North Carolina Department of Revenue

Beverly Eaves Perdue
Governor

Kenneth R. Lay
Secretary

May 17, 2010

Account ID: [redacted]
FEIN: [redacted]

[redacted]

Attention: [redacted]

Re: Private Letter Ruling Request

Dear [redacted]:

We have your letter of March 25, 2010 requesting a private letter ruling from the Department. We also received the copy of a sample invoice your firm sends its customers via facsimile on April 28, 2010. It is my understanding from my telephone conversation with you on April 28, 2010 that your firm does not provide its customers with written contracts; therefore, the sample invoice provided serves as documentation detailing the transaction in question.

You advise that your firm is "a statement rendering company, with locations in [redacted] and [redacted]…." Your firm provides "both printing and mailing services" to "a varied customer base which includes banks, utility companies, wholesale distributors, freight companies, along with city and county government."

Your firm performs two different types of printing and mailing services, which you describe as follows:

"The majority of our business entails receiving a print or data file from our customers which we then use to print their invoices, order forms/price lists, or statements. These are then folded and inserted into envelopes and delivered to the United States Postal Service for mailing to their customers."

Phone (919) 733-2151 Fax (919) 733-1821
501 North Wilmington Street, Raleigh, North Carolina 27640
P.O. Box 871 Raleigh, North Carolina 27602-0871
Website: www.dornc.com
An Equal Opportunity Employer

"In addition to printing and mailing invoices and statements, we do other kinds of letter or postcard mailings for our customers. These mailings could be anything from a letter explaining a change in their account, a welcome letter, a collection notice, or a solicitation for additional business. Our customers supply us with artwork and an address file, and we print a letter or postcard and deliver that to the USPS for mailing to their customers."

Your firm provides the statement rendering and additional mailings detailed above at each of its locations. The mailings are delivered by the Postal Service to a small geographic area in this State, or they are mailed across the United States, depending on your firm's customers' needs.

Your firm's charges for these services would not be subject to this State's sales or use tax. Your firm is liable for payment of sales and/or use tax on the cost of materials, such as paper, ink, stationery, etc., used in performing these services.

This ruling is based solely on the facts submitted to the Department of Revenue for consideration of the transactions described. If the facts and circumstances given are not accurate, or if they change, then the taxpayer requesting this ruling may not rely on it. If a taxpayer relies on this ruling and the Department discovers, upon examination, that the fact situation of the taxpayer is different in any material aspect from the facts and circumstances given in this ruling, then the ruling will not afford the taxpayer any protection. It should be noted that this document is not to be cited as precedent and that a change in statute, a regulation, or case law could void this ruling.

If you have any questions, you may reach me at the number listed below.

Very truly yours,

[redacted]
Administration Officer
Sales and Use Tax Division

[redacted]

cc: [redacted], Director – Sales and Use Tax Division