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Tom's proposal would create 2 lanes because of how he defined what is 'commercially reasonable'. In his words, 'commercially reasonable' is defined as advertised internet speeds. Those speeds cannot be throttled, however because of a loophole that Tom is creating with his proposals, there would be nothing stopping ISPs from advertising general (slower) speeds and expedited web services (the fast lane) as part of a package, completely defying the whole concept of neutrality and destroying the incentive for ISPs to improve their network infrastructure. This would lead to ISPs extorting or persuading other large companies to pony up extra cash to prioritize their services (limiting competition or start ups to general speeds) essentially censoring the voice of start up who cannot pay for premium service, because their service won't operate at the same level of already established competitors, therefore would be much less appealing to the end user. We already saw Comcast do this with Netflix (outright throttling instead of using some of their record profits to upgrade infrastructure), and it will become common practice if Tom does not throw out these measures and classify broadband under title II under the federal communications act.