

# EXHIBIT D

# Review: Newfangled Nest thermostat is hot

By Edward C. Baig, USA TODAY

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"You're reviewing a thermostat?"



Personal Tech

By Edward C. Baig



Nest Labs

The Nest thermostat will be available in mid-November.

Nest Labs

That pretty much sums up the incredulous reactions I received when I mentioned the topic of this week's column. After all, the thermostat on your wall is probably a blah-looking controller you face only when it's time to warm or cool the house.

Unless heating or cooling is on your mind, there isn't much reason you'd turn to the digital Nest Learning Thermostat, either. Except that this is the coolest thermostat I've ever come across. Nest smashes any preconceived notions of what a thermostat ought to look like and how it should operate, whether you're in front of it or accessing it remotely from an iPhone or iPad. It takes advantage of cloud computing, and it learns from your behavior.

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Controlling the temperature and helping you save energy is Nest's primary aim. But you can't help but be drawn to it: The \$249 Nest is a thermostat with sex appeal — and a high price. Nest becomes available in mid-November, though you can preorder a unit now at [BestBuy.com](#) or [Nest.com](#).

The thermostat was created by [Silicon Valley](#) start-up Nest Labs, whose co-founder [Tony Fadell](#) used to be in charge of iPods at Apple. Fadell brings the Apple aesthetic to Nest. (Disclaimer: I haven't had a test unit long enough to measure any true energy savings. Nor can I independently verify that the temperature the thermostat is reporting is as accurate as Nest claims.)

That said, the thermostat is extremely simple to use and is one beautiful hockey puck of a device with a silver ring and a reflective dark surface that wakes up as you come near. There is a proximity sensor along with other sensors for temperature, humidity and ambient light.

To raise or lower the temperature, rotate the ring in either direction. Click the entire display to access menu choices.

The display turns orange when the heat is on and blue during cooling. Your target temperature is shown in the middle of the screen, along with the time it will take to reach

that temperature. Nest advises users to avoid cranking the temperature to extremes to try to heat or cool your home more quickly. Current temperature is shown at the top of the screen.

### **Nest adjust to patterns**

Nest gets smarter over time based on the way you raise or lower the temperature when you come or go at different times. In a week's time, Nest will automatically turn down heating or cooling when you're not around. As part of the setup, you can select the high and low temperatures that your heating and cooling system will deliver when you're away. And if you're leaving for vacation, you can manually choose an "Away" setting.

Of course, other programmable thermostats are sold by Honeywell, Lux, Hunter and other brands — some for as little as \$20 (though they can easily surpass \$100 for touch-screen models with more features). But the American Council for an Energy-Efficient Economy says 89% of respondents to an online survey indicated that they rarely or never use such a thermostat to set a weekend or weekday program. And Nest cites [Environmental Protection Agency](#) statistics that estimate that properly programmed thermostats can generate energy savings of 20%.

If your thermostat is operating at what Nest considers to be an ideal energy-saving temperature, a green leaf appears on the screen. Nest says that changing the room temperature even a single degree can cut energy costs by 5%.

You can track your energy use from the device, and view a chart that shows the temperature at a particular time of day.

During setup, you can connect Nest to your Wi-Fi network, then change your settings remotely — from the Web or via an app on an iPhone or iPad. (An Android app is due in December.) The iPhone app was a breeze to use, although I got a little confused initially setting it up. I wrongly thought I had to enter a special code to have the phone communicate with the thermostat.

If you're a little handy, you can install Nest yourself in about 20 minutes. It comes with an installation guide, mounting screens, wall anchors and even a screwdriver. Nest recommends taking a picture of your old thermostat wiring just in case and turning off the power before you proceed.

Be prepared for what may be underneath your old thermostat: a nasty hole in the wall, in my case.

If you're uncomfortable messing with wires and holes, Nest will sell you installation service for \$119 (plus an additional \$25 for any extra thermostats you want to employ).

Nest works with most heating and cooling systems: forced air, radiant, heat pump, oil, gas and electric systems. It won't work with some proprietary systems, line-voltage systems or certain other systems. It uses a lithium-ion battery that I'm told will last at least as long as the device's five-year warranty.

If you need a new thermostat, consider warming up to Nest. It is the Nest Best Thing.

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## Nest Learning Thermostat

\$249; [www.nest.com](http://www.nest.com)

**Pro.** Beautiful and simple to use digital thermostat learns from your behavior. Remote access via iPhone, iPad or Web.

**Con.** Expensive. Works with most but not all heating or cooling systems

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E-mail: [ebaig@usatoday.com](mailto:ebaig@usatoday.com). Follow on Twitter: [@edbaig](https://twitter.com/@edbaig).

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