

## Supervisory Board

At the end of 2008 TIM, formerly Telecom Italia, created the Organo di Vigilanza (also called OdV) as its internal Supervisory Board with the function of monitoring and verifying the wholesale access services of TIM, so as to guarantee the non-discrimination in the provisioning of such services. This Supervisory Board (SB) is an independent entity that acts with complete autonomy, in an impartial mode and that is at the service of all Authorized Operators (OAOs) in Italy that decide to purchase from TIM, the incumbent operator, wholesale access services on the fixed network.

The SB was established within the framework of the Undertakings voluntarily implemented by TIM, starting in early 2009, and subsequently transformed into regulatory obligations by the Italian Communications Regulatory Authority (Agcom), aimed at guaranteeing to all the authorized operators equal access to the network, with the objective of using an independent entity to monitor the effective implementation of the commitments of non-discrimination.

## The Board's main tasks and practices

The SB's role, functions and responsibilities derive from the Undertakings voluntarily proposed by TIM and approved by Agcom, as well as by various measures and requirements issued by the Italian Authority over the years.

With the entry into force of the 2016 Supervisory Board Regulation, the SB's tasks have increased, thus, consolidating its role aimed at ensuring equal treatment.

Thanks to its recently-conferred authority and to the significance of the activities delegated by the national regulator, the Supervisory Board:

### Organo di vigilanza

- ⇒ proceeds to verify any potential breaches reported or identified independently and communicates them to the Authority in the manner and timeframe defined in its own Regulation;
- ⇒ supports all the licensed operator's requests for the resolution of technical-operational disputes regarding the supply of network access services;
- ⇒ carries out specific studies and analysis activities, at the request of the Communications Regulatory Authority - Agcom; assists Agcom on specific technical issues;
- ⇒ monitors the non-discrimination KPIs;
- ⇒ sends a quarterly progress report to Agcom and TIM including any anomalies found and suggestions for their resolution;
- ⇒ maintains a constant international connection, particularly with the European Commission, and with counterparts in other countries for the exchange and comparison of good practices;
- ⇒ publishes an Annual Report, regarding its activities and findings of the preceding year.

## Composition

The Supervisory Board is made up of 5 independent members, of which 3 designated by Agcom and 2 by TIM, the latter following a consultation with the Authority.

Members remain in office for five years. They are obliged to meet the requirements of good repute, independence and professionalism. They perform their duties totally independently.

Current composition:

- Avv. Francesco Sclafani, President.
- Dott. Giovanni Amendola
- Dott. Fabio Di Marco
- Prof. Maurizio Mensi
- Prod. Gianni Orlandi

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## Supervisory Office

The SB is assisted in its activities by the Supervisory Office, coordinated by a Director, appointed by TIM, with the approval of the SB. The Supervisory Office (SO) operates under a regime of functional separation from TIM and independence of the staff in charge.

Under its Director, it assists the SB by providing operational, technical and legal support and carrying out, at the request and indications of the Body itself, preparatory and ancillary strategies for the handling of reports, Annual Report and technical investigations.

Current composition:

- Ing. Fabio Pompei, Direttore.
- Dott. Alessandro Alongi, Head of legal and institutional division
- Dott. Sergio Barranco, Head of network technical and quality control
- Ing. Marco de Grandis, Coordination of technical areas and tables
- Ing. Francesco Papetti, SPM services performance manager
- Ing. Pietro Pinna Parpaglia, Economic and International Area Manager
- Sig.ra Diana Stefani, Office manager

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## The Supervisory Board's mission

*Monitoring and verification of compliance with the Undertakings of TIM in order to guarantee equal treatment for all authorized communication operators (OAOs).*

The SB has the objective of avoiding the risk of discriminatory behavior towards other authorized operators, who use the TIM network, in order to

provide telecommunication services on the Italian market and that of enforcing the principle of equal treatment when accessing the fixed network.

In the telecommunication sector, the possibility of a fair and equal treatment can only be achieved if the infrastructure's owner, who is also a supplier in the retail services market (i.e. vertically integrated operator), can be credibly excluded from reserving a preferential treatment to its internal functions (i.e. retail activity). For this reason the Supervisory Board on equal access to the network of TIM is called upon to accomplish various monitoring functions and operates as an independent and autonomous body. It is chaired by experienced members and is a result of the undertakings agreed upon by TIM to create an essential mechanism for a joint public-private monitoring and co-supervision of non-discrimination of the TIM network.

The Supervisory Board is requested to verify any breaches of the Undertakings - either reported by third parties or upon its own initiative - and to duly communicate the results of the preliminary investigations to the Authority-Agcom- and to the TIM Board of Directors. The SB is empowered with the ability of acquiring all the necessary information and all types of data for this purpose, so as to carry out all the obligatory functions inside the TIM organization involved in the process.

*Monitoring of the Obligations relating to compliance of TIM on non-discrimination.*

With the enter into force of the new *Supervisory Board* regulation (in July 2016) and following various new measures adopted by Agcom, the SB's activity has significantly expanded and now also includes the surveillance of all aspects concerning the principle of non-discrimination.

The SB is also tasked with providing specialized technical support to both Agcom and TIM, about the creation, implementation and application (always fully respecting the obligation of non-discrimination) of any new versions of the order and delivery process t for TIM network access services, which has currently been "improved and reinforced" as regards to the previous one. Agcom may also request technical support from the Supervisory Board in order to carry out specific studies, analysis, testing and verification processes within its regulatory sphere of competence; furthermore, Agcom can ask support to the SB in its technical roundtables with the other authorized operators (OAOs), regarding the utilization of the TIM network.