[IT] Agcom Adopts a Regulation on NGN Access

IRIS 2012-5:1/31

Angela Creta
Sapienza University of Rome

On 12 January 2012, the Autorità per le garanzie nelle comunicazioni (Italian Communications Authority - Agcom) adopted Resolution no. 1/12/CONS (hereinafter "The Resolution"), on next generation network access services (NGA), in accordance with the comments of the European Commission and the assessments made by the Italian Antitrust Authority (AGCM). It also incorporates the contributions of the previous public consultation launched by Resolution no. 1/11/CONS.

The Resolution defines the obligations of Telecom Italia, both in relation to active (bitstream and Vula) and passive services (in their different types), to ensure a transparent and non-discriminatory offer of services provided over Next Generation Networks (and related ancillary services) (articles 6(1) and 7(1)). Telecom Italia must also publish annual Reference Offers, to be preliminarily approved by Agcom (art. 6(2)).

In the absence of agreements between the parties and at least five years in advance, Telecom Italia must inform the alternative operators, who purchase wholesale copper network access services, of its intention to dismiss or convert the access points located in local switchboards open to the unbundling of services over copper (art. 13(1)).

Telecom Italia is charged to provide unbundled access to its network where it is technically feasible and taking into account the actual development of the market. Within two months after the entry into force of the Resolution, it is required to submit a Reference Offer relating to:

-passive services, such as the end-to-end service (unbundled access to fiber compatible with the current incumbent's network architecture), the individual components that make up the service (called building blocks), access to civil works (ducts);

- active services, such as bitstream fiber, offered at various network layers, and the innovative service Vula (virtual unbundled local access), provided directly at the central network.

Agcom will also initiate proceedings to establish the model to manage long-run incremental costs within a bottom-up approach for the pricing of wholesale access

© European Audiovisual Observatory (Council of Europe) 2026

services over fiber networks. In this process, Agcom will identify areas where there is a sustainable competition for the pricing of bitstream services (art. 33).

Finally, the Resolution defines the rules applicable to the procedures necessary to define the discipline of advanced technology VDSL (vectoring and bonding) (art. 18), the possibility of introducing symmetric obligations of access to infrastructure (art. 33), the definition of risk premium and the conditions for economic services (Title II, Chapter I, Section III and Section IV, Chapter II, Section III).

Delibera no 1/12/CONS - Individuazione degli obblighi regolamentari relativi ai servizi di accesso alle reti di nuova generazione

http://www.agcom.it/default.aspx?DocID=7991

Resolution no. 1/12/CONS - Identification of regulatory requirements relating to next generation networks access services

Delibera no. 1/11/CONS - Consultazione pubblica in materia di regolamentazione dei servizi di accesso alle reti di nuova generazione

http://www.agcom.it/default.aspx?DocID=5555

Resolution no. 1/11/CONS - Public consultation on regulation of access services to next generation networks

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026