

# **BAC**

**Business Advisory Council**

November 30, 2009

Streamlined Sales Tax Issue Resolution Committee {Sent Via E-Mail}  
Attn: Bruce Johnson, Committee Chair  
4205 Hillsboro Pike, Suite 305  
Nashville, TN 37215

**Re: Withdraw of BAC's Petition for Reconsideration Regarding Rhode Island's Annual Compliance Review in 2008 – Issue Now Moot**

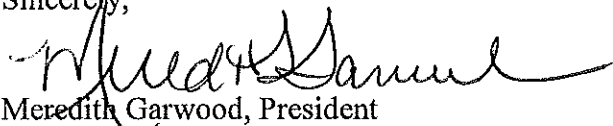
Dear Committee Chair Bruce Johnson:

On November 16, 2009, the Business Advisory Council (“BAC”) received a letter from Peter McVay, Assistant Tax Administrator with the Rhode Island Department of Revenue, Division of Taxation, notifying the BAC in writing that for periods prior to January 1, 2010 Rhode Island will source “ancillary services” according to the Agreement, the place of primary use. Based on Mr. McVay’s written statement that it will source ancillary services in compliances with the Agreement, the BAC hereby withdraws its petition regarding Rhode Island being found in substantial compliance with each requirement of the Streamlined Sales and Use Tax Agreement in the 2008 Annual Compliance Review.

The BAC is aware that Rhode Island Sales Tax Regulation SU 09-129 is being amended to permanently correct this problem. Mr. McVay has indicated this rule will be effective January 1, 2010. The BAC trusts this will occur; however, the BAC reserves the right to file a petition for resolution or raise this issue in a future annual compliance review if the amended rule is not effective on that date.

Please let me know if you have any questions.

Sincerely,



Meredith Garwood, President  
Business Advisory Council  
(704) 731-3593  
[Meredith.garwood@twcable.com](mailto:Meredith.garwood@twcable.com)

Cc: Scott Peterson, SSUTA Executive Director  
BAC Board Officers  
Peter McVay, RI Division of Taxation Assistant Tax Administrator