNEVALE DI VIAREGGIO 2016
TGR - LA GIOSTRA DELLA QUINTANA
TGR - LEONARDO
TGR - L'ITALIA DE IL SETTIMANALE
TGR - MEDITERRANEO
TGR - MESSAGGI AUTOGESTITI ELEZIONI COMUNALI 2016
TGR - OFFICINA ITALIA
TGR - PETRARCA: LE PAROLE DELLA CULTURA
TGR - PIAZZA AFFARI
TGR - REGIONEUROPA
TGR - REGIONI E RAGIONI DEL GIUBILEO
TGR - SPECIALE ELEZIONI COMUNALI 2016
TGR - SPECIALE FAI
TGR - SPECIALE PULIAMO IL MONDO
TGR - TRIBUNE ELEZIONI COMUNALI 2016 LAZIO
TGR - XXXVI CONCERTO SINFONICO DI FERRAGOSTO
TGR LAZIO
TGR LAZIO - IL SETTIMANALE
TGR LAZIO - SPECIALE ELEZIONI AMMINISTRATIVE
TGR SPECIALE
TGR: FERMO IL PALIO DELL' ASSUNTA
TGR: I GIORNALISTI DI RAZZA SPECIALE PREMIO BIAGIO AGNES
TGR: PALIO DE LA MARCILIANA
TGR: PALIO DI ASTI
THAT HAMILTON WOMAN (IL GRANDE AMMIRAGLIO)
THE COOKING SHOW IL MONDO IN UN PIATTO

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

THE EXPATRIATE - IN FUGA DAL NEMICO
THE GRUDGE (TAKASHI SHIMIZU)
THE GUILTY
THE HOAX - L'IMBROGLIO
THE IMPOSSIBLE
THE LINCOLN LAWYER (DI BRAD FURMAN)
THE NEWSROOM
THE PERSUADERS!
THE RED BARON
THE ROCK
THE TOURIST
THE TREE OF LIFE
THE WAY BACK
THE YOUNG VICTORIA
THELMA & LOUISE
TOLGO IL DISTURBO
TOTÒ CONTRO I QUATTRO
TOTÒ, PEPPINO E I FUORILEGGE
TOUR DE FRANCE - DIRETTA
TOUR DE FRANCE - TOUR ALL'ARRIVO
TOY STORY - IL MONDO DEI GIOCATTOLI
TOY STORY - TUTTO UN ALTRO MONDO
TOY STORY 2 - WOODY & BUZZ ALLA RISCOSSA
TOY STORY 3 - LA GRANDE FUGA
TRIPLO GIOCO (N. JORDAN)
TROPPO FORTE
TROPPO GIOVANI PER MORIRE
TUTTA SALUTE
TUTTA SALUTE - SPECIALE AIRC
TUTTI PAZZI PER ROSE
TUTTI SALVI PER AMORE
UEFA UNDER 19 CHAMPIONSHIP
ULISSE - IL PIACERE DELLA SCOPERTA
UN AFFARE DI CUORE
UN AMLETO DI MENO
UN COLPEVOLE SENZA VOLTO
UN COMMISSARIO A ROMA

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

UN GELATO PER SAVIANO
UN GENIO, DUE COMPARI, UN POLLO
UN GIORNO IN PRETURA
UN INVIATO MOLTO SPECIALE
UN MARITO IDEALE
UN MARITO PER ANNA ZACCHEO
UN MATRIMONIO ALL'INGLESE
UN MILITARE E MEZZO
UN POSTO AL SOLE - MEMORIES
UN POSTO AL SOLE
UN SORRISO UNO SCHIAFFO UN BACIO IN BOCCA
UN TURCO NAPOLETANO
UNA BELLA VACANZA - BUON COMPLEANNO DINO RISI
UNA BOTTA DI VITA
UNA CALIBRO 20 PER LO SPECIALISTA
UNA PARTITA DI PIACERE
UNA ROMANTICA AVVENTURA
UNA STORIA DI GUERRA
UNE HISTOIRE D'EAU
UOMINI DI DIO
UPSIDE DOWN
VENERE IN PELLICCIA
VENEZIA, LA LUNA E TU
VENEZIA: LA SERENISSIMA
VERTIGO
VIAGGIO AL CENTRO DELLA TERRA
VIAGGIO DI UN REGISTA VERSO L'ESSERE UMANO - STORIA DI MIKKO NISKASEN
VIAGGIO NEL PAESE DEL RISCHIATUTTO VILLA DEL CINEMA
VISIONARI
VIVERE IN PACE
WALL-E
WHO'S GONNA LOVE ME NOW?
WINDTALKERS
WON'T BACK DOWN - UNA SCUOLA PER MALIA
YOUNG & HUNGRY - CUORI IN CUCINA
YUCATAN

