



**FASTWEB: Milan Appeals Court upholds
FASTWEB winback petition
and rejects Telecom Italia appeal for abuse of dominant position**

Milan, May 16, 2006 – FASTWEB S.p.A. (Milan, MTAX: FWB), Italy's second-largest fixed telecommunications services provider, has been notified by the authorities that the Milan Court of Appeal has upheld its application for an interim injunction against Telecom and ordered Telecom: "to **abstain** from continuation of the anticompetitive business practices examined in the petition, and consisting specifically of: use of information on former customers by its commercial divisions for targeted winback activities, above all in the form of telephone calls to former customers who have moved to FASTWEB; use of the data supplied by former customers at the time of contract termination and number portability request; incentives for its sales network in the form of higher commissions and other forms of incentives selectively linked exclusively to the re-capture of FASTWEB customers; the offer of services at special rates reserved selectively for current FASTWEB customers to persuade them to return to Telecom; and defamatory activities against FASTWEB."

On the same date, the court also rejected a complaint filed by Telecom Italia alleging abuse of a dominant position by FASTWEB, in the form of application of excessively high prices for the termination service on the FASTWEB network.

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