Table A5 - RAI 3: TV programmes for disabled people (2016)
List of programmes with subtitles/auto-description broadcast in 2016
Time slot: 6.00-24.00 (Art. 13 Service Agreement 2010-2012)

ZANNA BIANCA

ZINGARA ROSSA

ZORRO

Note: the table also includes programmes subtitled/audio-described in a non-continuous way

Table A6 - Subtitled programming - Tg and Sports Information (year 2016) Channels: Tg1, Tg2, Tg3, TgSport - Weekly Schedule - Band: 6.00am-10.00pm

Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
6-7							
7-8	Tg1 L.I.S 7.30	Tg1 L.I.S 7.30	Tg1 L.I.S 7.30	Tg1 L.I.S 7.30	Tg1 L.I.S 7.30		
8-9	Tg1 8.00	Tg1 8.00	Tg1 8.00	Tg1 8.00	Tg1 8.00	Tg1 8.00	Tg1 8.00
9-10	Tg1 9.00	Tg1 9.00	Tg1 9.00	Tg1 9.00	Tg1 9.00	Tg1 9.00	Tg1 9.00
	Tg1 9.30	Tg1 9.30	Tg1 9.30	Tg1 9.30	Tg1 9.30	Tg1 L.I.S 9.30	Tg1 L.I.S 9.30
10-11	Tg1 9.55	Tg1 9.55	Tg1 9.55	Tg1 9.55	Tg1 9.55		
11-12							
12-13	Tg3 12.00	Tg3 12.00	Tg3 12.00	Tg3 12.00	Tg3 12.00	Tg3 12.00	Tg3 12.00
	Tg Sport (Tg3) 12.20	Tg Sport (Tg3) 12.20	Tg Sport (Tg3) 12.20	Tg Sport (Tg3) 12.20	Tg Sport (Tg3) 12.20	Tg Sport (Tg3) 12.20	Tg Sport (Tg3) 12.20
							Tg3 L.I.S. 12.55
13-14	Tg2 13.00	Tg2 13.00	Tg2 13.00	Tg2 13.00	Tg2 13.00	Tg2 13.00	Tg2 13.00
14-15	Tg3 14.20	Tg3 14.20	Tg3 14.20	Tg3 14.20	Tg3 14.20	Tg3 14.15	Tg3 14.15
15-16	Tg3 L.I.S. 15.05	Tg3 L.I.S. 15.05	Tg3 L.I.S. 15.05	Tg3 L.I.S. 15.05	Tg3 L.I.S. 15.00	Tg3 L.I.S. 14.50	
	Tg1 16.30	Tg1 16.30	Tg1 16.30	Tg1 16.30	Tg1 16.30		Tg1 16.30
16-17						Tg1 17.00	
17-18							
18-19	Tg Sport 18.30	Tg Sport 18.30	Tg Sport 18.30	Tg Sport 18.30	Tg Sport 18.30		
	Tg2 18.10 Tg2 18.15	Tg2 18.10 Tg2 18.15	Tg2 18.10 Tg2 18.15	Tg2 18.10 Tg2 18.15	Tg2 18.10 Tg2 18.15	Tg2 L.I.S 18.05	
19-20							Tg2 19.30
20-21	Tg1 20.00	Tg1 20.00	Tg1 20.00	Tg1 20.00	Tg1 20.00	Tg1 20.00	Tg1 20.00
21-22							
22-23							
23-24							

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